

University of Cambridge
Faculty of English
(Department of Anglo-Saxon, Norse & Celtic)

**The Function of Writs in England before the
Norman Conquest**

Albert Graham Peter Fenton
Trinity College

This thesis is submitted for the degree of
Doctor of Philosophy

August 2020

DECLARATIONS

This thesis does not exceed 86,000 words in length, including footnotes, references, and an appendix, but excluding translations and bibliography, with the additional words kindly approved by the Student Registry on the recommendation of the English Degree Committee.

This thesis is the result of my own work and includes nothing that is the outcome of work done in collaboration. It is not substantially the same as any that I have submitted, or, is being currently submitted for a degree or diploma or other qualification at the University of Cambridge or any other University or similar institution. I further state that no substantial part of my thesis has already been submitted, or, is being concurrently submitted for any such degree, diploma or other qualification at the University of Cambridge or any other University or similar institution.

This thesis is written in conformance with the Anglo-Saxon, Norse and Celtic Department's Stylesheet.

Albert Fenton
1st August 2020

THE FUNCTION OF WRITS IN ENGLAND BEFORE THE NORMAN CONQUEST

ALBERT GRAHAM PETER FENTON

ABSTRACT

This doctoral thesis offers a sustained re-examination of the corpus of Anglo-Saxon writs, a group of over 120 vernacular documents that survive predominantly from the later tenth and eleventh centuries, and which were issued by kings alongside a range of non-royal individuals. These short, nimble, epistolary-form texts contained an address clause that greeted the constituents of a regional or local court, or occasionally a single individual, and articulated an announcement or instruction. Such announcements typically regarded grants of land and clusters of associated privileges, but they also dealt with a variety of other issues including disputes over taxation and the possession of land, notifications of ecclesiastical appointments and permissions to create documents. Methodologically, the thesis employs an inter-disciplinary approach, drawing on the insights of palaeographical, diplomatic, art historical and inter-textual analyses. In doing so, it focuses sharply on the question of the function of these documents—attempting to elucidate their use and setting in the contemporary world of late Anglo-Saxon politics, kingship and court culture.

Chapter One introduces the pre-Conquest writ corpus, providing a definition of this diplomatic typology alongside a historiographical overview and methodological outline. Chapter Two moves on to deal with the transmission and preservation of Anglo-Saxon writs, analyzing aspects of the nature and appearance of writs preserved as ‘original’ single sheets, and writs entered into manuscripts in a contemporary or near-contemporary hand. This is followed in Chapter Three by an inter-textual analysis of the component diplomatic parts of the pre-Conquest writ, namely the protocol or address clause, the main announcement clause and the additional clauses (prohibitions, sanctions, valedictions etc.). It seeks both to describe and to understand the range of possible influences on writ diplomatic forms (for example, influence from other typologies of charter as well as legal and epistolary discourses), the relative stability and dynamism of these forms, and the question of their performativity, particularly in relation to the prevalent use of Old English alliterative formulae. Chapter Four considers the material

and textual evidence for the association of Anglo-Saxon writs with seals (apparent in the collocation *gewrit and insegel* or ‘writ and seal’)—and interrogates the material evidence for the use of seals in pre-Conquest society, as well as textual evidence for the functions of such sphragistic devices. In Chapter Five, the thesis returns to the question of the legal function of writs with an analysis of the terms that constitute the legal register of many pre-Conquest writs: for example *sake and soke*, *toll and team* and their associated constellations. This chapter will also consider the important sub-group of writs issued by individuals other than kings, placing them in the wider context of the participation of non-royal élites in diplomatic practices. This is followed by the conclusion.

Throughout the thesis, Anglo-Saxon writs are considered within the wider context of other genres of charter writing in both Latin and the vernacular, with a view to understanding how diplomatic forms interacted, and how writs functioned as part of a wider system of administration and governance in late Anglo-Saxon England—one that relied upon the production, use, performance and re-performance of written texts.

THE FUNCTION OF WRITS IN ENGLAND BEFORE THE NORMAN CONQUEST

LIST OF TABLES, FIGURES AND ILLUSTRATIONS	vii
ACKNOWLEDGEMENTS	viii
ABBREVIATIONS	ix–xi
CHAPTER ONE: INTRODUCTION	1
1.1. <i>Definitions and Contours of the Corpus</i>	1
1.2. <i>Form, Structure and Language</i>	7
1.3. <i>Origins of Anglo-Saxon Writs</i>	11
1.4. <i>Converging Traditions: Epistolary and Sphragistic Culture in Early Anglo-Saxon England</i>	16
1.5. <i>Diplomatic and Legislative Contexts</i>	32
1.6. <i>The Historiographical Background: The Discovery of Anglo-Saxon Writs</i>	38
1.7. <i>Methodology</i>	44
CHAPTER TWO: THE TRANSMISSION AND PRESERVATION OF ANGLO-SAXON WRITS	47
2.1. <i>Modes of Transmission</i>	47
2.2. <i>The Single-Sheet Writs and Seal Impressions: Their Palaeography and Graphicacy</i>	50
2.3. <i>Other Contemporary or Near-Contemporary Forms of Preservations</i>	74
2.4. <i>Concluding Observations</i>	83
CHAPTER THREE: THE DIPLOMATIC OF ANGLO-SAXON WRITS	86
3.1. <i>Diplomatic Clauses, Forms and Structures</i>	86
3.2. <i>The Protocol or Opening Clause</i>	87
3.3. <i>The Main Announcement Clause</i>	101
3.4. <i>The Additional Clauses</i>	111
3.5. <i>Concluding Observations</i>	120
CHAPTER FOUR: SEALS, WRITS AND SPHRAGISTIC CULTURE IN ANGLO-SAXON ENGLAND	123
4.1. <i>Introduction</i>	123
4.2. <i>Sphragistic Culture in the Tenth and Eleventh Centuries: Material Evidence</i>	129
4.3. <i>Sphragistic Culture in the Tenth and Eleventh Centuries: Textual Evidence</i>	143
4.4. <i>Concluding Observations</i>	153

CHAPTER FIVE: ANGLO-SAXON WRITS AS LEGAL DISCOURSE	156
5.1. <i>Introduction</i>	156
5.2. <i>The Legal Register of Anglo-Saxon Writs</i>	157
5.3. <i>Writs Issued by Individuals Other than Kings: ‘Non-royal’ Writs</i>	175
5.4. <i>Concluding Observations</i>	191
CHAPTER SIX: CONCLUSION	193
APPENDIX (PARTS I AND II)	197
BIBLIOGRAPHY	220

LIST OF TABLES, FIGURES AND ILLUSTRATIONS

Figure 1.1. <i>Concordance Table: Anglo-Saxon Writs.</i>	197
Figure 1.2. <i>Concordance Table: Additions to the corpus of Anglo-Saxon writs.</i>	201
Figure 1.3. <i>Writs grouped according to their intended function/type of announcement.</i>	202
Figure 2.1. <i>Concordance Table: Anglo-Saxon writs on contemporary single sheets.</i>	204
Figure 2.2. <i>Size and nature of folding of Anglo-Saxon writs on contemporary single sheets.</i>	204
Figure 2.3. <i>Orthographic variation: Forms of 'Edward' in contemporary single-sheet writs.</i>	205
Figure 2.4. <i>Concordance Table: Anglo-Saxon Single-Sheet Writ endorsements.</i>	205
Figure 2.5. <i>Concordance Table: Anglo-Saxon Writs entered into manuscripts in a contemporary or near-contemporary hand.</i>	206
Figure 3.1. <i>Nature and distribution of typologies of writ protocol (address clause).</i>	207
Figure 3.2. <i>Nature and distribution of typologies of main announcement clause.</i>	208
Figure 3.3. <i>Distribution of spatial formulae in writs.</i>	210
Figure 3.4. <i>Appearance of spatial formulae in other typologies of vernacular charter.</i>	210
Figure 3.5. <i>Nature and distribution of typologies of prohibition clause.</i>	211
Figure 3.6. <i>Nature and distribution of: statements of religious motive, sanction or penal clause, valediction and miscellaneous other additional clauses.</i>	212
Figure 3.7. <i>Nature and distribution of writs lacking additional clauses.</i>	214
Figure 4.1. <i>Non-royal seal matrices from the late Anglo-Saxon period.</i>	215
Figure 5.1. <i>Frequency and distribution of legal and fiscal privileges in non-spurious Anglo-Saxon writs.</i>	216
Figure 5.2. <i>Writs issued by individuals other than kings.</i>	217
Figure A. <i>The face of S 1071 (BuryStE 12)</i>	218
Figure B. <i>The face of S 1084 (BuryStE 24)</i>	218
Figure C. <i>The face of S 1088 (CantCC 179)</i>	219
Figure D. <i>The face of S 1156 (Writs 115)</i>	219

ACKNOWLEDGEMENTS

First and foremost, I would like to thank dearly my supervisor, Professor Simon Keynes, for the abiding patience, erudition and kindness he has shown me over the course of my studies in this field. His undergraduate Part II paper, ‘The Anglo-Saxon Chancery’, inspired me to follow the study of Anglo-Saxon charters to doctoral level, and introduced me to many of the ideas and debates that run through this thesis. I would also like to thank all the other members of the Department of Anglo-Saxon, Norse and Celtic at the University of Cambridge, both staff and students past and present, for their encouragement, humour, and above all, friendship. I am particularly indebted to my doctoral advisors Professor Máire Ní Mhaonaigh and Professor Rosalind Love, as well as Professor Richard Dance, not least for his support in running the Old English Reading Group and for numerous teaching opportunities.

I would also like to thank the Arts and Humanities Research Council (AHRC) for awarding me a three-year Ph.D. studentship, as well as the English Faculty, University of Cambridge for their completion award. I must also thank the H. M. Chadwick fund, the Rouse Ball & Eddington fund, and the Lapsley fund for their generous travel and research grants which have assisted me throughout the course of the Ph.D. I should also thank the British Library and the staff in the Manuscripts Reading Room for allowing me to look at numerous single-sheet charters in the flesh.

I am very grateful to Dr Eoghan Ahern, Dr Robert Gallagher, Dr Alice Hicklin, Chris Milliken, Dr Silva Nurmio, Richard Swan, Dr Myriah Williams and Jon Wright for their invaluable comments on work at various stages, and to Professor Francesca Tinti and her team at the *Languages of Early Medieval Charters* project at the University of the Basque Country, Spain for their encouragement and ongoing interest in my research. I would like specially to thank Professor Sarah Foot and Dr Kathryn Lowe for so kindly sending me relevant material from their forthcoming British Academy edition of the Bury St Edmunds archive. My thanks also to Professor Ildar Garipzanov for employing me as a research assistant on his *Graphicacy and Authority in Early Europe* project at the University of Oslo, from which I learnt a great deal.

Finally, this work would not have been possible without the unflinching support, kindness and love of my parents, Rosemary and Graham Fenton. I dedicate this thesis to them.

Albert Fenton
Folkestone, Kent
1st August 2020

ABBREVIATIONS

List of Abbreviations for Anglo-Saxon Charters:

<i>Abing</i>	<i>Charters of Abingdon Abbey</i> , ed. S. E. Kelly, 2 vols., Anglo-Saxon Charters 7–8 (Oxford, 2000–1)
<i>BAFacs</i>	<i>Facsimiles of Anglo-Saxon Charters</i> , ed. S. D. Keynes, Anglo-Saxon Charters Supplementary Series 1 (Oxford, 1991)
<i>Bath</i>	<i>Charters of Bath and Wells</i> , ed. S. E. Kelly, Anglo-Saxon Charters 13 (Oxford, 2007)
<i>BCS</i>	<i>Cartularium Saxonicum</i> , ed. W. de G. Birch, 3 vols. (London, 1885–93), paperback reprint, 3 vols. (Cambridge, 2012)
<i>Burt</i>	<i>Charters of Burton Abbey</i> , ed. P. H. Sawyer, Anglo-Saxon Charters 2 (Oxford, 1979)
<i>BuryStE</i>	<i>Charters of Bury St Edmunds</i> , ed. S. Foot and K. A. Lowe, Anglo-Saxon Charters (Oxford, <i>forthcoming</i>)
<i>CantCC</i>	<i>Charters of Christ Church, Canterbury</i> , ed. N. P. Brooks and S. E. Kelly, 2 vols., Anglo-Saxon Charters 17–18 (Oxford, 2013)
<i>CantStA</i>	<i>Charters of St Augustine's Abbey, Canterbury, and Minster-in-Thamet</i> , ed. S. E. Kelly, Anglo-Saxon Charters 4 (Oxford, 1995)
<i>Charters</i>	<i>Anglo-Saxon Charters</i> , ed. A. J. Robertson (Cambridge, 1939; 2nd ed., 1956), paperback reprint (Cambridge, 2009; reissued, 2011)
<i>Chert</i>	<i>Charters of Chertsey Abbey</i> , ed. S. E. Kelly, Anglo-Saxon Charters 19 (Oxford, 2015)
<i>ECEE</i>	<i>The Early Charters of Eastern England</i> , ed. C. Hart (Leicester, 1966)
<i>ECTV</i>	<i>The Early Charters of the Thames Valley</i> , ed. M. Gelling (Leicester, 1979)
<i>ECWM</i>	<i>The Early Charters of the West Midlands</i> , ed. H. P. R. Finberg, 2nd ed. (Leicester, 1972)
<i>Glast</i>	<i>Charters of Glastonbury Abbey</i> , ed. S. E. Kelly, Anglo-Saxon Charters 15 (Oxford, 2012)
<i>KCD</i>	<i>Codex Diplomaticus Ævi Saxonici</i> , ed. J. M. Kemble, 6 vols. (London, 1839–48), paperback reprint, 6 vols. (Cambridge, 2011)
<i>LondStP</i>	<i>Charters of St Paul's, London</i> , ed. S. E. Kelly, Anglo-Saxon Charters 10 (Oxford, 2004)
<i>Malm</i>	<i>Charters of Malmesbury Abbey</i> , ed. S. E. Kelly, Anglo-Saxon Charters 10 (Oxford, 2006)
<i>North</i>	<i>Charters of Northern Houses</i> , ed. D. Woodman, Anglo-Saxon Charters 16 (Oxford, 2012)
<i>Pet</i>	<i>Charters of Peterborough</i> , ed. S. E. Kelly, Anglo-Saxon Charters 14 (Oxford, 2009)
<i>Roch</i>	<i>Charters of Rochester</i> , ed. A. Campbell, Anglo-Saxon Charters 1 (London, 1973)
<i>RRAN</i>	<i>Regesta Regum Anglo-Normannorum: The Acta of William I (1066–1087)</i> , ed. D. Bates (Oxford, 1998)

S	<i>Anglo-Saxon Charters: an Annotated List and Bibliography</i> , ed. P. H. Sawyer, Royal Historical Society Guides and Handbooks 8 (London, 1968)
SEHD	<i>Select English Historical Documents of the Ninth and Tenth Centuries</i> , ed. F. E. Harmer (Cambridge, 1914), paperback reprint (Cambridge, 2011)
Sel	<i>Charters of Selsey</i> , ed. S. E. Kelly, Anglo-Saxon Charters 6 (Oxford, 1998)
Shaft	<i>Charters of Shaftesbury Abbey</i> , ed. S. E. Kelly, Anglo-Saxon Charters 5 (Oxford, 1995)
Sherb	<i>Charters of Sherborne</i> , ed. M. A. O'Donovan, Anglo-Saxon Charters 3 (Oxford, 1988)
StAlb	<i>Charters of St Alban's Abbey</i> , ed. J. Crick, Anglo-Saxon Charters 12 (Oxford, 2007)
Wells	<i>Charters of Bath and Wells</i> , ed. S. E. Kelly, Anglo-Saxon Charters 13 (Oxford, 2007)
Wills	<i>Anglo-Saxon Wills</i> , ed. D. Whitelock (Cambridge, 1930), paperback reprint (Cambridge, 2011)
WinchNM	<i>Charters of the New Minster, Winchester</i> , ed. S. Miller, Anglo-Saxon Charters 9 (Oxford, 2001)
Writs	<i>Anglo-Saxon Writs</i> , ed. F. E. Harmer (Manchester, 1952), reprinted with additions (Stamford, 1989)

Each abbreviation is followed by the number of the charter in the respective edition.

List of Abbreviations for Law-Codes and Legal Texts:

<i>Abt</i>	Æthelberht
<i>Af</i>	Alfred
<i>I–VI As</i>	Æthelstan
<i>I–X Atr</i>	Æthelred
<i>I–II Cn</i>	Cnut
<i>Cn 1020</i>	Cnut's letter of 1020
<i>Cn 1027</i>	Cnut's <i>epistola</i> of 1027
<i>I–IV Eg</i>	Edgar
<i>I–III Em</i>	Edmund
<i>I–II Ew</i>	Edward the Elder
<i>Hl</i>	Hlothere and Eadric
<i>Hn</i>	<i>Leges Henrici Primi</i>
<i>Hu</i>	<i>Hundred Ordinance</i>
<i>Ine</i>	Ine
<i>Wi</i>	Wihtred

Each abbreviation is followed by the number of the clause (according to Felix Liebermann's *Die Gesetze der Angelsachsen*.)

List of General Abbreviations:

<i>EHD I</i>	Whitelock, D., ed., <i>English Historical Documents c. 500–1042</i> , 2 nd ed. (London, 1979)
Bede, <i>HE</i>	Bede, <i>Historia ecclesiastica gentis Anglorum</i>

CHAPTER ONE: INTRODUCTION

1.1. Definitions and Contours of the Corpus

Writing at the turn of the first millennium AD, the abbot and homilist Ælfric of Eynsham offers a description of those in society who ignore Christian preachers, in order that they might plead ignorance and thus evade God's ultimate judgement. Then, Ælfric constructs a secular parallel to such behaviour, and in doing so alludes to an important feature of contemporary political culture: 'Nu cweðe we þærtogeanes, þæt gif se cyning asent gewrit to sumon his þegena, and he hit forsyhð swa swyðe þæt he hit nele gehyran, ne his aseon, þæt se cyning ne byð na swyðe bliðe him, þonne he geaxað hu he hine forseah.'¹ Ælfric thus compares the rejection of Christian instruction in society to the act of a defiant thegn choosing to ignore a 'gewrit' dispatched by the king—warning that the king (and, by analogy, God) would not be 'bliðe' or gracious in his judgement if the thegn in question deigned not to look at the document, or hear it being read.

Ælfric is known for his unpretentious vernacular prose style and aversion to obscure or convoluted metaphor, making it highly likely that this passage was constructed for its plausibility and intended to be relatable for his audience; an analogy drawn from everyday life.² It therefore provides striking evidence for the royal practice of deploying written documentation—expected to be heard, looked at or read with the ruler *in absentia*—addressed to specific individuals, imbued with authority and containing some sort of message, order or command. The term used by Ælfric in this passage to describe this document, *gewrit*, is a ubiquitous and nebulous deverbal noun in Old English with a broad semantic range: it could refer to anything written, and is variously

¹ 'Now we say on the contrary, that if the king sends his writ to any one of his thegns, and he detests it so greatly that he will not hear it, nor look at [any] of it, the king will not be very gracious to him when he learns of how he scorned him.' Ælfric, *De populo Israhel* (ed. Pope, vol. 2, p. 659). Translations within this thesis are my own, unless otherwise stated. For further discussion of this passage and its implications, see Keynes, *Diplomas*, pp. 136–7; *idem*, 'Use of Seals', p. 77; and below, Chapter Four, section 4.3. No doubt one of the functions of this metaphor was the symbolic alignment of divine and royal authority, emphasizing the Christological aspect of the latter: for wider context, see Insley, 'English kingship', p. 87; and Cubitt, 'Benedictine Reform', p. 83. My understanding of political culture draws on the insights of Carpenter, 'Introduction'; Stofferahn, 'Resonance and Discord', pp. 4–14; and Garipzanov, *Graphic Signs*, pp. 8–13.

² For further context, see Lipp, 'Ælfric's Prose', p. 689; Gretsch, 'Ælfric', pp. 136–7; Cubitt, 'Ælfric's Lay Patrons', pp. 189–92; and Davis, 'Ælfric's Style', pp. 321–7.

rendered as scripture, an inscription, a letter, treatise, charter, writ or book.³ A slightly more precise compound noun is also found in the vernacular: *ærendgewrit* or *ærendwrit*, a term used to denote a variety of written documents with an epistolary form or function (from quotidian letters to papal documents and even sacred or divine messages).⁴

Moreover, these terms also appear across a range of texts as part of what seems to have been an important collocation: *ærendgewrit/gewrit and insegel* or ‘errand-writ/writ and seal.’⁵ The earliest and perhaps most often-cited example of this word-pair is found within a segment of the late-ninth-century Old English version of St Augustine’s *Soliloquies*, in which Reason asks: ‘Gefenc nu gyf ðines hlafordes ærendgewrit and hys insegel to ðe cymð, hwæðer þu mæge cweðan þæt ðu hine be ðam ongytan ne mægæ, ne hys willan þær-on gecnawan ne mæge.’⁶ The author invites the audience to visualize being sent their ‘hlafordes ærendgewrit and hys insegel’—and in doing so, be able to discern both the identity of their ‘lord’ (a broad term that could denote various levels of authority) and understand the communication itself.⁷ Like the *gewrit* of the later Ælfrician passage, the Alfredian *ærendgewrit and insegel* describes a situation in which absent vertical authority is articulated through the deployment of written (and, in the case of the seal, graphic) media. Furthermore, this literary description hints at the possible

³ See Bosworth and Toller, *Dictionary*, p. 470, and for the related verb *gewritan*: ‘to write’ or ‘to give or bestow by writing’, p. 471; see also entries for *gewrit* in the University of Toronto’s *Web Corpus*. Contemporaries used the term to describe a range of Latin and vernacular documentary forms including diplomas, writs, leases, wills, bequests, dispute memoranda and chirographic documents.

⁴ See the Toronto *Dictionary* and *Web Corpus* entries for *ærende* (‘message’ as well as ‘mission, errand; business’) and *ærendwrit/ærendgewrit* (‘written message, letter; letter of authority, papal letter or breve; divine message’); and Toller, *Supplement*, p. 18. As Jordan Zweck notes, ‘compound words beginning with *ærend-* [...] distinguish letters from other written genres by emphasizing the movement of the message (*ærende*) across space and the absence of the sender, on whose behalf the messenger has been authorized to act.’ See her *Epistolary Acts*, pp. 49–50, alongside Chaplais, ‘Chancery’, p. 51; Keynes, *Diplomas*, p. 136; and Williams, *Kingship*, p. 114. For *ærendgewrit* as a vernacular gloss for the Latin terms *epistola* and *litterae* (‘letter/s’), as well as *pittacia*, *pittaciola* and *membranula* (‘small piece/s of parchment’), see Fell, ‘Introduction’, p. 284.

⁵ For definitions of *insegel* (‘seal, signet’), see Toller, *Supplement*, p. 594, and for discussion, see Roberts, ‘Anglo-Saxon Seals’, pp. 131–7; and below, Chapter Four, section 4.3.

⁶ ‘Consider now, if your lord’s errand-writ and seal comes to you, that you cannot recognize him by it or you cannot comprehend his order in it.’ *King Alfred’s Version of St Augustine’s Soliloquies* (ed. Carnicelli, p. 62). For discussion of divergent interpretations of this passage, see Roberts, ‘Anglo-Saxon Seals’, p. 133.

⁷ For categories of pre-Conquest lordship, see Faith, *Moral Economy*, pp. 19–27.

antiquity of an instrument that emerges in the archival record roughly a century later, known to modern scholarship as the Anglo-Saxon writ.

The corpus of Anglo-Saxon writs, edited by Florence Harmer in her groundbreaking edition of 1952, occupies a unique space within the rich diplomatic traditions of England before the Norman Conquest.⁸ Composed invariably in Old English, these short, nimble, epistolary-form texts addressed the power brokers of a local or regional political body, or an individual, and communicated an announcement or instruction from the ruler or member of the ecclesiastical or secular non-royal élite. Their vernacular form meant that they could reach out and convey ideas and information to broader and more diverse audiences than the royal diplomas that they often complemented, which were formulated almost exclusively in Latin.⁹ Indeed, a substantial proportion of the surviving corpus of writs functioned ostensibly as a support to the rôle performed by Latin royal diplomas—the writs proclaimed to the hierarchs of the shire that a transfer of land, and a cluster of legal and fiscal privileges associated with it, had legitimately taken place. In doing so, such writs helped publicize royal grants in local society, further from the loci of royal itineration.¹⁰

In Appendix I, Figure 1.3., the corpus of Anglo-Saxon writs has been grouped typologically according to the intended function of each document, excluding wholly spurious writs but including both authentic and problematic cases: a total of 102 writs. Some 40 writs (39 writs of Edward the Confessor, and a writ issued jointly by King Harthacnut and his mother, Queen Ælfgifu)—representing around 39 percent of the

⁸ See the concordance tables in Appendix I, Figures 1.1–2., which provide the Sawyer catalogue number, the archive with British Academy edition number where available, the date or date-range in which the writ was likely issued and a summary of the writ's content. Harmer's edition formed the culmination of a sequence of volumes of vernacular charters, produced under the aegis of H. M. Chadwick; see Keynes, 'Introduction' in Harmer's *SEHD*, pp. i–v; Whitelock, *Wills*; Robertson, *Charters*; Harmer, *Writs*; and below, section 1.6.

⁹ Although it is important to note that Latin royal diplomas often contained Old English segments (typically their boundary clauses and endorsements) as well as vernacular topographical terms, names, titles and other features. A small proportion of writs survive only in Latin, and these all represent later translations of lost or destroyed Old English originals. For a searchable database of language use and code-switching in pre-Conquest charters, see *The Languages of Anglo-Saxon Charters Database*.

¹⁰ To borrow a useful concept from Peter Johanek, the texts helped to make such grants *landeskundig* (i.e. understood in the locality). See his 'Funktion', p. 132. For itinerant kingship and its political and geographic limits, see Cubitt, 'Introduction', p. 11; Maddicott, *Origins*, pp. 11–12; Roach, *Kingship*, pp. 45–76; and Keynes, 'Church Councils', pp. 30–9.

surviving corpus of non-spurious writs—function in the way described above; as declarations that a grant of land, alongside various legal and fiscal privileges, has been legitimately made.¹¹ This is the most numerous typological grouping, followed by those writs that declare a grant of legal and fiscal privileges, without a concurrent land grant—25 writs of this function survive in total: a single writ of Æthelred II, two of Cnut, 21 issued by Edward the Confessor, and one of King Harold (in total, approximately 25 percent of the surviving corpus of non-spurious writs). Perhaps unsurprisingly, the recipients of the lands and privileges delineated in these two most numerous typological groupings of writs are predominantly powerful ecclesiasts as well as religious communities and institutions in whose archives they would come to be preserved.¹² It is clear, however, that writs were also used to extend such protections and privileges to other groups in society, beyond religious houses, as revealed by the writ in favour of the London gild of English *cnihtas*, a powerful pre-Conquest association of (ostensibly secular) landowners, administrators and other power brokers.¹³

Furthermore, the writ form was malleable and these documents fulfilled a range of other functions in early English political and social life, as illustrated by the segmented ‘tail’ of smaller typological groupings in Appendix I, Figure 1.3. These functions included, for example, giving royal authorization for a particular bishop or archbishop to draw up a *priuilegium* or diploma regarding a specified grant of land that had been recently made within their respective dioceses—three writs of this function survive, each preserved in a different archival context.¹⁴ Another important sub-group of writs provided

¹¹ See Appendix I, Figure 1.3. For the joint writ of King Harthacnut and Queen Ælfgifu, which survives only as a later Latin translation, see S 997 (*Writs* 57), and for discussion, see Harmer, *Writs*, pp. 245–6; Hart, *ECEE*, no. 34; and below, Chapter Five, section 5.3.2.

¹² As such, writs have tended to survive as a result of ‘receiver transmission’ (*Empfängerüberlieferung*) rather than ‘sender transmission’ (*Absenderüberlieferung*): for these terms in relation to wider epistolary culture, see Garrison, ‘Send More Socks’, p. 74.

¹³ S 1103 (*LondStP* 32), dated *c.* 1042 × 1044, declaring a grant of sake and soke for the ‘Ænglisc cnihte gilde’, and that they shall be entitled to ‘spa godre lage purðe spa heo pæron on Eadgares dæge cynges’ (‘as good laws as they were in the time of King Edgar’), hinting at the existence of the gild in the mid-tenth century. For context, see Fleming, ‘Rural Elites’, p. 11; Keene, ‘English Urban Guilds’, pp. 6–9; Kelly, *LondStP*, p. 218, who posits a late Anglo-Saxon body ‘responsible for levying the city taxes and tolls, regulating the markets and mint, and supervising the judicial process’; and Naismith, *Citadel*, pp. 162–4.

¹⁴ For the three writs giving royal permission for a charter (referred to within these texts as either a *boc* or a *priuilegium*) to be created, see: S 1105 (*Writs* 55), in which Wulfwig, bishop of

testimony concerning disputes around land and tax, and sought to influence the course and outcome of legal affairs and litigation.¹⁵ A further small but significant typology of surviving writs—some seven documents in total—functioned as royal announcements of ecclesiastical appointments (sometimes alongside associated privileges) at different levels of the church hierarchy: five writs announcing episcopal appointments survive, and two writs announcing abbatial appointments are also extant.¹⁶ The spread of this group across six different monastic archives hints at their probable ubiquity in the tenth and eleventh centuries.

No less significant are those precious documents which stand alone as unique survivals of their particular typological function; for example, King Edward's writ communicating to the thegns of East Anglia that he has granted to Abbot Baldwin a moneyer to work 'piðinne seint Eadmundes byrig alspa freolice on ealle þing to habben alspa me mine on hande stonden oper on enig minre burge alre freolukeost'—a

Dorchester is granted permission by King Edward to draw up a *boc* concerning an estate at Taynton, Oxfordshire, for Saint-Denis, Paris; S 1067 (*North* 13), in which Ealdred, archbishop of York is authorized to generate a *priuilegium* relating to lands possessed by Beverley minster; and S 1115 (*Wells* 37), giving Giso, bishop of Wells, permission to create a *priuilegium* concerning land at Wedmore in Somerset. For the wider significance of this function of writs, see *Abing*, pp. lxxiv–lxxvi; *Malm*, pp. 247–8; *CantCC*, p. 1061; and Keynes, 'Church Councils', p. 45. A further writ of Cnut declaring that he has confirmed the privileges of Christ Church at Archbishop Lyfing's request (S 985, *CantCC* 145) contains the tantalizing clause: 'þa lyfde ic him þæt he moste nipne freols settan on minan naman' ('Then I gave him permission to draw up a new charter of freedom in my name'), but that is not the central function of this writ, and it is unclear whether Archbishop Lyfing did indeed draw up a new *freols*; for discussion, see *CantCC*, p. 1061.

¹⁵ For writs that sought to influence the outcome of disputes, see: Bishop Siward's writ (S 1404, *Abing* 143), in which Siward, bishop of St Martin's in Canterbury, provides testimony concerning the leasing arrangements of one of Abingdon's Berkshire estates; Bishop Æthelric's writ (S 1383, *Sherb* 13), in which the bishop of Sherborne appeals to ealdorman Æthelmær concerning the evasion of ship-scot and describes a threat to the community's ownership of Holcombe, Devon; and Ælfthryth's writ or the Ruishton letter (S 1242, *Writs* 108), in which Ælfthryth, stepmother of King Æthelred II, responds to accusations that she had behaved improperly in her representation during a dispute over an estate at Ruishton in Somerset some twenty-five years prior; for further discussion, see Chapter Five, section 5.3.2.

¹⁶ The announcements of episcopal appointments are: S 1102 (*Writs* 50), S 1111 (*Wells* 33), S 1151 (*Writs* 109), S 1152 (*Writs* 110) and S 1156 (*Writs* 115); and the two announcements of abbatial appointments are: S 1083 (*Writs* 23) and S 1100 (*Writs* 47). For discussion of the burgeoning royal rôle in such appointments by the mid-eleventh century, see Molyneaux, *Formation*, p. 217; and Baxter, *Earls*, pp. 68–71. We can only speculate as to whether similar writs were used to announce secular appointments, such as the installation of ealdormen, reeves and so on.

remarkable privilege reflecting the status and significance of the shrine of St Edmund in the mid-eleventh century.¹⁷ In another writ, preserved in the Worcester archive, Edward announces the conferment to Bishop Wulfstan and the cathedral community of unusual financial privileges: they are to be entitled to ‘þe tridde deles wyrþe of semtolne 7 of chyptolne’ or ‘the third part of the *seamtoll* (the toll on the horse-load) and of the *ceaptoll* (the toll on trading).’¹⁸ Writs could thus function as announcements of auspicious and generous royal gifts, in this instance empowering the bishop and his community to extract further profit from tolls on Worcester’s economic and mercantile activity.¹⁹ Alongside such texts we might juxtapose a loose sub-group of four writs, issued in the name of three different kings and preserved across several archives, which relate broadly to royal pronouncements concerning hidage and geld assessment, spanning the period c. 984 × 1066.²⁰ They reveal rulers throughout the eleventh century employing writs as flexible instruments through which specific exemptions from *heregeld* and other renders could be articulated; fiscal concessions which, like the toll exemptions, served as vital avenues of patronage at the highest levels of politics in the later pre-Conquest period.

¹⁷ ‘[...] within St Edmund’s *burh* to have in all respects as free from restriction as those I have most freely of all in my possession in any of my *byrg*.’ S 1085 (*BuryStE* 25). This minting privilege was also enjoyed by ecclesiastical franchisal mints in the late Anglo-Saxon period: see Brooke, *English Coins*, pp. 11–12, 18–20; Blunt, ‘Ecclesiastical coinage’, pp. xiv–xvii, but as Foot and Lowe note, the abbot of Bury never placed his own name on the coins minted in his vill, meaning that the privilege was very much a devolved one and the king retained his overall prerogative to control the coinage.

¹⁸ S 1158 (*Writs* 117). For the wider importance of early English tolls, see below, Chapter Five, section 5.2.2.; and for Worcester’s concurrent documentary culture, see Gallagher and Tinti, ‘Latin, Old English and Documentary Practice’, pp. 296–7.

¹⁹ For early medieval immunities and exemptions as flexible instruments of royal influence and patronage, see Rosenwein, *Negotiating Space*, pp. 3–14; Baxter, *Earls*, pp. 106–9; and Molyneaux, *Formation*, pp. 216–18.

²⁰ These are: S 1075 (*BuryStE* 16), in which King Edward declares that St Edmunds inland is to be exempt from payment of *heregeld* (a land tax introduced in 1012) and other renders (‘gaful’); S 987 (*CantCC* 156), in which King Cnut declares that Archbishop Æthelnoth is to continue to discharge the obligations on the lands belonging to the archbishopric at the same rate as he had done hitherto, both before and after the appointment of Æthelric as reeve; S 1113 (*Wells* 35), in which King Edward declares that Bishop Giso is to discharge the obligations on his lands at Chew, Somerset, at the same rate as his predecessor (in a strikingly similar phraseological formulation to S 987); and S 946 (*Writs* 107), a writ of Æthelred II of uncertain authenticity, declaring that the land at Chilcomb is to be assessed for the discharge of all obligations on it ‘for ane hide’ (‘at one hide’). For discussion, see Pratt, ‘Demesne Exemption’, pp. 19–20; *idem*, ‘Charters and Exemption’, pp. 197–201; and Keynes, ‘Regenbald’, pp. 215–16, who posits that the standard formulation of S 987 and S 1113 (amongst other writs) is evidence for their centralized production.

Also represented within the surviving corpus are a group of nine writs issued by individuals other than kings—often termed ‘non-royal’ or ‘private’ charters—these were drawn up by or at the behest of archbishops, bishops, abbots and lay élites, and span the period from *c.* 995 to the Norman Conquest.²¹ These texts are characterised by their sheer diversity: from the aforementioned dispute testimonies intended for use in litigation to the extraordinary writ of Gospatric, a non-royal secular grant of *sui generis* exemptions and jurisdictional rights pertaining to the eleventh-century Cumbrian élite.²² It is highly likely that many of these diverse sub-groups of Anglo-Saxon writ represent the fossil record of what was once a much larger and more varied body of documents concerning immediate social, political, and administrative concerns, which would have appeared curious to archivists in the intervening centuries, but ultimately less significant than documents directly relating to conveyances of land and privileges.²³

1.2. Form, Structure and Language

In terms of their textual form and internal diplomatic structure, writs uniformly begin with an opening clause (or ‘protocol’) that identifies the sender of the writ and (usually) their social rank, and delineates the addressees, who are sometimes named individually, sometimes ranked, and sometimes addressed generically, as collectives.²⁴ Predominantly the opening clause describes the principal stakeholders of the shire court (the presiding ecclesiast, earl and thegns), but the form had some adaptability: one writ, for example, addresses a hundred court, and four are directed to the borough courts of London, Winchester and Thetford.²⁵ The protocol took its form from a slightly modified, vernacularized version of the Latin *ille illo salutem* formula (‘*X* greets *Y*’)—a formula which had its origins in Greek and Roman practice: it appears in some of Cicero’s earliest

²¹ See Appendix I, Figure 5.2., and for discussion of these documents, see Chapter Five, section 5.3.

²² S 1243 (*North* 21).

²³ *Sherb*, p. 48; Kelly, ‘Lay Society’, pp. 46–7; Pratt, ‘Demesne Exemption’, p. 19.

²⁴ Harmer defines the writ as: ‘a letter on administrative business to which a seal was appended, and the protocol (or opening clauses) of which named the sender of the letter and the person or persons to whom it was addressed, and contained a greeting.’ See *Writs*, p. 1.

²⁵ For a hundred court, see S 1241 (*Wells* 42); and for borough courts, see: S 1096 (*Chert* 12), S 1103 (*LondStP* 32), S 996 (*Writs* 56), and S 1153 (*Writs* 111).

missives, as well as in letters of emperors, provincial governors and early popes.²⁶ By the ninth century, we observe an adapted vernacular version of the *salutem* formula in the well-known proem to the Alfredian translation of Gregory the Great's *Regula Pastoralis*: 'Ælfred kyning hateð gretan Wærferð biscep his wordum luflice and freondlice, and ðe cyððan hate ðæt...' ²⁷ Here, the *salutem* structure is enhanced with the addition of adverbs expressing friendship and solidarity; similar adverbs, typically *freondlice* and occasionally *eadmodlice*, are a constant feature of Anglo-Saxon writ protocols.²⁸ In the later tenth century, Ælfric's Old English preface to his *Lives of Saints* similarly employs a 'gret...eadmodlice' formula, indicating that a vernacularized form of the *ille illo salutem* construction was already established as the earliest writs emerge in the historical record.²⁹ Hence the tenth- and eleventh-century writ protocol was, itself, the product of a series of interactions between Latin and Old English high-status literary and epistolary discourses, which had taken place throughout the eighth, ninth, and tenth centuries.³⁰

This protocol clause, in which the subject and addressees are identified, is followed by the main announcement clause (also termed the clause of instruction or notification), shifting voice into the first person.³¹ We might take, for the purposes of illustration, the structure of a writ of Edward for Abbot Leofstan: 'Eadpeard cyngc gret

²⁶ Lanham, *Salutatio Formulas*, p. 17; Oliver, 'Legal Documentation', p. 517.

²⁷ 'King Alfred sends his greetings to bishop Wærferth with affectionate and friendly words and informs you that...' *Pastoral Care* (ed. Sweet, p. 3). For more on the origins of this tradition alongside other forms of dedicatory and epistolary prefaces, see Irvine, 'Uncertain Beginnings', p. 5.

²⁸ *Eadmodlice* ('humbly') is the more unusual adverb, appearing in just two writs, neither issued by kings and both addressed to clearly identified individuals rather than shire-court collectives: Archbishop Wulfstan's writ (S 1386, *CantCC* 150); and the Ruishton letter/writ (S 1242, *Writs* 108). The idiosyncratic socio-political contexts of these two charters may account for this lexical choice; see further discussion below, Chapter Three, section 3.2.2.

²⁹ 'Ælfric gret eadmodlice Æðelweard ealdorman...' or 'Ælfric humbly greets the nobleman Æthelweard...' *Ælfric's Prefaces* (ed. Wilcox, pp. 120–1).

³⁰ This is discussed in detail below, in Chapter Three.

³¹ Dorothy Whitelock observed that: 'It is not unparalleled for a drafter of a document to vary between the first and the third person.' *EHD I*, no. 102, p. 544; this phenomenon has been the subject of more recent scrutiny by Nicholas Brooks who notes the use of the third person by Ordlafe, the probable author of the early-tenth-century Fonthill letter (S 1445, *CantCC* 104); see Brooks, 'The Fonthill Letter', pp. 301–16; and Gretsch, 'Language', p. 80. Likewise, wills and other vernacular documents often contain a shift in voice from third to first person; for example, Leofgifu's will (S 1521, *Wills* 29) and Æthelmær's will (S 1498, *WinchNM* 25). For further discussion, see Tollerton, *Wills*, pp. 23–4; and for a continental parallel to the shift in voice in tenth- and eleventh-century Catalan diplomatic, see Jarrett, 'Ghost Voices'.

mine bisceopas 7 mine eorlas 7 ealle mine þegnas on þam sciren þær Sancte Eadmund hafað land inne freondlice 7 ic cyðe eop þæt ic pylle þæt Leofstan abbod 7 ealle þa gebroðra on Eadmundes byrig beon heora sake 7 heora socne purðe ofer ealle heora agene menn ægðer ge binnan burh ge butan.³² The shift from third to first person in this case occurs within the protocol itself, as Edward refers to ‘my bishops and my earls and all my thegns’ and, continuing in the first person, goes on to employ the verb *cyðan*, which is the standard formulation used to introduce the main announcement.³³ In this instance, the announcement takes the form of a declaration by King Edward that Abbot Leofstan and the brethren in Bury St Edmunds are to hold the privilege of ‘heora sake 7 heora socne’ (sake and soke) over all their own men, both within the *burh* and outside it.³⁴ Here, the legal concept of sake and soke is complemented by an alliterative formulation: ‘binnan burh ge butan.’ This and similar formulae are employed in the main announcement clauses of writs to frame the extent of the given property or privileges in spatial terms—to take another, more elaborate, example, in a writ of Cnut generated c. 1035, the king declares: ‘7 ic cyðe eop þæt ic hæbbe geunnan Æþelnoðe arcebisceope

³² ‘King Edward sends friendly greetings to my bishops and my earls and all my thegns in the shires where St Edmund holds lands, and I declare to you that I wish that Abbot Leofstan and all the brethren in Edmund’s *burh* should be entitled to their sake and soke over all their own men, both within borough and without.’ (S 1071, *BuryStE* 12). Harmer noted the strong similarities in the phrasing of this writ to another Edwardian writ for the monk Ælfstan (S 1157, *Writs* 116), which similarly announces a grant of privileges (sake and soke, *toll and team*)—one of a number of strong phraseological parallels which led Simon Keynes to comment that the production of royal writs may be explained in terms of a ‘central agency, catering for different beneficiaries.’ See Harmer, *Writs*, p. 409; and Keynes, ‘Regenbald’, p. 216.

³³ Typically *ic cyðe eop* (or *ðe* or *inc*); the only authentic writ to lack this formulation is Siward’s writ (S 1404, *Abing* 143)—in this text the later translator has rendered the (now lost) original Old English verb *into* the Latin ‘audiui’ (‘I have heard’) to introduce the bishop’s main announcement and testimony.

³⁴ Sake and soke is one of a number of legal word-pairs and terms embedded in the main announcement clauses, alongside *toll and team* (toll/tax and profits from ‘vouching to warranty’), *infangenþeof* (right to receive forfeited possessions from thieves caught in the act; literally ‘in-seized-thief’), *hamsocn* (attack on a house), *griðbryce* (breach of peace), *mundbryce* (breach of protection), *forsteal* (obstruction), *fihtwite* (fine for fighting), *fyrðwite* (fine for neglect of military service), and *flymenafyrmp* (fine for harbouring fugitives). For these constellations of judicial and financial rights, see below Chapter Five, section 5.2., alongside Harmer, *Writs*, pp. 73–85; Roffe ‘Thegnage to Barony’, p. 157; and Baxter, ‘Lordship and Justice’, pp. 384–5, who emphasizes the economic dimension of these rights, which may have empowered the recipients to collect the profits of justice administered through royal courts, under the auspices or coercion of royal officials. The three main royal protections of *hamsocn*, *mundbryce*, and *forsteal* appear in royal legislation amongst other texts: see Lambert, *Law*, pp. 308–10.

ealre þara landare þe Ælfmær hæfde 7 mid rihte into Cristes cyricean bebyrað binnan birig 7 butan on puda 7 on felda spa full 7 spa forð spa Ælfric arcebisceop hyre peold oþþe ænig his forgenegena.’³⁵ Lisi Oliver has argued that formulaic language such as this ‘provides a masterly example of poetic form used in legal diction’, noting the conjunction of opposites to alliteratively describe a totality, and finishing with the use of a hypermetric poetic line.³⁶ Of the twenty-seven pre-Norman monastic archives that preserved writs amongst their muniments, all except three contain writs that employ at least one of these spatial formulae within their main announcement clauses; strong evidence that such formulae were a central component of this diplomatic discourse from the later tenth century to *c.* 1070.

Returning to our Bury writ of Edward for Abbot Leofstan, after the main announcement, this writ concludes with a prohibition clause, in which the king (again in the first person) forbids any interference with the privileges granted: ‘7 ic nelle geðafian þæt heom ænig man ænig poh beode.’³⁷ Harmer labelled such segments ‘additional clauses’, a useful category that encompasses a diverse range of clauses located after the main announcement, including: clauses of prohibition, statements of religious motive for the grant, sanctions, and/or valedictions.³⁸ Such clauses find parallel in pre-Norman diplomatic output more generally from which they clearly draw influence; in Latin royal diplomas for example, clauses such as sanctions were often highly elaborate and literary in character (particularly by the second half of the tenth and early eleventh century),

³⁵ ‘And I make known to you that I have granted Archbishop Æthelnoth all the landed property that Ælfmær had and which belongs rightly to Christ Church, within borough and outside it, with woodland and open land, as fully and to such an extent as Archbishop Ælfric possessed it or any of his predecessors.’ (S 988, *CantCC* 157.)

³⁶ See Oliver, ‘Legal Documentation’, pp. 519–20, positing that clauses such as the main announcement of Edward’s earliest writ for Giso (S 1111, *Wells* 33) deserve ‘a place among the Anglo-Saxon minor poems’. Taking the corpus of writs as a whole, it is possible to isolate these spatial formulae, and categorize them into two distinct groupings: one describing physical space and emphasizing its totality (e.g. *on wudan and on feldan* ‘in woodland and in field’, *be strande ne be lande* ‘by strand or by land’), and another formulaic grouping describing temporal space, sometimes looking backwards, and sometimes to the future (e.g. *on dæg and æfter* ‘during my lifetime and after’, usually in the case of loan-land that will later revert to the king or another landlord.) This group is distinct from the other sequences of word-pairs and formulae within writs that have more obviously legalistic meanings, outlined above. For further discussion, see Chapter Three, section 3.3.1.

³⁷ ‘And I will not permit that any man do them any wrong.’ S 1071 (*BuryStE* 12).

³⁸ See Harmer, *Writs*, pp. 66–73; and Chapter Three, section 3.4.

functioning both legally and pedagogically to remind the audience of the diploma that transgressing the charter violated both legal norms and Christian morality.³⁹ This cross-pollination from other diplomatic typologies can be illustrated by, for example, writ sanctions containing a distinctive motif presenting hell as a habitation or mansion for the damned. In a writ of Cnut for Christ Church, Canterbury, we are warned: ‘Gyf hit hpa þænne do sy his lif her gescert 7 his punung on helle grunde butan he hit þe stiðlicor gebete ær his ænde be þæs arcebisceopes tæcincge.’⁴⁰ Such imagery is found in three writ sanctions, but is also smattered across other diplomatic genres, namely royal diplomas, leases, agreements and non-royal grants.⁴¹

1.3. *Origins of Anglo-Saxon Writs*

The question of precisely *when* the textual elements described above came together as part of an established diplomatic usage is difficult to answer. The earliest writs with a reasonable claim to authenticity date to the reign of King Æthelred II (*c.* 978 × 1016), and writs continued to be issued in Old English by successive rulers thereafter, down to *c.* 1070.⁴² Whilst the authenticity of these earliest Æthelredian writs in their received form has rightly been questioned, neither can be conclusively rejected as wholly spurious: in particular, it seems likely that the Chilcomb writ has some authentic basis, including a genuine address clause and a narrative style (recalling relevant events in the recent past)

³⁹ Hofmann, ‘Infernal Imagery’, pp. 211–17; Oliver, ‘Legal Documentation’, pp. 520–1; Cubitt, ‘Bishops and Councils’, pp. 160–4.

⁴⁰ ‘And if any one does this, may his life here be shortened and may his dwelling be in Hell’s abyss, unless before his end he makes amends for it more resolutely according to the teaching of the archbishop.’ S 985 (*CantCC* 145).

⁴¹ The other writs are: S 1149 (*Writs* 105) and S 1427 (*Bath* 25). See Hofmann’s ‘Group XXIII: Mansion-Motif’ in ‘Infernal Imagery’, pp. 395–6.

⁴² The earliest (albeit problematic) extant royal writs are both Æthelredian texts: King Æthelred’s writ for St. Paul’s (S 945, *LondStP* 24), issued *c.* 978 × 1016, and King Æthelred’s writ concerning Chilcomb (S 946, *Writs* 107), issued *c.* 984 × 1001. Harmer has suggested that Æthelred’s writ for St. Paul’s could represent a version of S 1104 (*LondStP* 28), with Edward’s name substituted for that of Æthelred; see her *Writs*, pp. 236–7. An earlier writ of King Æthelstan for Ripon (S 456), however, is an obvious post-Conquest forgery; see Keynes, ‘Additions’, p. 90. A writ of King Harold for Bishop Giso, S 1163 (*Wells* 41), was one of the last surviving documents to be written before the Norman Conquest. King William I continued to issue writs in Old English until a uniform shift to Latin *c.* 1070, a shift paralleled by the concurrent replacement of the old order of shire-reeves with new men; see Bates, *RRAN*, pp. 44–62, and on political ruptures, see Green, ‘Sheriffs’, pp. 131–2; Sharpe, ‘Use of Writs’, p. 253; and Bates, *William*, pp. 350–1.

that finds parallel in a later authentic writ of King Cnut for Christ Church.⁴³ Richard Sharpe also noted the conspicuous appearance of the title of ealdorman (rather than earl) within the address clauses of both the Chilcomb writ ('Æþelred cynig gret Ælfric ealdorman 7 Wulfmær [...]') and Ælfþryth's writ ('Alfðryð gret Ælfric arcebiscop 7 Epelwerd ealdarman eadmodlice [...]'), which dates to the turn of the eleventh century, inferring that such texts therefore reveal that Æthelred II's writs 'were evidently addressed to the bishop, the ealdorman and the thegns of a particular shire.'⁴⁴ This clearly positions these texts anterior to the terminological shift of the title of *ealdorman* to *eorl* during the reign of Cnut (c. 1016 × 1035), a change reflected in the nomenclature of writ protocols.⁴⁵

Furthermore, it is clear from references in two other contemporary diplomatic texts from Æthelredian England that seals and writs were indeed being issued by the king, and that they had an important rôle to play as part of the proceedings of shire-court ceremonial, from at least the 990s onwards. The first text, dated c. 990 × 992 and known as the Cuckhamsley chirograph, is a single-sheet charter that alludes to the deployment of King Æthelred II's seal in a narrative describing a dispute between two individuals over land in Berkshire.⁴⁶ The two litigants were Wynflæd, a powerful woman (perhaps a widow) and Leofwine, a prominent man whose rank is not defined but who held estates at Hagbourne and Bradfield in Berkshire, which Wynflæd is claiming as her own. As the dispute enters deadlock, Æthelred sent his seal to the meeting, by means of an individual

⁴³ See Harmer, *Writs*, p. 377, noting that the narrative style of the Chilcomb writ is similar to the writ of Cnut declaring his confirmation of Christ Church's privileges (S 985, *CantCC* 145), and moreover that the phrase 'for ane hide werige' in the Chilcomb writ finds parallel in other authentic writs, namely: S 987 (*CantCC* 156): 'perige his landare', and S 1113 (*Wells* 35) 'perige nu his land'—with *werian* usually 'to defend' but here used with the technical meaning 'to discharge the obligations on'; see *CantCC*, p. 1126.

⁴⁴ Sharpe, 'Use of Writs', p. 251; for Ælfþryth's writ (S 1242) see *Writs*, pp. 380, 396–7.

⁴⁵ There seems to have been a strong degree of continuity in the function of earls, who like their antecedent ealdormen, were wealthy magnates with powers and responsibilities over broad geographical districts. See Mack, 'Changing Thegns', pp. 377–8; Williams, *Kingship*, p. 131; and Molyneux, *Formation*, p. 173.

⁴⁶ S 1454 (*CantCC* 133). A chirograph (a Graecism meaning a 'hand-written document') was any document drawn-up in duplicate, triplicate or quadruplicate, with a word (typically 'CYROGRAPHVM') written across the parchment; if the claims of the document came into contention, the divided sections could be reunited, and the veracity of its claims publically asserted. For further context, see Lowe, 'Lay Literacy', pp. 161–204; and Keynes, 'Cuckhamsley Chirograph', pp. 207–9.

whose identity and rank is stated emphatically: ‘þa sende se cyning be Æluere abbude his insegel to þam gemote æt Cpicelmeshlæpe 7 grette ealle þa þitan þe þær gesomnode pæron þæt pæs Æpelsige biscop 7 Æscpig biscop 7 Ælfric abbud 7 eal sio scir 7 bæd 7 het þæt hi scioldon Ðynflæde 7 Leofpine spa rihtlice geseman spa him æfre rihtlicost þuhte.’⁴⁷ The exact nature of the ‘insegel’ here has been the subject of debate: Pierre Chaplais has posited that it could have been a loose token of credence, carried by Abbot Ælfhere to authenticate symbolically a pronouncement delivered orally.⁴⁸ Conversely, the word *insegel* could be functioning metonymically, as a sort of semantic abbreviation for the aforementioned *gewrit and insegel* collocation. Whilst the precise nature of this symbolic object is irrecoverable, it is clear that, through Abbot Ælfhere of Bath and the authority of the royal *insegel*, Æthelred was able to articulate a direct command *in absentia* to the venue of the Berkshire shire meeting.

A second text, a charter preserved in the *Textus Roffensis*, records a dispute between Godwine, bishop of Rochester, and a certain Leofwine (otherwise unattested) over the ownership of *bocland* (land held by charter, in perpetuity with freedom of alienation) at Snodland in Kent, and dates to a slightly later span of *c.* 995 × 1005.⁴⁹ Bishop Godwine appears to have discovered, soon after his accession to Rochester in 994, certain ‘swutelunga’ (‘declarations’, ‘evidence’) in the cathedral archive, and attempted to use them to lay claim to the estate. When news of the dispute reached the ear of Æthelred (he may, of course, have been petitioned by one or both of the litigants), the king dispatched his ‘gewrite and his insegel’ to Archbishop Ælfric (the messenger or agent is not identified in this account), and commanded that Ælfric, alongside the thegns of both East and West Kent, settle the dispute: ‘þa ða him seo talu cuð pæs þa sende he geprit 7 his insegel to þam arcebiscope Ælfrice 7 bead him þæt he 7 hys þegenas on East

⁴⁷ ‘Then the king sent his seal, through Abbot Ælfhere, to the court at Cuckhamsley [*Scutchamer Knob*], and greeted all the councillors summoned there—namely Bishop Æthelsige and Bishop Æscwig and Abbot Ælfric and all the shire—and he ordered and commanded that they should reconcile Wynflæd and Leofwine as justly as they considered most just for ever.’

⁴⁸ Chaplais, ‘Chancery’, p. 56. For recent discussion, see *CantCC*, pp. 144–7; Keynes, ‘Cuckhamsley Chirograph’, pp. 196–206; and for speculation about the nature of these Æthelredian seals and their hypothetical graphic elements, see *idem*, ‘Use of Seals’, p. 77.

⁴⁹ S 1456 (*Roch* 37). On the nature of bookland (*bocland*), see Kennedy, ‘Disputes’; Reynolds, ‘Bookland’; Baxter and Blair, ‘Land Tenure’, pp. 19–20; and Keynes, ‘Church Councils’, p. 43.

Cent 7 þest Cent hy onriht gesemdon be ontale 7 be oftale.’⁵⁰ They are commanded to weigh the competing testimonies against each other, the process of adjudication expressed in the form of a neat, polyptotonic word-pair: ‘be ontale and be oftale’—claim weighed against counter-claim.

As with the *insegel* of the Cuckhamsley chirograph, the writ and seal depicted in this account do not survive, and this is perhaps unsurprising if the main announcement of the writ amounted to little more than a court-summons.⁵¹ Crucially, however, within the narrative of the Snodland settlement, the possession of the *gewrit and insegel* seems to provide an uncontested physical focal point for the action of the court itself; with the ownership of these objects, Archbishop Ælfric is effectively transformed into a conduit for the enacted performance of royal authority in a shire-court setting, instituting and publicizing the need for group solidarity and litigation. These legalistic accounts can be complemented by the description in Ælfric’s Old English homily *De populo Israhel*, discussed at the beginning of this chapter—it hints that a *gewrit*, perceived as the legitimate expression or extension of the ruler’s will, was an item of some familiarity for thegns at the turn of the eleventh century, when the homily was composed.

Such evidence prompts us to ask whether rulers prior to Æthelred II were accustomed to sending out writs and other missives to shire courts and specific localities, before the late tenth century. One possibility, posited by Richard Sharpe and advanced more recently by George Molyneaux, locates the reign of King Edgar (c. 959 × 975) as the possible period of origin for this practice.⁵² It is in this critical period in the development of early English administration and statecraft that the workings of the shire and hundred courts emerge in the written record; and it is in the legal texts of Edgar that

⁵⁰ ‘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.’

⁵¹ Indeed, the twelfth-century endorsement on the Cuckhamsley chirograph itself reads *inutile*, a comment added to other, mostly vernacular documents in the Canterbury Christ Church archive which were perceived as ephemeral, hinting at the high level of destruction and loss of similar single sheets in the intervening centuries. See *CantCC*, p. 40.

⁵² See Sharpe, ‘Use of Writs’, p. 247; *idem* ‘Address and Delivery’, p. 33; and Molyneaux, *Formation*, p. 168.

shire meetings are, for the very first time, explicitly mandated.⁵³ In his Andover legislation, Edgar orders that the *scirgemot* and *burhgemot* are to meet two and three times annually, in doing so regularizing the cycle of shire-court meetings and drawing a distinction between assemblies organized around shire communities on the one hand and *byrg* on the other.⁵⁴ Molyneaux has also identified a heterogeneous corpus of charters containing dispute narratives, dating from the end of the ninth century to King Edgar's early years—none of these texts contain a clear reference to a shire court or meeting as a forum for adjudicating the disputes described therein.⁵⁵ Thus, Molyneaux has put forward a convincing case for seeing the mid-to-late tenth century as a time of systematic, top-down socio-political reorganization and innovation—of hundreds and wapentakes as well as shire and borough courts as 'a second layer of standard administrative divisions and associated assemblies'—with the overall aim of intensifying royal control and supervision of local politics and society.⁵⁶

So it is in this mid-tenth-century socio-political context of burgeoning royal supervision of shire-level dispute settlement, alongside the stimulation of regular and formalized meetings of shire assemblies, that we should ascribe the crystallization of official letters and missives into a more formal and consciously structured vernacular writ-form document, more prone to being preserved by interested parties. But is it

⁵³ See *III Eg* 5:1 and, later reaffirmed in Cnut's code, *II Cn* 18 (ed. Liebermann I, pp. 202–3, 320–1), with the possibility of additional meetings being called (*II Cn* 19). Patrick Wormald noted that the shire clearly functioned as a socio-military unit in ninth or even eighth-century Wessex, but saw no evidence of its judicial rôle until the reign of Edgar, in his 'Papers Preparatory', p. 196; alongside remarks in 'Giving God and King their Due', p. 347 and 'Handlist', p. 285; whilst Ann Williams characterizes the shire courts as 'in origin, public as opposed to royal assemblies, but by the tenth century their activities were regulated by royal legislation' in her *Kingship*, p. 88. Clearly *ad hoc* shire meetings had a deep antiquity, with reference in Ine's late-seventh-century legislation that one might seek justice before a *scirman*; see *Ine* 8 (ed. Liebermann I, pp. 92–3).

⁵⁴ Molyneaux, *Formation*, p. 170.

⁵⁵ These are spread across four different archives: S 1211 (*CantCC* 124), S 1441 (*SEHD* 14), S 1445 (*CantCC* 104), S 1446 (*SEHD* 15), S 1447 (*Charters* 44), and S 1497 (*StAlb* 7); see Molyneaux, *Formation*, pp. 170–2. This can be contrasted with the situation from the mid-tenth century onwards: Molyneaux notes that shire meetings are explicitly mentioned in four of the eight discrete dispute narratives extant from the period between the middle of Edgar's reign and Æthelred II's death.

⁵⁶ Edgar's reign has also been illuminated by recent studies of concurrent literary culture, namely the Old English *Legend of the Seven Sleepers* with its portrayal of an assertive royal port-reeve, insistence upon the strong and personal bond between ruler and ruled, and the possible allusion to a borough court with judicial functions: see Cubitt, "'As the Lawbook Teaches'", pp. 1027, 1049; and Atherton, 'Coins', pp. 67–70.

possible that kings and other élites before this—in the early tenth and perhaps even eighth and ninth centuries—dispatched written missives to local assemblies, groups and other power brokers?⁵⁷ In this connection, it is useful to draw upon Sharpe’s terminological and conceptual distinction between ‘writs’ and ‘writ-charters’: he defines the former as an official letter which might be addressed to anyone, and applies the latter label strictly to those writs ‘addressed by the king to the officers and suitors of the shire court.’⁵⁸ As such, Sharpe sees the ‘writ-charter’ as a specific and specialized form of writ, with a function akin to a diploma—i.e. confirming or granting land or privileges, in turn rendering the document more likely to be preserved. Writs that did not have this overtly dispositive function, for example the lost *insege* referred to in the aforementioned Cuckhamsley chirograph (S 1454, *CantCC* 133), which functioned ostensibly to instruct the Berkshire shire court to meet to settle a dispute—were therefore more vulnerable to loss, but crucially for Sharpe, these documents ‘were certainly used in Anglo-Saxon England before the writ-charter came into use as a special form within the larger category.’⁵⁹

1.4. Converging Traditions: Epistolary and Sphragistic Culture in early Anglo-Saxon England

Questions of terminology aside, to my mind it is appropriate to understand the genesis of writs in the context of an intersection between the wider, well-established traditions of letter-writing and seal-use in the earlier Anglo-Saxon kingdoms, alongside diplomatic

⁵⁷ It is important to note here that royal assemblies, church councils and local/regional assemblies clearly predated the shire courts of the tenth century, and that effective communication between them would have been paramount. Æthelberht’s early-seventh-century code refers to compensation involved in breaching the peace of an assembly or ‘mæthl’ (*Abt* 1), and the later seventh-century laws of Hlothere and Eadric identifies the ‘mæthl’ and the ‘ðing’ (*Hl* 8) as two distinct types of assembly, although their functions are not described; see Lambert, *Law*, p. 44; and Pantos, ‘*In medle*’, pp. 182–4.

⁵⁸ Sharpe, ‘Use of Writs’, pp. 249–54; drawing on Davis, *Regesta* I, p. xxxv for the specific term ‘writ-charter’. Sharpe posits that ‘writs that did not have a charter-like function had no reason to be added to the recipient’s archive, and as a consequence almost all surviving writs before William I’s reign are writ-charters’ at p. 251.

⁵⁹ Sharpe, ‘Use of Writs’, p. 250. The term ‘writ-charter’ is not employed in this thesis, since the label is not in widespread usage amongst contemporary diplomatic editors of Anglo-Saxon material.

and legal writing (in Latin and Old English). This section will consider these traditions in turn, and explore their relationship to the emergence and development of writs.

Letter-writing had a deep antiquity in Anglo-Saxon England, probably introduced into the south east of the island by Christian missionaries at the turn of the seventh century, and flourishing in Latin-form in the period of Bonifatian correspondence from the late seventh to late eighth centuries.⁶⁰ Letters not transcribed into collections or cartularies had a negligible chance of survival in this period, yet several single-sheet letters have, remarkably, come down to us from earlier Anglo-Saxon England.⁶¹ The earliest extant original Latin letter is the Wealdhere letter (S 1428b, *LondStP* Appendix I), sent *c.* 704 × 705 from Bishop Wealdhere of London to Archbishop Berhtwald of Canterbury, in which the bishop anxiously and humbly requests permission to attend a council between the East and West Saxon kingdoms, to be held on 15 October at Brentford and attended by the relevant kings, bishops, abbots, and other councillors.⁶² This meeting would aim to resolve a series of tensions between the two polities, seemingly centred around the harbouring of West Saxon fugitives in Essex, and churchmen on both sides had also become embroiled in it.⁶³ Such was the political and ecclesiastical sensitivity of the issue that Bishop Wealdhere writes: ‘Hoc tibi per litteras intimare curaui ne inter plures deuulgatum innotescat’—revealing the very pragmatic advantages of this form of writing over other modes of presumably less discreet communication.⁶⁴ Indeed, the nature of this letter as a private communiqué is reflected by its form and appearance: a single rectangular sheet of vellum measuring 363 × 145 mm and with a gap left deliberately in the middle of its dorsal address so that, once wrapped,

⁶⁰ For discussion of the earliest origins of insular letter-writing, see Fell, ‘Introduction’, p. 278; Sims-Williams, ‘Letter-writing’; and Zweck, *Epistolary Acts*, pp. 26–32. Keynes postulates that ‘there can be no doubt that the use of the written word for mundane and practical purposes began early and became widespread, in Latin as well as in the vernacular’ in his ‘Use of Seals’, p. 75; see also Fell, ‘Boniface Correspondence’.

⁶¹ For the mechanics of early medieval letter preservation, see Garrison, ‘Alcuin’s World’, pp. 268–72.

⁶² British Library, Cotton MS Augustus II 18. For discussion, see Chaplais, ‘Wealdhere’; and Lawton, ‘Wealdhere’s Letter’.

⁶³ For the rôle of ecclesiasts such as Bishop Wealdhere as political mediators in this period, see Kershaw, *Peaceful Kings*, pp. 243–4.

⁶⁴ ‘I have taken care to relate this to you by letter so that it may not be divulged or become known to many.’ Chaplais, ‘Wealdhere’, pp. 22–3.

the address (clearly and simply demarcating sender and recipient) was still legible, and the contents securely concealed.⁶⁵

Also preserved in the Christ Church, Canterbury archive, but drawn up some two centuries later, is the so-called Fonthill letter (S 1445, *CantCC* 104), the earliest surviving single-sheet letter to be written in Old English, probably issued by Ordlaſ, ealdorman of Wiltshire to King Edward the Elder, *c.* 920.⁶⁶ In the letter, the writer recounts how he had previously come to possess land at Fonthill, which was now held by the bishop of Winchester but being claimed by the assertive Æthelhelm Higa. Of relevance were a spate of crimes committed by Helmstan, the writer's recidivist godson, which are recounted along with Helmstan's various attempts at bribery, penance, and reconciliation. The letter ends with the writer's urgent and personal appeal to the king—that he allow the exchange of land with the bishop of Winchester (five hides at Fonthill in exchange for five at Lydiard) to legally stand: 'Ðonne leof is me micel neodðearf ðæt hit mote stondan spa hit nu gedon is 7 gefyrn pæs.'⁶⁷ A further short passage, added by a second scribe on the dorsal panel after folding, effectively records the later outcome of the suit, stating that Æthelhelm Higa withdrew from the dispute when the king was at Warminster, in the witness of Ordlaſ and other laymen: '7 Æðelm higa eode of ðam geflite ða cing pæs æt Þorgemynster [...].'⁶⁸

⁶⁵ The contemporary dorsal address, written in a mixed script and visible with the assistance of multispectral imaging, reads: 'A UALDH[ARIO] d[omi]n<o> [gap, possibly 'ad'] berctua<ld>o.' Chaplais posits that the wide gap left in the middle of the address suggests that a strip of vellum was used as a wrapping-tie to keep the letter folded around a single panel. For a reconstruction of the folding sequence, see Chaplais, 'Wealdhere', pp. 9–8; for recent multispectral work, see Lawton, 'A Useless Letter?'.
⁶⁶ Canterbury, Dean and Chapter, Chart. Ant. C. 1282. Like the Cuckhamsley chirograph and the Wealdhere letter, this text has similarly been endorsed *inutile* by a twelfth-century hand. For discussion of this extraordinary document, see Keynes, 'Fonthill Letter'; on its language, see Gretsche, 'Language'; on legal aspects, see Hough, 'Cattle Tracking' and Brooks, 'Fonthill Letter'; for the identification of Ordlaſ, see *CantCC*, p. 859 and S 1284 (BCS 590), a problematic Winchester charter including a (probably authentic) description of a land transaction that had taken place between ealdorman Ordlaſ (rather than another layman) and the bishop of Winchester; and for a divergent but unconvincing identification of the Fonthill writer, see Boynton and Reynolds, 'Author'.
⁶⁷ 'Now, Sir, it is most necessary that it must stand, as it has now been established and was long ago.' S 1445 (*CantCC* 104).
⁶⁸ 'And Æthelhelm Higa withdrew from the dispute when the king [Edward] was at Warminster [...].'

The letter itself takes the form of a poorly-prepared, rectangular single sheet of parchment (measuring 380 × 173 mm and folded into sixteen), and it has been suggested that the text, written in a clumsy and unpracticed early Square minuscule, may have been adapted to fit the spatial confines of this particular piece of parchment.⁶⁹ The membrane also has a ‘step’ on its bottom left-hand corner, possibly indicating that it once had a wrapping-tie, or may even have been sealed in some way.⁷⁰ Whilst the narrative of the letter has presented historians with a rich account of contemporary legal culture and associated behaviours and expectations, the letter itself also provides compelling evidence of the level of pragmatic literacy enjoyed by certain members of the non-royal lay élite in the early tenth century. The letter probably represents either a holograph, written by Ordlaſ’s own hand, or his personal dictation to a sympathetic scribe—indeed, linguistic analysis has revealed the letter’s unusual colloquial register, employing an array of *hapax legomena* and other rarely attested Old English words which may reflect the use of a mixture of dialect words and everyday vocabulary.⁷¹

As such, the letter indicates the active participation of non-royal lay élites in documentary culture; to borrow a useful concept from Kathryn Lowe applied in relation to chirographic texts, it must have marked a sort of ‘literacy event’ in which this prominent layman engaged assertively with the written word and recognised its socio-political advantages—in this instance providing detailed personal testimony to influence the outcome of ongoing litigation from a distance.⁷² Its preservation also reveals the evidentiary weight that written communiqués must have had in this period, used as part of the process of dispute resolution alongside performative oaths, the ownership of

⁶⁹ See Keynes, ‘Fonthill Letter’, p. 61 and *CantCC*, pp. 856–7, in which Brooks and Kelly also note that the unusual employment of *signes de renvoi* (‘:’) to mark the point of an insertion, can also be found in the early copy of Alfred’s version of Gregory’s *Regula pastoralis* in Bodleian, Hatton 20 (4113)—evidence of the influence of an Alfredian literary milieu on the scribe, and possibly of the tangible social effects of King Alfred’s reforms in the spheres of lay literacy and learning.

⁷⁰ We may even conjecture that a personal seal of Ordlaſ alongside the letter could explain why the writer did not feel the need to explicitly identify himself within the narrative of the text. For other ‘stepped’ vernacular documents, see Thompson, *Vernacular Documents*, p. 10; and below, Chapter Two, section 2.2.3.

⁷¹ Gretsch, ‘Language’, pp. 68, 78–84, 95.

⁷² Lowe, ‘Lay Literacy’, p. 178.

diplomas, chirographic documents and so on, in order to assess competing claims.⁷³ Moreover, whilst the Fonthill letter itself represents a remarkable survival from the early tenth century, as Charles Insley has noted ‘it seems very unlikely indeed that the sort of episode it describes was not uncommon’, and that other prominent laymen in this period would have had recourse to deploying written missives, as well as receiving and retaining documentation which might bolster their position or interests in an uncertain world.⁷⁴

We catch further direct glimpses of this epistolary culture in the later Anglo-Saxon period; letters continued to be written, circulated and collected in both Latin and the vernacular in the tenth and eleventh centuries, connecting regions of the English kingdom and providing means to cultivate continental European contacts, as exemplified by the so-called Canterbury Letter Book.⁷⁵ Such collections also reveal an interest, by the later Anglo-Saxon period, in letters from a more remote but newly relevant past: the Letter Book of Archbishop Wulfstan, composed during his archiepiscopacy of York, is a compilation of diverse documents including an extensive collection of letters written by Alcuin of York at the end of the eighth century.⁷⁶ These texts included Alcuin’s letters sent to King Æthelred of Northumbria following the Viking attack on Lindisfarne in 793, as well as advice to freshly appointed archbishops of Canterbury and York—all matters with deep personal, spiritual and political resonance for Archbishop Wulfstan some two centuries after their original composition.⁷⁷ Indeed, the extensive use of underlining as well as the insertion of manicules in the manuscript (for example, at 117r) indicates a high level of practical engagement with the letters’ contents on the part of Wulfstan and

⁷³ Indeed, dispute agreements from the later Anglo-Saxon period reveal a legal culture which tolerated the coexistence of a variety of modes of testimony (‘written’ and ‘oral’); see Keynes, ‘Fonthill Letter’, p. 55; and Lambert, *Law*, p. 266.

⁷⁴ Insley, ‘Archives’, p. 348, noting that: ‘the events surrounding the composition of the letter also hint at a world where laymen were adept at manipulating charters and conveyancing’; and Brooks, ‘Fonthill’, p. 306, suggesting that the Fonthill letter would have been just one of very many similar documents in circulation in the early tenth century.

⁷⁵ British Library, Cotton Tiberius A XV, 144v–173r: a Latin letter-collection dating to the early 990s. For its significance, see Keynes, ‘Use of Seals’, p. 81, n. 15; and *idem*, ‘The ‘Canterbury letter-book’’ (forthcoming).

⁷⁶ British Library, Cotton MS Vespasian A XIV, fols. 114–179.

⁷⁷ Letters of Alchfrid the Anchorite, Landferth, Fulrad, Abbot of Saint-Vaast, Odbert, Abbot of Saint-Bertin, Popes Paul I and Leo III, Bishop Arn of Salzberg, and Abbot Wido of Blandinium also formed part of Wulfstan’s collection; for discussion, see Ker, ‘Handwriting’; Mann, ‘Development’; and Lawton, ‘The ‘letter-book’’.

other users of his Letter Book, and it is easy to imagine these texts being employed as the basis for teaching, discussion or instruction in the first quarter of the eleventh century. Indeed, Francesca Tinti has drawn attention to the function of such diverse collections in this period as ‘storehouses of learning’, which clearly served as practical, formulary-like source-books for the generation of new texts, including new letters, imbued with the authority of the old.⁷⁸

Vernacular letters, namely the letter of Archbishop Dunstan to King Æthelred II, issued c. 981 × 988 (S 1296, *Councils and Synods* 35), as well as Queen Ælfthryth’s aforementioned Ruishton letter to Archbishop Ælfric and ealdorman Æthelweard (S 1242, *Writs* 108) and Bishop Æthelric’s letter to ealdorman Æthelmær (S 1383, *Sherb* 13) highlight the continued use and importance of missives in Old English, and in the case of the latter two texts, the blurred generic boundary between letters and non-royal writs by the turn of the millennium.⁷⁹ Archbishop Dunstan’s letter (which refers to itself as ‘*Pis gewrit*’ in its protocol) has proved a difficult document to interpret, but mostly likely represents a contemporary copy of an authentic letter sent by Archbishop Dunstan to the

⁷⁸ For example, Archbishop Wulfstan’s ‘commonplace book’, an accumulation of epistolary material including papal letters, alongside precious canonical, homiletic and liturgical writings; for discussion, see Tinti, ‘Papal Letters’, pp. 110–14; and on the book’s rôle as a basis for Wulfstan’s own compositions, see Sauer, ‘Transmission’, pp. 368–70. For the issue of pre-Conquest diplomatic formularies, see below in this chapter.

⁷⁹ Archbishop Dunstan’s letter is preserved as a single sheet (Oxford, Bodleian Library, Eng. Hist. a. 2, no. XIV), measures 230 × 240 mm and is written in a practiced Anglo-Saxon Square minuscule. It may represent either the original letter sent by Dunstan to the king and retrieved by Ealdred, bishop of Cornwall, acting in the interests of his episcopal see (although the single sheet has no signs of having been sealed or bound with a wrapping-tie, and does not have the long-horizontal format of the Wealdhere or Fonthill letters, which one might expect from an ‘original’ letter that was practically dispatched); or (to my mind more likely) a contemporary copy drawn up on Bishop Ealdred’s behalf, as some sort of file copy. Chaplais has posited that, alternatively, the letter may represent a *post eventum* written record of a purely oral declaration made by Dunstan, and that no document was physically sent to the king; see Chaplais, *Essays*, pp. 16–19, cf. Keynes, *Diplomas*, p. 138; and *BAFacs* 8. Meanwhile, Æthelric’s letter/writ survives as an early-eleventh-century copy entered onto the verso of the last leaf of the Sherborne Pontifical (Paris, Bibliothèque nationale de France, lat. 943, 170v), and the copyist appears to have remained faithful to aspects of the single-sheet exemplar: the format is long and horizontal, and begins with a small, unobtrusive *signum crucis* of the type found on the Fonthill letter as well as eleventh-century single-sheet writs. Ælfthryth’s letter, in contrast, is preserved in the twelfth-century *Codex Wintoniensis* (British Library, Additional MS 15350, fol. 26) but the scribe does not appear to have sought to imitate the shape or form of their exemplar, if they were working from an original letter: the text of the writ spills from the recto to a verso of a manuscript leaf. For further discussion of the Ælfthryth and Æthelric missives, see Chapter Five, section 5.3.

king. The letter outlines the history of certain estates belonging to the diocese of Cornwall (namely Pawton in St Breock, Cællwic, and Lawhitton, Cornwall), and asserts the view that the bishop of Cornwall ought to hold them, harking back to the authority of grants and decisions made by previous kings, stating for example: ‘Þa gelamp þæt Eadræd cyng het hadian Daniel 7 betæhte þa land swa him witan ræddun inn to sancte Germane to þam bisceopstole.’⁸⁰ The text contains three interpolations, including the addition of a concluding statement (written in a different hand to the body of the letter) that serves to emphasise and reiterate the entitlement of the bishop of Cornwall to the estates in question: ‘for þan us ne þing þæt hi ænig man rihtlicor age þonne he 7 gif hi ænig man him to teo hæbbe hi butan godes bletsunge 7 ure.’⁸¹ These scribal interventions indicate that letters such as Archbishop Dunstan’s were prone to preservation in very particular circumstances, typically when they had some evidentiary value bearing on the lawful ownership of *bocland* and associated privileges (the above-mentioned concept of ‘receiver transmission’ or *Empfängerüberlieferung* applying here to the recipient of the grant of land or privileges, rather than the formal recipient of the missive itself *per se*).⁸²

As such, Dunstan’s letter embodies two key phases in the life cycle of an Anglo-Saxon missive: the first phase, in which the letter functioned as a narrative or testimony bearing on particular issues to be read by (or performed to) the recipient/s, and then secondly, potentially obtaining an evidentiary use or value after it had entered into the possession or archive of the recipient or an interested party.⁸³ Indeed, contemporaries appear to have been acutely aware of the way in which the functions of missives and other documents changed and evolved at different points in their life cycle. For example, in the narrative of the aforementioned late-tenth-century Cuckhamsley chirograph (S

⁸⁰ ‘Then it happened that King Eadred commanded Daniel to be consecrated, and gave the estates as the witan advised to the episcopal see of St German’s.’ S 1296 (*Councils and Synods* 35).

⁸¹ ‘Since it does not seem to us that any man can possess them more rightfully than him, and if any man take them for himself, may he have them without the blessing of God and of us.’

⁸² Garrison, ‘Send More Socks’, p. 74.

⁸³ This process is somewhat analogous to the life cycle of pre-Conquest charters more generally. For example, a centrally-produced tenth or eleventh-century royal diploma might typically have gone through stages of: (i) negotiation, in which the terms of the grant were decided by the ruler, their councillors and interested parties; (ii) production (sometimes multi-stage); (iii) conveyance and/or performance; (iv) use as a title-deed by the beneficiary or beneficiaries (individual, group or institution). For conceptualization of these latter two stages, see Keynes, ‘Church Councils’, pp. 65–6; *idem*, ‘Welsh Kings’, pp. 80–1.

1454, *CantCC* 133), recording a land dispute between Wynflæd and Leofwine, we are told: ‘7 Sigeric arcebiscop sende his sputelunga þærto 7 Ordbryht biscop his.’⁸⁴ Here, the account states that Archbishop Sigeric and Bishop Ordbriht of Selsey sent their ‘swutelunga’ (‘declarations’, ‘evidence’) to the venue of the Berkshire shire court, after it had been summoned to reconcile the litigants.⁸⁵ It is clear from the context of the account that the function of these written declarations was to provide ancillary evidence for Wynflæd in her suit, since both churchmen are described at the beginning of the account standing as Wynflæd’s ‘gepitnesse’ (‘witnesses’) before King Æthelred in her assertion that she had acquired the estates in a lawful exchange with a certain Ælfric.⁸⁶ The fate of the *swutelunga* depicted here is unknown, but as testimonies issued by élite church hierarchs (and given that this particular dispute reached an ambiguous conclusion, with neither party seemingly vindicated outright), one possibility must surely be that they went into the personal archive or possession of Wynflæd herself for future use or reference.⁸⁷

It is certainly the case that documents possessed by religious houses in this period could be retrieved and re-used by assertive ecclesiasts—a practice that helps to explain the motivations behind the three scribal modifications made on Archbishop Dunstan’s letter. In the aforementioned Snodland settlement (S 1456, *Roch* 37), an account of a dispute settlement between Godwine, bishop of Rochester and Leofwine (probably a layman) composed c. 995 × 1005, we are offered a description of an opportunistic re-use of written documentation: ‘Þa ða se biscop Godpine com to ðam biscopstole þurh hæse his cynehlafordes Æðelredes cynges æfter Ælfstanes forðsiþe biscopes þa gemetæ he on ðam mynstre þa ylcan sputelunga þe his foregenga hæfde 7 þærmid on þæt land spæc

⁸⁴ ‘And Archbishop Sigeric sent his testimony there and Bishop Ordbriht his.’ S 1454 (*CantCC* 133).

⁸⁵ The noun *swutelung* and related verb *swutelian* (‘make known’, ‘declare’) appear to have emerged in diplomatic usage in the tenth century; see Lowe, ‘*Swutelung/Swutelian*’, pp. 450–2; and for further context, Kennedy, ‘Disputes’, pp. 182, 186.

⁸⁶ Brooks and Kelly contend that the *swutelunga* in this case ‘would appear to have been written testimony of their support for Wynflæd and/or written evidence of their knowledge of the case’, however it seems unlikely that such testimonies would have been in any way impartial; see *CantCC*, p. 992.

⁸⁷ No ‘lay archive’ as such survives from Anglo-Saxon England, but it is clear that members of the laity would have retained documents in their own interests and the interests of their kin and allies; for discussion see Insley, ‘Archives’; Rumble, ‘Anglo-Saxon Royal Archives’, pp. 185–200; and for a wider continental European context, see Brown *et al.*, ‘Introduction’.

ongan ða to specenne on ðæt land [...]’⁸⁸ Thus, *swutelunga* relating to the Snodland estate were retrieved from the Rochester cathedral archive and wielded by Bishop Godwine to make a claim to ownership, prompting the king to summon the shire court to adjudicate. The bishop then deployed these retrieved *swutelunga* at the shire court convened at Canterbury (‘syððon se bisceop his sputelunge geeowod hæfde’), and following adjudication a compromise was reached in which Leofwine was permitted to retain ownership of the land on *læn* (‘loan’) for his lifetime, after which it would revert to Rochester.⁸⁹ This resolution involved Leofwine’s relinquishing of the *swutelunga* in his possession pertaining to Snodland, a concession important enough for the writer of the account to emphasize: ‘ageaf ða sputelunga ða he to þam lande hæfde þe ær of ðære stowe geutod wæs.’⁹⁰

The exact nature of the *swutelunga* possessed by the disputing parties is unclear here: in the case of Bishop Godwine’s documents, Alan Kennedy has posited that these *swutelunga* may have been the same documents which, according to an earlier vernacular account composed some two decades prior *c.* 980 × 987 (S 1457, *Roch* 36), had been stolen from the cathedral and sold to a certain Ælfric, the son of the benefactress who had previously given them to the church.⁹¹ In this account they are more precisely identified as ‘Snodinglandes landbec’ or ‘ða forstolenan becc Snodinglandes’ (‘the Snodland land-book’ or ‘the stolen land-book of Snodland’), perhaps alluding therefore to a royal diploma (fulfilling its function as a title-deed) rather than a more informal vernacular document or testimony. But it is nevertheless striking that the later Snodland settlement (S 1456, *Roch* 37) employs the term *swutelunga* (always in plural form) in lieu of *[land]bec*, and perfectly possible that Bishop Godwine gathered together a number of documents from Rochester after succeeding to the episcopal see, which may have

⁸⁸ ‘When Bishop Godwine succeeded to the episcopal see, at the command of his royal lord King Æthelred, after the death of Bishop Ælfstan, he found within the cathedral the very *swutelunga* which his predecessor had and with which he laid claim to the estate. He then began laying claim to the estate [...]’. S 1456 (*Roch* 37). For further discussion, see Keynes, ‘King Æthelred’, pp. 333, 341–43.

⁸⁹ ‘After the bishop had produced his *swutelunga*’. S 1456 (*Roch* 37).

⁹⁰ ‘And he gave up the *swutelunga* pertaining to that estate which he had and which had been alienated from the foundation.’

⁹¹ Kennedy, ‘Disputes’, p. 182; for the wider context of the Snodland dispute, see Flight, ‘Four Vernacular Texts’, pp. 129–33.

accumulated within the community's archive in the course of this knotty, intergenerational dispute. There is also a neat symmetry in the use of the same word to describe whatever documents Leofwine agreed to relinquish ('ðā sputelunga') at the request of the Kentish shire court, perhaps a deliberate attempt by the writer of this settlement account to affirm a degree of parity between the two parties and the evidentiary weight of their respective written records.⁹²

Whatever the nature of these *swutelunga*, the Snodland account highlights how, having functioned originally as ostensibly straightforward royal diplomas (or vernacular accounts, testimonies or missives), texts of diverse function could be re-used and re-deployed in other settings in order to defend, assert or re-assert the position, rights and privileges of an individual (and, by extension, of families, religious communities and other institutions). We might juxtapose this with another example, from the middle of the eleventh century, in which documentation, in this case a royal writ and seal ('cynges gewrite and insegle') is re-deployed in a different, deeply politically charged context. In 1051, King Edward had appointed the bishop of London, Robert of Jumièges, to the archbishopric of Canterbury, with Sparrowhawk (*Sparhafoc*), abbot of Abingdon, stepping up to fill the London vacancy created by Robert. These translation and appointments were two among several others designed to promote Edward's close allies and sideline local interests at this time. On his return journey from Rome, having gone to acquire his pallium, Robert was intercepted in England by Sparrowhawk; the account in the Peterborough Chronicle reads: 'Ða com Sparhafoc abbod be wege to him mid þæs cynges gewrite 7 insegle to þan þet he hine hadian sceolde to biscop into Lundene þa wið cweð se arcebiscop 7 cwæð þet se papa hit him forboden hæfde.'⁹³ Sparrowhawk has a writ and seal from the king in his possession declaring his valid appointment, and he uses it in an attempt to protect his position and gain or consolidate Robert's support for his

⁹² A very similar dynamic can be observed in a dispute settlement between the churches of Winchcombe and Worcester c. 897 (S 1442, BCS 575), in which a certain Wullaf is encouraged to relinquish documents or charters ('pristinos libellos') pertaining to his ownership of land at Upton, in return for being allowed to possess the disputed property for his own lifetime. It may be that this was an established mechanism for the resolution of certain types of disputes. See Kennedy, 'Law and Litigation', p. 172, n. 159.

⁹³ 'Then Abbot Sparrowhawk met him on the way with the king's writ and seal stating that he was to be consecrated bishop of London by the archbishop. Yet the archbishop refused and said the pope had forbidden it him.' ASC E 1048 (=1051) (ed. Irvine, p. 80).

translation to London. But the abbot and his writ are overruled, his appointment having been rejected by the pope, a prohibition which Robert himself may have purposefully obtained whilst in Rome.⁹⁴ The function of the writ and seal described here can be usefully compared to the surviving writs that announce ecclesiastical appointments (sometimes alongside related privileges) at different levels of the church hierarchy (identified towards the beginning of this chapter and in Appendix I, Figure 1.3). But it also crucially indicates the social and political utility of such documents to their respective ‘beneficiaries’, in the event that their ecclesiastical authority or jurisdiction came to be contested, for example amid accusations of simony. Moreover, as Archbishop Dunstan’s letter indicates, this dynamic process could also involve textual modification and the manipulation of records by contemporaries (as well as by later scribes working in their own or institutional interests).⁹⁵ All these examples fit well with Brian Stock’s conceptualization of ‘textual communities’, in which texts had the propensity to be written and then performed and re-performed orally by an ‘individual who mastered it [the text], then utilized it for reforming a group’s thought and action’—a theory this thesis will return to in the narrower context of the pre-Conquest writ corpus.⁹⁶

Operating alongside this epistolary activity, and alluded to already in this chapter, was a distinctive sphragistic (or sigillographic) culture, which, like letter-writing, seems to have emerged early in the Anglo-Saxon kingdoms and is discernible in surviving material evidence from the mid-seventh century onwards. The earliest surviving sphragistic device discovered in England is a gold signet ring, possibly belonging to Queen Balhild of Neustria (d. c. 680), a member of the East Anglian royal court who married King Clovis in 648, and which was recovered in Postwick, Norfolk in 1999. The

⁹⁴ Barlow, *Edward*, pp. 104–6. Sparrowhawk remained bishop-elect of London for the summer and autumn of that year, before his eventual expulsion.

⁹⁵ No synoptic study of contemporary or later scribal manipulations of pre-Conquest charters exists. However, for an example of a charter with later scribal modifications, see: S 1088 (*CantCC* 179), a contemporary single-sheet writ in favour of Archbishop Stigand and Christ Church with all except the first three lines erased and rewritten by a later scribe; for discussion see *CantCC*, pp. 1198–9, in which Brooks and Kelly suggest that the writ’s pronouns in the main announcement clause were modified, hence making the monks of Christ Church joint beneficiaries alongside Archbishop Stigand and enhancing the document’s evidentiary value for the community. However, multispectral imaging in 2017 revealed traces of erased text beneath every line of visible text, perhaps indicating the wholesale repurposing of the original document or writ; see Hudson, ‘Writ of Edward’ and below, Chapter Two, section 2.2.

⁹⁶ Stock, *Implications of Literacy*, pp. 42 and 90–1.

double-sided 12 mm bezel would have swivelled on the bar that still runs through its centre, and features a portrait of a long-haired individual whose nose merges with the shaft of a cross (variously interpreted as Christ, or Balthild herself), encircled by a legend in the genitive ‘+BALDEHILDIS’. On its reverse, it depicts a male and female figure either holding hands (possibly drawing on the tradition of Byzantine betrothal rings) or engaged in a sexual act beneath a cross sign—either of these interpretations could be symbolic of the queen’s betrothal, marriage and coeval dynastic expectations.⁹⁷ Whilst this object was clearly imbued with a great deal of symbolic authority, the left-to-right orientation of the legend *Baldehyldis* indicates that it must also have functioned as a practical sealing or stamping device, perhaps allowing Balthild (or its later owner/s) to clearly seal or otherwise mark their letters, or as a token of credence and recognition to pass onto friends, allies or messengers.⁹⁸

The practical functionality of these early sealing devices is reinforced by the appearance of the second of the three surviving examples from the earlier Anglo-Saxon period: the leaden bulla of Coenwulf, king of the Mercians (796–821), discovered in Italy and later acquired by the British Museum. This 4 cm wide, poorly preserved (and partially decomposed) double-sided ovoid bulla features the genitive-form legend ‘+COENVVLFI REGIS’ on its obverse, and ‘+MERCIORUM’ on its counter-seal, on both sides encircling a cross moline: a graphic form current in Coenwulf’s coinage.⁹⁹ Stewart Rigold has argued that the Coenwulf bulla is ‘coin-like without being like any particular

⁹⁷ See also the extraordinary chemise/tunic of Balthild from Chelles (possibly the queen’s own garment or burial dress), a 117 × 84 cm linen with silk embroidery, and incorporating images set in circles embroidered in an arc below a cross, which are reminiscent of coins/medallions and the signet ring itself, and probably represent the queen’s ostentatious jewellery; see Yorke, ‘Weight of Necklaces’, pp. 107–8. For the wider context to Balthild’s career, see Nelson, ‘Gendering Courts’; Fouracre, ‘Balthild’; Fouracre and Gerberding, *Merovingian France*, p. 121; Earenfight, *Queenship*, pp. 61–3; and Karkov, *Art*, pp. 123–4, who concludes that ‘it is possible that this seal reached England accompanying one such [sealed] letter, that it was a gift in its own right, or indeed that it had become a secondary relic of the saint.’ For late Roman/early Byzantine marriage rings, see Marzinzik, *Masterpieces*, pp. 36–7; and for signet rings as markers of social power and elevated status in Merovingian Gaul, see Garipzanov, *Graphic Signs*, pp. 148–9 and 203–6.

⁹⁸ Chaplais posits that finger rings and seal matrices functioned as ‘tokens of credence’ carried loosely by messengers to deliver oral messages; see his *English Diplomatic*, p. 30, and in relation to the Coenwulf bulla discussed below, see his ‘Chancery’, pp. 52–3.

⁹⁹ See Harmer, *Writs*, p. 28 describing the object as a ‘bulla or coin-seal’; and for the late Mercian numismatic context, see Naismith, *Medieval European Coinage*, pp. 138–45.

coin, nor like a papal *bull*’, but nonetheless that its similarity to concurrent coinage indicates that seals may have inspired, or provided a model for, the designs of coins.¹⁰⁰ In this connection, Rory Naismith has posited, based on observations of numismatic epigraphy, that ‘it is likely that the same craftsmen were responsible for making seals and nummular brooches as well as coin-dies.’¹⁰¹ Coenwulf’s bulla thus reveals the early interconnectedness of seals with other media employed to convey or communicate political authority, both in terms of the possible nature and site of their production and in relation to their epigraphic and visual schemes.¹⁰² Regarding the possible functions of this royal bulla, it is certainly conceivable that, alongside other ephemeral seal impressions cast in different media, it may have served as an authenticating device for the king’s letters and/or those conveying them; indeed, the end of the eighth century witnessed an intense period of epistolary exchange between King Coenwulf and Leo III, prompted by issues such as the demotion of Lichfield and Eadberht Præn’s rebellion, amongst other pressing political concerns.¹⁰³ The use of the bulla as a practical element within this ongoing Anglo-Papal correspondence discourse is reinforced by its findspot (the exact location is uncertain; probably in or near Rome), where it may have been dropped, lost or deposited by a Mercian messenger, delegate, or pilgrim.¹⁰⁴

The mid-ninth-century bronze seal matrix of Æthelwald, bishop of Dunwich, Suffolk (*acc.* 845 × 870) completes the corpus of extant sigillographic devices from the earlier Anglo-Saxon period (*c.* 600–900), and is the first to contain the word *sigillum* (in

¹⁰⁰ Rigold, ‘Seals and Titles’, p. 100; his observation is endorsed by Harvey, ‘This Is A Seal’, p. 3, and Kershaw and Naismith, ‘Seal Matrix’, p. 297.

¹⁰¹ See Naismith, *Medieval European Coinage*, p. 378, noting that ‘the similar appearance of lettering on these objects derives from shared methods of creating small inscriptions on metal surfaces.’ For so-called ‘Anglo-Saxon capitals’, the script used for many numismatic and sigillographic inscriptions, see Okasha, *Corpus*, pp. 19–27.

¹⁰² A similar observation has already been made in relation to Carolingian political culture, see Garipzanov, ‘Metamorphoses’, p. 421; and for further discussion, see Chapter Four, below.

¹⁰³ For detailed analysis of the flurry of Anglo-Papal correspondence in Coenwulf’s reign, see Pngelley, ‘Rome’, pp. 41, 78–80, and his ‘Appendix 2:1–7’, p. 287.

¹⁰⁴ Epistolary correspondence must also be set alongside other social practices which would have seen Mercians travel to Rome: for the purposes of pilgrimage, trade, the transfer of Peter’s Pence as well as private donations/gifts to the papacy; for context, see Naismith and Tinti, ‘Forum Hoard’, p. 39; and for discussion of the frequency of such journeys in the early ninth century, see Keynes, ‘Anglo-Saxon Entries’, p. 99; and Pngelley, ‘Rome’, pp. 29–40.

abbreviated form) in its legend.¹⁰⁵ The sub-conical matrix, measuring 6.9 cm in length, comprises of tiered, interlacing arcading which frame outward-facing zoomorphic heads, three of which bite at the three-leaf terminal or handle. Its one-sided circular die bears the inscription: ‘+SIT EDILVVALDI EP-’ (‘the seal of Bishop Æthelwald’), circumscribing a large, floriated *signum crucis*. This elaborate graphic sign finds parallel in the design of the Floreate Cross Type coinage, issued in the years immediately preceding the death of King Æthelberht of Wessex in 865, in the names of that king and Archbishop Ceolnoth of Canterbury.¹⁰⁶

Such parallels again raise compelling questions regarding the nature and function of these early sealing devices and their relationship to other media; for example, might the matrix of Bishop Æthelwald and the Floreate Cross Type coinage have drawn on a lost royal seal matrix (perhaps of King Æthelberht of Wessex himself) as the ‘common archetype’ of their respective graphic schemes?¹⁰⁷ And if so, what might this appropriation or emulation of royal designs reveal about the function and status of the non-royal seal matrices themselves? As such, might it reflect an attempt to reproduce a kind of commonly recognized symbolic language of authority, of the type described by Ildar Garipzanov in relation to Carolingian culture? For Garipzanov, ‘repetition was crucial in the symbolic language of the Carolingian world because it made the ruler’s authority seem habitual or natural. Repetitive enactment of the royal liturgy, a constant use of specific titles and signs on objects connecting the rulers’ courts with their aristocratic and free subjects, and the symbolic depiction of kings and emperors in different media made their authority an intrinsic part of the socio-political landscape.’¹⁰⁸ The concept of ‘repetitive enactment’ is all the more relevant when we consider just how many times these seal matrices must have been used over their lifetimes given the ready availability of media such as wax, as well as the relatively wide audience of numismatic designs.¹⁰⁹

¹⁰⁵ See Okasha, *Hand-List*, no. 38, p. 71; Webster, ‘Seal-die’, p. 238.

¹⁰⁶ For context, see Naismith, *Money*, pp. 65–6; and *idem*, *Medieval European Coinage*, pp. 150, 158–9.

¹⁰⁷ A theory posited by Rigold, ‘Seals and Titles’, pp. 100–1.

¹⁰⁸ Garipzanov, *Symbolic Language*, p. 27.

¹⁰⁹ For the societal prevalence of coinage in this period and its potential audiences, see Naismith, ‘Money and Society’, pp. 182–7; and Gannon, ‘Art in the Round’, p. 289.

Textual references to seals from the earlier Anglo-Saxon period are scarce; aside from the above-discussed allusion to ‘ðines hlaforðes ærendgewrit and hys inſegel’ in the later ninth-century vernacular version of St Augustine’s *Soliloquies*, we have just one example, embedded in the narrative of the aforementioned Fonthill letter (S 1445, *CantCC* 104).¹¹⁰ Towards the end of the account, Helmstan, having committed his second offence of stealing cattle (resulting in the confiscation of his possessions by the reeve Eanulf Penearding and a declaration of outlawry imposed by the king), undertakes a penitent journey to the tomb of the king’s father, Alfred: ‘Ða geſahte he ðines fæder lic 7 brohte inſigle to me 7 ic pæs æt Cippanhomme mit te. Ða ageaf ic ða inſigle ðe 7 ðu him forgeafe his eard 7 ða are ðe he get on gebogen hæfð.’¹¹¹ Helmstan retrieves this ‘inſigle’ at, or near, King Alfred’s grave, giving it to the narrator who then offers it to Edward the Elder, an act of demonstrative behaviour that prompts the ruler to allow Helmstan to retain his property and possessions, effectively granting him pardon.¹¹² The exact nature and appearance of Helmstan’s seal is unclear; it may have been a loose impression of a seal matrix, issued at the Old or New Minster, Winchester to visitors of Alfred’s tomb and thus bearing immediate symbolic, penitential or apotropaic value; or it may have been associated with some sort of concurrent written document affirming or describing such a visit, and likewise invested with a range of social and symbolic meanings.¹¹³ But as Scott Thompson Smith has noted, the seal retrieved at Alfred’s tomb goes on to operate as a ‘material evidentiary sign’, functioning to expedite Helmstan’s pardon and the restoration of his property in a manner somewhat analogous to the legal rôle played

¹¹⁰ Roberts, ‘Anglo-Saxon Seals’, pp. 132–5, 153–7.

¹¹¹ ‘Then he ſought the body of your father and brought the ſeal to me, and I was with you at Chippenham. Then I gave the ſeal to you and you then permitted him to keep his land and poſſeſſions, on which he has lived.’ S 1445 (*CantCC* 104).

¹¹² The precise nature of Helmstan’s journey and the exchanges of the ‘inſigle’ have been uſefully contextualiſed: for Alfred’s body/tomb as a ſite of ſanctuary for outlaws, ſee Marafioti, *King’s Body*, pp. 37–9; for the ſuggeſtion that the paſſage reflects, or is analogous with, the ſocial practice of vouching a dead man to warranty, ſee Keynes, ‘Fonthill Letter’, p. 88, and Smith, ‘Of Kings’, pp. 457–60; and for the wider context to demonstrative political communication in Anglo-Saxon England (for example, acts of proſkynesis, proceſſion, tearful petition to obtain pardon, or induce political action), ſee Barrow, ‘Demonſtrative Behaviour’, p. 138.

¹¹³ See *Writs*, pp. 12–13, ſpeculating that this ‘inſigle’ may refer metonymically to ‘a ſealed letter, by whomſoever iſſued, which fulfilled the requirements for [Helmstan’s] reſtoration to the favour of [the king]’; and for more recent diſcuſſion, ſee *CantCC*, p. 858; and Keynes, ‘Use of Seals’, p. 75.

by written evidence (in the form of charters) elsewhere in the narrative.¹¹⁴ The Fonthill writer clearly views Helmstan's retrieval and possession of the 'insigle' as the critical juncture in the outlaw's social rehabilitation, with the account of the act legitimizing and framing the narrator's crucial final statement regarding the exchange of land at Lydiard, now under threat from Æthelm Higa.

The Fonthill account strongly implies that seal impressions or matrices (and/or the documents which may have been in some way associated with them) could have had significant, diverse and widely recognized symbolic, social and legal functions by (at least) the turn of the tenth century; and that these functions were recognized not just by kings but by a broader category of non-royal lay élites, who were active participants in sigillographic praxis. Moreover, the Fonthill narrative also reveals that such early-tenth-century 'seals' could function as evidentiary instruments within a wider system of *bocland* dispute settlement, in this case as a tool for performing penance and enabling legal mediation. Chapter Four of this thesis will go on to analyse the continuing development of English sphragistic culture in the later tenth and eleventh centuries, considering both material and textual evidence, and probing the conceptual and physical interconnectedness of seals with writs and other types of diplomatic output.¹¹⁵ It remains to be emphasized here, however, that the Fonthill narrative provides insight into a significant moment of convergence between sigillographic, documentary and epistolary traditions in the earlier tenth century, nearly one hundred years prior to the emergence of our earliest writs in the diplomatic record. Similarly, we might interpret the reference to 'ðines hlaforðes ærendgewrit and hys inſegel' ('your lord's errand-writ and his seal') in

¹¹⁴ Smith, 'Of Kings', pp. 458–9; previously in the Fonthill letter, charters (perhaps diplomas) provided Helmstan with the evidentiary basis for making his claim to the land: 'ða ðuhte us eallan ðæt Helmstan moſte gan forð mid ðon bocon 7 geagnigean him ðæt lond' ('we all thought that Helmstan might proceed with the charters and lay claim to that estate'); and are employed in the context of oath performance: 'ða bæſ mon ða boc forð 7 rædde hie. Ða ſtoð ſeo honðſeten eal ðæron' ('the charter was brought forth and read, and all the subscriptions were found on it.')

¹¹⁵ Indeed, a small and coherent group of four non-royal seal matrices survives from the later Anglo-Saxon period, two cast in bronze and two in ivory, belonging to: Ælfſic I, Godwine *miniſter* ('the thegn'), Wulfſic and Ælfſic II. In addition, the ſeal of Godwine was later re-purpoſed, oſtenſibly for uſe by a certain Godgyth, ſtyled *monacha Deo data* ('nun given to God'). See Heſlop, 'English Seals', with the recent addition of a ſecond ſeal-matrix in the name of Ælfſic, a layman, ſee: Keſhaw and Naiſmith, 'Seal Matrix'. For a panoramic overview with images, ſee Keynes, 'Uſe of Seals'; and Chapter Four, below.

the later ninth-century Old English version of St Augustine's *Soliloquies* as another example of a reference to a moment of 'convergence' between two modes of political communication. Whilst Harmer interpreted this as a reference to a 'sealed letter', more recent commentators have posited that the letter and seal of this passage may have had a looser association—conceived of as being conceptually separate elements rather than necessarily physically joined together, an interpretation reinforced by the syntactic position of 'hys' in the passage, between the two objects.¹¹⁶

1.5. Diplomatic and Legislative Contexts

Alongside seal use and letter writing in early Anglo-Saxon England, writs also emerged from a culture in which the generation of vernacular royal law-codes, and the production and use of diplomas and other species of diplomatic writing (in both Latin and Old English), were well established, with their origins in the profound socio-cultural shifts of the late sixth and early seventh centuries.¹¹⁷ It is beyond the scope of this introduction to survey these rich and intersecting traditions in the earlier Anglo-Saxon period; however it is useful to note several trends and issues of particular relevance to the emergence and development of writs as a distinct diplomatic typology.

In this connection, it is necessary to highlight the significance of the earlier decades of the ninth century as a period of innovation in the use of Old English as a diplomatic medium—for drawing up entire texts such as the earliest extant vernacular wills and dispute memoranda, as well as functioning as a 'supplementary' language within texts such as diplomas and grants, to facilitate the rapid identification of charters by contemporaries and to record certain key details (for example on their endorsements)

¹¹⁶ *Writs*, p. 3; cf. Carnicelli, *Soliloquies*, p. 100, positing that the collocation refers analogically to 'the scriptures'; Chaplais, 'Chancery', pp. 51–4; and Keynes, *Diplomas*, pp. 136–7, who notes that the syntactic position of the possessive pronoun 'could be taken to imply that the document and the seal were separate'.

¹¹⁷ The earliest extant royal diplomas date to the 670s, and their use was probably pioneered by Theodore, archbishop of Canterbury, and stimulated by the demands of the earliest church councils; although it has been noted that earlier Latin diplomas may have been written on fragile papyrus, and therefore lost. For discussion, see Chaplais, 'Who Introduced Charters?'; Wormald, 'Bede'; Keynes, 'Church Councils', pp. 18–21; and Snook, 'Theodore and Hadrian'. The earliest laws were drawn up at the behest of King Æthelberht of Kent c. 600, probably a written codification of a pre-existing body of orally transmitted and memorized laws and tariffs; see Oliver, *Beginnings*, pp. 34–51; and Lambert, *Law*, pp. 27–62.

that no doubt had pragmatic importance for those who issued, owned or otherwise used them.¹¹⁸ Commentators have interpreted such expanding diplomatic uses of the vernacular as symptomatic of concurrent socio-political transformations, namely a desire to create increasingly ambitious, flexible and varied forms of documentation to fulfil diverse and changing legal and social needs. This was, in turn, stimulated and reinforced by a growing lay engagement with documentary culture and its practical benefits, which often operated in tandem with clerical engagement, giving rise to complex, multi-stage diplomatic productions.¹¹⁹

At the same time, historians have spoken of the ninth to eleventh centuries in England as a period marked by the development of increasingly sophisticated ‘administrative’ structures, seeing diplomatic instruments as part of an array of tools at the disposal of rulers (as well as non-royal actors), keen to enhance the breadth and depth of their authority within progressively larger and more complex polities, states and proto-states.¹²⁰ Underlying this discussion has been a lively and constructive debate about the precise nature of the production and issuance of Anglo-Saxon charters, centred on the evidence of royal diplomas and writs. The contours of this debate have broadly followed two ‘schools’ or models of diplomatic production. The Chaplais model, developed in a

¹¹⁸ See the recent detailed study by Gallagher, ‘Vernacular’, and his ‘Tables 1–3’, pp. 211, 218, and 225; also noting at pp. 209 and 224 that Old English is almost wholly absent in extant pre-ninth-century charters beyond topographical descriptions and locative terms, and that the trend for employing the vernacular for diplomatic writing may have been nurtured initially at Canterbury, with its benefits rapidly recognized and hence adopted in Mercia, London and possibly Wessex as early as c. 825–840; alongside more generally Kelly, ‘Lay Society’, p. 46; Cubitt, *Church Councils*, p. 200; and Lowe, ‘Lay Literacy’. For the use and evolution of endorsements on charters surviving on single sheets, see Gallagher and Wiles, ‘Endorsement Practices’. My thanks to the authors for allowing me to read this forthcoming article.

¹¹⁹ See, for example, S 190 (BCS 416), a diploma of Wiglaf issued c. 836 with multiple contemporary endorsements, and S 1482 (*CantCC* 70), a vernacular will of the reeve Abba and a food-render of his wife, Heregyth, generated c. 833 × 839: such texts betray a nexus of lay and clerical involvement in diplomatic practices by the early ninth century. For discussion and further ninth-century examples, see Gallagher, ‘Vernacular’, p. 224.

¹²⁰ For the so-called ‘maximalist’ view of the sophistication of the ‘late Anglo-Saxon state’, see Campbell, ‘Observations’, *idem*, ‘Agents and Agencies’, *idem*, ‘Late Anglo-Saxon State’; for an overview of legal and diplomatic tools at the disposal of later Anglo-Saxon rulers, see Keynes, ‘Royal Government’, and Oliver, ‘Legal documentation’; and for an essential rejoinder on the work of Campbell and others, arguing for the mid-to-late tenth century as a critical period of administrative innovation and statist expansion, and a timely rebuttal to English exceptionalism, see Molyneux, *Formation*, pp. 231–49. For problematisation of the ‘maximalist’ and ‘minimalist’ approaches, see Roach, *Kingship*, pp. 18–26; and Baxter, ‘Limits’.

series of articles by Pierre Chaplais in the mid-1960s, posits that diploma (and writ) production was localized in nature and carried out subsequent to the conveyance of the charter itself, created by or at the behest of the beneficiary, or by a specially delegated ecclesiast, or at an interested religious house, on the basis of written and/or oral memoranda.¹²¹ In contrast, the work of Simon Keynes and others has clearly demonstrated that, whilst this model holds for certain periods, regions and contexts, from the tenth century (and in Wessex from the ninth century), the production of royal diplomas, and indeed royal writs, could be carried out in a more centralized manner, at assemblies by ‘royal’ or otherwise co-opted scribes or scribal collectives.¹²² More recently, scholarship on Anglo-Saxon diplomatic has fruitfully explored the flexibility of these models, understanding them not as necessarily irreconcilable paradigms, but rather as tools for probing the context of a given charter’s production, issuance and use, as well as its ‘proximity’ to royal, ecclesiastical and lay power, influence and patronage.¹²³ Such considerations will run through this thesis, and the development and relevance of the ‘chancery’ debate in relation to Anglo-Saxon writs is discussed in more detail in Chapters Two to Four.

¹²¹ Chaplais, ‘Origin and Authenticity’; *idem*, ‘Diploma to Writ’; and *idem*, ‘Chancery’, at p. 60 for Chaplais’ views on writ-production: ‘The stylistic similarities between all the extant writs of Edward the Confessor were not necessarily due to the setting-up of a royal scriptorium; a long tradition of oral declarations made by the same royal representatives to the various shires might explain these similarities just as adequately.’ For Chaplais’ contributions in context, see Sharpe, ‘Pierre Chaplais’, pp. 135–7; and for the intellectual influences of Mary Prescott Parsons, Florence Harmer and Neil Ker on Chaplais’ outlook and his conception of ‘interested ecclesiastics’, see Keynes, ‘Church Councils’, pp. 45–6; and below, section 1.6.

¹²² Keynes, *Diplomas*, pp. 14–28; *idem*, ‘West Saxon Charters’, pp. 1133–5 on the ‘centralized’ agency of certain ninth-century West Saxon charters; *idem*, ‘Regenbald’, pp. 215–16 for palaeographical and phraseological evidence for the central production of Edwardian writs; Keynes’ insights drew on the earlier observations of W. H. Stevenson and Richard Drögereit who posited an Anglo-Saxon chancery, the latter scholar identifying groups of diplomas written for different beneficiaries in the same hand: see Stevenson, ‘Chancery’; Drögereit, ‘Königskanzlei?’; and the syntheses in Keynes, ‘Church Councils’, pp. 44–5; and Roach, *Kingship*, pp. 78–89.

¹²³ Keynes, ‘Church Councils’, noting at p. 61 that ‘the protracted debate about the production of royal diplomas in the tenth century is best not polarized into a choice between two mutually exclusive alternatives [...]’. For varying examples of ‘proximity’ to the royal centre, compare diplomas linked to the agency of reconstructed royal scribes or scribal collectives such as ‘Æthelstan A’ and ‘Dunstan B’, with, for example, the output of ‘Edgar A’, who has been identified by some scholars as a ‘royal’ scribe, but by others as Æthelwold, abbot of Abingdon 954–63 or another churchman operating at Abingdon abbey; see Woodman, ‘“Æthelstan A”’, Keynes, ‘“Dunstan B”’; and for ‘Edgar A’ cf. Kelly, *Abing*, pp. cxv–cxxx; *eadem*, *Glast*, pp. 475–7; and Keynes ‘Edgar Rex’, pp. 14–16.

It remains to be emphasised more generally that pre-Conquest writs emerged and developed as a diplomatic genus alongside many other diverse forms of charter-writing, and as has already been discussed above in relation to the language of writ's additional clauses, diplomatic borrowing and 'cross-pollination', whereby specific phrases, terms and imagery transgressed generic diplomatic boundaries, is a commonly observable phenomenon.¹²⁴ The nature and extent of such phraseological cross-pollination can provide important clues regarding the status and social setting of different forms of documentation, as well as revealing the interaction between Latin and the vernacular at different periods and in diverse contexts. Such interactions remind us, too, of the way in which contemporaries must have perceived different forms of documentation, no doubt without the strict taxonomic categorization frequently imposed by modern commentators.

Alongside these broader diplomatic discourses, the language of Anglo-Saxon legal or more specifically 'legislative' culture, i.e. the extant body of law-codes, ordinances, church council decrees and legal proclamations, also provides a critical context to our understanding of writs and the influences bearing down on their form, language and overall formulation. For example, the structure of the aforementioned writ protocols or address clauses, delineating the ecclesiastical and secular power brokers beneath the king, finds parallel in various other legislative texts. The prologue to the seventh-century laws of Ine, for example, describes how the king consulted his father, two bishops and all his ealdormen and chief councillors before creating the code. Similarly, Edward the Elder's first law-code takes the form of a directive to his reeves, greeting them and delineating their jurisdictional powers.¹²⁵ A rather more precise

¹²⁴ A particularly striking example of such cross-pollination is the will of the layman Badanoth Beotting (S 1510, *CantCC* 78), drawn up c. 845 × 853, the wording of which closely resembles a vernacularized version of contemporary Latin diplomas produced at Canterbury; see *CantCC*, pp. 712–14. Other phraseological parallels can be found, for example, between the formulaic writ address clauses and the opening clauses of wills such as Ealdorman Æthelmær's will (S 1498, *WinchNM* 25) and Leofwine's will (S 1521, *Wills* 29) couched in the third person; see Tollerton, *Wills*, pp. 23–6. Alongside cross-pollination we must also consider the practical likelihood that formulaic structures made it easier for Anglo-Saxon charter draftsmen to construct their texts. There is no positive evidence for the use of formularies in England before the Conquest, rather charter scribes seem to have typically recycled formulations and formulae from other documents they encountered; for problematisation, see Keynes, *Diplomas*, pp. 115–20; Kelly, *Pet*, pp. 296–7; cf. Snook, *Chancery*, p. 41, esp. n. 37. For the term 'cross-pollination', see Oliver, 'Legal Documentation', p. 499.

¹²⁵ See *Ine Prol.* (ed. Liebermann I, pp. 20–7); and *I Ew Prol.*, (ed. Liebermann I, pp. 138–40).

formulation of the perceived local hierarchy can be found in Æthelstan's London ordinance (or 'VI Æthelstan'): 'Endlyfte, þæt Æthelstan beot his bisceopum 7 his ealdormannum 7 his gerefum eallum ofer ealne mine anweald, þæt ge þone frið swa healdan swa ic hine gerædd habbe 7 mine witan.'¹²⁶ Like the targeted writ protocols, the structure of a local assembly is clearly being described here, with its constituents directly addressed by the king, subject to pledges and liable to compensation if they undermine his peace. The clause hints that a formulaic way of emphatically addressing regional authorities was developing in the later ninth and early tenth centuries—one that would later become formally embedded in the writ protocol.

A similar protocol formulation is employed in Cnut's so-called letter to the English people of 1019 × 1020 and his *epistola* of 1027: two compelling texts that reveal how the custom of royal law-giving could respond to the challenges of articulating authority to newly expanded, imperial polities. Cnut's letter of 1019 × 1020 survives in the vernacular and was addressed to ranked groups mirroring, albeit in a more elaborate phraseology, the ecclesiastical and secular suitors of the writ protocols.¹²⁷ Whilst these texts are not writs in a diplomatic sense, they highlight a broader political concern for the clear and unambiguous communication of authority from the royal centre to regional power brokers, a concern that was spilling out and finding expression in a range of legal and diplomatic discourses in this period.

Furthermore, Anglo-Saxon writs also intersected with wider legislative texts in relation to their formulae and word-pairs, especially the above-mentioned constellations of legal terms embedded in their main announcement clauses: *sake and soke*, *toll and team*, *infangenþeof*, *hamsocn*, *griðbryce* etc., all of which also appear in pre-Conquest charters, law-codes and other documents. The phrase *sake and soke*, for example,

¹²⁶ 'Eleventhly: Æthelstan commands his bishops and his ealdormen and all his reeves over all my dominion, that you observe the peace just as I and my councillors have enacted it.' *VIAs* 11 (ed. Liebermann I, p. 182).

¹²⁷ 'Cnut cyning gret his arcebiscopas 7 his leodbiscopas 7 þurcyl eorl 7 ealle his eorlas 7 ealne his þeodscype, twelfhynde 7 twyhynde, gehadode 7 læwede, on Englalande freondlice.' Here, 'King Cnut greets, in a friendly manner, his archbishops and his diocesan bishops and Earl Thorkel and all his earls, and all his people, 'twelve-hundreders' and 'two-hundreders', ecclesiastic and lay, in England.' *Cn 1020* (ed. Liebermann I, p. 273). For context, see Wormald, *Making*, pp. 347–9; Keynes, 'Additions'; *idem*, 'Use of Seals', p. 77; and Treharne, 'Textual Communities', pp. 345–6.

emerges in the surviving written record for the first time in a royal diploma of King Eadwig dated to 956 (S 659, *North* 2); a grant of the Southwell estate in Nottinghamshire, alongside various dependent villas, to Archbishop Oscytel. Within its lengthy vernacular boundary clause identifying this ‘multiple estate’, it is stated that Archbishop Oscytel is to receive sake and soke over a cluster of identified dependencies: ‘Ðis sint ðam tunes ðe birað into Sudpellan mid sacce 7 mid sacne’—which are then listed.¹²⁸

The clause thus describes a form of jurisdictional relationship between these ‘tunes’ (vills) and the central estate of Southwell, the exact nature of which is unclear, but may have been a precursor to eleventh-century sake and soke: the right to receive *witu* (fines) paid by the people dwelling in a specific territory, and to receive forfeitures of *wergild*.¹²⁹ In his recent edition of the Southwell diploma, David Woodman has made the intriguing suggestion that the expression sake and soke itself may have actually emerged specifically at this time, as a result of Archbishop Oscytel’s desire to define and augment the rights of the York archbishopric, as the first archbishop to be appointed in the period following Viking rule in York.¹³⁰ Thus, the expression ‘sake and soke’ may be conceived as a conscious mid-tenth-century diplomatic innovation (in which the beneficiary may have had some involvement)—an innovation which may have spread relatively rapidly into more common usage, for it appears soon after in a royal diploma of King Edgar to Quen, *matrona*, issued in 959 (S 681, *Pet* 14): again a multiple estate grant with some dependencies to be held ‘mid sace 7 mid socne’. This is an intriguing theory and, in the absence of positive evidence for an Anglo-Saxon formulary as discussed previously in this chapter, it provides another useful paradigm for understanding how and why diplomatic formulae were established or coined, and the rôle of beneficiaries and other interested actors in such innovations. It highlights, too, the importance of understanding writs as part of a broader architecture of diplomatic and legal instruments, not just in

¹²⁸ ‘These are the villas which belong to Southwell with sake and with soke’. (S 659, *North* 2).

¹²⁹ For the jurisdictional meaning of sake and soke in the eleventh century, see Chapter Five, section 5.2.1.; and Lambert, *Law*, pp. 134, 323–6, who posits that the rights of lords entitled to sake and soke in the eleventh century may have been analogous to the rights of privileged *landhlafordas* (land-lords) in the tenth century, and that sake and soke evolved from standard grants of royal rights conveyed to non-royal élites since the seventh century.

¹³⁰ Woodman, *North*, pp. 101–5; see also S 1453 (*North* 6), a vernacular memorandum of Archbishop Oswald concerning the estates of the archbishopric of York, which implies that Oscytel was involved in their legal configuration.

terms of language, but also in terms of the substance and content of the rights and privileges being conveyed.¹³¹ These issues will be discussed in more detail in Chapters Three and Five.

1.6. The Historiographical Background: The Discovery of Anglo-Saxon Writs

The endeavour of systematically isolating and identifying the writ as a distinct genre of pre-Conquest diplomatic writing was a venture that began in earnest towards the middle of the nineteenth century.¹³² By this point, John Mitchell Kemble (1807–1857) had produced the first collected edition of Anglo-Saxon charters, published in six volumes from 1839–48, which included a sizeable quantity of writs.¹³³ Yet still by the end of that century, preeminent diplomatists such as Arthur Giry (1848–1899) remained content to regard the writ as a Norman imposition, with little knowledge of pre-Norman diplomatic sources, commenting in 1894: ‘Des rois anglo-saxons [...] ils n’avaient pas, semble-t-il, de chancellerie organisée [...] Les documents de cette période n’ont pas servi de modèles à ceux de l’époque suivante.’¹³⁴

A turning point came with the delivery of the Sandars Lectures by W. H. Stevenson (1858–1924) of the University of Oxford, addressed to the University of Cambridge in May 1898 and entitled ‘The Anglo-Saxon Chancery’.¹³⁵ Towards the end

¹³¹ The sake and soke word-pair is not confined to diplomas and writs: it also appears in texts such as *Hit Becwæð*, an oath for asserting the right to hold bequeathed land, dated *c.* 975 × 1025: ‘ne gyrne ic ðines ne læðes ne landes, ne sace ne socne, ne ðu mines ne ðærft ne mynte ic ne ðan ðing.’ *Hit Becwæð* (ed. Monk, p. 5) ‘I desire not what is yours, not lea nor land, not sake nor soke, and you do not need what is mine, nor do I intend to leave anything to you.’ See Wormald, *Making*, p. 385; and Smith, *Land*, p. 90. The nature and range of sake and soke is further revealed by reference to *socne* (soke) in royal legislation. See for example, the revisions to three clauses in *II Cn* 37, 63, 73:1 (ed. Liebermann I, pp. 338, 352, 360), stating that the recipient of certain revenues and *wergilds* should be the lord holding soke (‘þe his socne ahe/age/geunnen hæbbe’); with further discussion in Chapter Five, section 5.2.1.

¹³² An alternative historiographical summary can also be found in Lupoi, *Origins*, pp. 303–5, focusing on the Anglo-Saxon writ in terms of the development of European legal culture.

¹³³ Kemble, *Codex Diplomaticus*, which featured 92 of the 123 Anglo-Saxon writs later edited by Harmer.

¹³⁴ ‘The Anglo-Saxon kings [...] did not have, it seems, an organized chancery [...] The documents of this period did not serve as models for those in the following era.’ Giry, *Manuel*, p. 795.

¹³⁵ For an edited transcript of the lectures, see Stevenson, ‘Chancery’. In turn Stevenson drew on the distinction between the *carta* (diploma) and the *notitia* (an instrument notifying a transaction) previously made in relation to continental diplomatic by legal historian Brunner,

of these lucid and wide-ranging talks, Stevenson made a number of important observations on pre-Conquest writs, namely: that the vernacularity of the writ to some degree reflected ‘its close connexion with the shire-moots [i.e. shire courts]’; that ‘the custom arose of the king signifying in writing to the suitors of the shire-moot that he had made a particular grant’ as a result of the demands of political communication within expanded kingdoms; that writs contained ‘fixed formulas and alliterative jingles’ which suggest an earlier origin than the reign of King Cnut; and that their ‘elastic form’ enabled the writ to fulfil a number of diverse functions.¹³⁶ In doing so, Stevenson began to position this diplomatic genre within a historical context, and emphasised the importance of writs or (to borrow his argot) ‘epistolary charters’ for understanding pre-Norman social, political, legal, ecclesiastical and economic life. In these early decades of the twentieth century, commentators were also keen to stress what they perceived as the ‘contribution’ of this ostensibly ‘English’ form of legal documentation to wider continental European and later medieval culture—fastening on a significance to these documents that would no doubt not have been understood in the tenth and eleventh centuries, and which seems somewhat teleological today.¹³⁷

W. H. Stevenson’s words had a profound effect on his contemporaries, prompting Hector Munro Chadwick (1870–1947), after his appointment as Elrington and Bosworth Professor of Anglo-Saxon at the University of Cambridge in 1912, to encourage his students to produce new editions of the corpus of pre-Conquest charters in the vernacular. This was conceived both as an attempt to address the lack of ‘good’ editions of

Rechtsgeschichte I, p. 395, and *idem*, ‘Carta’, p. 571. Vernacular writs had also attracted the attention of legal historians Freeman, *Norman Conquest V*, pp. 787–90 (albeit in the reign of William I); and later Maitland, *Domesday*, pp. 259–67, who understood writs primarily as instruments for ‘conceding’ jurisdictional rights.

¹³⁶ Stevenson, ‘Chancery’, pp. 36–43 at pp. 37–8; with discussion of Christ Church Canterbury writs at pp. 39–40. Stevenson further developed his views in his ‘Yorkshire Surveys’, pp. 5–8, noting the importance of the *ærendgewrit* and *insegeþ* collocation and the above-discussed references to writ and seal use in the Cuckhamsley chirograph (S 1454, *CantCC* 133), the Snodland settlement (S 1456, *Roch* 37) and in the Peterborough Chronicle ASC E 1048 (=1051) (ed. Irvine, p. 80).

¹³⁷ For example, see Stevenson, ‘Yorkshire Surveys’, p. 9, describing the writ as ‘the greatest English contribution to diplomatics’; Galbraith, *Public Records*, pp. 19–20, for whom the writ became ‘the vehicle for the intercourse of civilized governments’; Darlington, ‘Last Phase’, p. 8, positing that the sealed writ was late Anglo-Saxon England’s ‘most notable contribution to the science of government.’

vernacular charters, as well as to widen the scope of Anglo-Saxon at Cambridge beyond literary and philological studies to embrace texts of more overtly ‘historical’ interest.¹³⁸ The enterprise came to fruition in the form of Florence Elizabeth Harmer’s *Select English Historical Documents of the Ninth and Tenth Centuries* published in 1914, an edition of twenty-three diverse texts drawn from a range of archives (supplemented with translations and notes discussing dating and language), and followed in the interwar period by Dorothy Whitelock’s *Anglo-Saxon Wills* in 1930, and Agnes Jane Robertson’s *Anglo-Saxon Charters* in 1939.¹³⁹ Subsequent studies of vernacular diplomatic are indebted to the trailblazing work of this group of scholars.

Meanwhile, Florence Harmer, having been appointed to a lectureship in English Language and Literature at the University of Manchester in 1920, embarked on preparatory work on Anglo-Saxon writs with a view to identifying, collecting and editing the entire writ corpus, which appears to have begun in earnest around June 1926, when she met Sir Frank Stenton in Reading and, later, H. M. Chadwick in Cambridge to discuss the project.¹⁴⁰ This ambitious, labour-intensive undertaking involved extensive travel to archives and libraries, and was combined with the heavy demands of university teaching, administration and examination as well as the chaos and disruption of the Second World War. Dorothy Whitelock noted several years later that Florence Harmer’s ‘meticulous conscientiousness’, combined with a tendency to ‘reconsider conclusions previously arrived at’ meant that *Anglo-Saxon Writs* took some time in going through the press; yet when it was eventually published in 1952, the edition was met with near universal acclaim.¹⁴¹

¹³⁸ Whitelock, ‘Harmer’, p. 370, noting that only three vernacular documents had been edited by Napier and Stevenson in their *Crawford Collection* of 1895, which was seen as a model edition by Chadwick’s students.

¹³⁹ Harmer, *SEHD*; and Keynes, ‘Introduction’, pp. i–iv therein, explaining Harmer’s editorial choices; Whitelock, *Wills*; Robertson, *Charters*. For further contextualization, see Keynes, ‘H. M. Chadwick’.

¹⁴⁰ Whitelock, ‘Harmer’, p. 373; for Harmer’s publications on diplomatic prior to *Writs*, see her ‘Three Westminster Writs’; *eadem*, ‘Charters and the Historian’; *eadem*, ‘Chipping and Market’; and *eadem*, ‘English Contribution’.

¹⁴¹ Whitelock, ‘Harmer’, p. 376. For the edition’s reception, see Barraclough, ‘Writ’, remarking that it ‘provides us for the first time with a firm foundation of reliable texts, on the basis of which [...] wider questions can be critically examined’, p. 195, although querying Harmer’s inclusion of texts such as the Ruishton letter (S 1242), at p. 201; Stenton, *Latin Charters*, referring to the

Crucially, Harmer's *Writs* differs from the previously published 'Chadwickian' vernacular editions in a number of ways: most notably, it contains a 188-page 'General Introduction' (Part I), dealing with definitions of the corpus, the origin of writs, non-royal writs, 'foreign influence', the relationship between writs and diplomas, judicial/financial rights, diplomatic clauses and 'stylistic devices', seals/sealing, and criteria of authenticity, amongst a range of other issues. In Part II of the edition, Harmer numbers her texts and groups them according to their archival background, considering archival dimensions in turn before providing texts and parallel translations. This is complemented by detailed notes and appendices (Part III), as well as prosopographical 'Biographical Notes' on individuals identified within writs (Part IV). Thus, Harmer's approach to the corpus was both archival and holistic, allowing her to contextualize writs within the context of the communities and institutions that preserved them, and as products of a wider late Anglo-Saxon political and administrative culture; it allowed the reader to easily compare writs preserved in different and ostensibly independent archival settings. The edition was followed in 1959 by an article providing an edition of two royal writs that had escaped Harmer's attention in 1952 relating to Shropshire and Coventry, and which was incorporated into the second edition of *Writs* in 1989.¹⁴²

A number of Harmer's observations made in her 'General Introduction' merit discussion here, since they would come to shape the later course of Anglo-Saxon diplomatic studies in a range of ways. Firstly, in her discussion of 'diplomas drawn up by interested ecclesiastics', Harmer highlighted the small but sizeable group of writs in which the king informed a locality that he had given authorization for a particular bishop or archbishop to draw up a *priuilegium* or diploma regarding a specified grant of land that had been recently made within their respective dioceses.¹⁴³ As such, Harmer noted that

edition as 'a model of its kind'; Bethurum, 'Reviews', praising the 'scrupulous edition', especially its general introduction.

¹⁴² See Appendix I, Figure 1.2.; Harmer, 'A Bromfield and a Coventry Writ of King Edward the Confessor', which was her last published work before her death in 1967. No new writs have been discovered or added to the corpus since.

¹⁴³ *Writs*, pp. 38–41, influenced by Mary Prescott Parsons' study of Christ Church Canterbury single sheets 'Some Scribal Memoranda', in which she concluded that these eighth- and ninth-century charters were produced by or at the behest of the recipients rather than a kingly scriptorium. The writs in question are: S 1105 (*Writs* 55), S 1067 (*North* 13), S 1115 (*Wells* 37) and S 985 (*CantCC* 145) discussed above and in Keynes, 'Church Councils', pp. 45–6.

these texts had not been considered as part of the broader debate regarding the nature of the production of Anglo-Saxon charters, noting that ‘the circumstances in which charters were produced in the Anglo-Saxon period needs still further detailed investigation.’¹⁴⁴ Pierre Chaplais, in the series of heterodox articles discussed above in section 1.5., took up Harmer’s challenge, and, influenced by Harmer’s observations on ‘interested ecclesiastics’, as well as palaeographical comments made by Neil Ker in the mid-1950s, concluded that Anglo-Saxon charters were the product of monastic or episcopal scriptoria, which had expanded in number in the course of the tenth century, producing charters both for themselves and for other beneficiaries such as laymen, and never in a royal secretariat or chancery.¹⁴⁵ Consequently, Chaplais conjectured that writs were essentially private memoranda of formalised oral declarations made at the level of the shire court.¹⁴⁶ In contrast, Harmer’s insights and the utility of her edition have also been used to advance a contrary view of diploma (and writ) production—in a seminal article on the life and career of the royal chancellor Regenbald, Simon Keynes interprets the phraseological and stylistic parallels between writs preserved in different archival contexts as evidence that they were ‘drafted and written by one and the same central agency, catering for different beneficiaries.’¹⁴⁷

Yet, laying these important developments momentarily aside, Harmer’s enduring achievement helps to explain the comparative lack of synoptic re-assessment the corpus of writs received in the second half of the twentieth century and up to the present. This can be contrasted with more recent work done, for example, on Anglo-Saxon wills, leases, and other typologies of vernacular charter from the period, which have been (and continue to prove) fertile areas of study for historians.¹⁴⁸ However, it is important to

¹⁴⁴ Stevenson, ‘Chancery’; Drögereit, ‘Königskanzlei?’.

¹⁴⁵ Ker, *Catalogue*, pp. 57–9, describing similarities between the scripts of mid-tenth-century royal diplomas and entries in the ‘Parker’ manuscript of the *Anglo-Saxon Chronicle* written concurrently at Winchester; Chaplais, ‘Origin and Authenticity’; *idem*, ‘Chancery’. For the impact of Chaplais’ model on the field, see Keynes, ‘Church Councils’, pp. 45–51.

¹⁴⁶ Cf. Harmer, *Writs*, pp. 57–61 who asserts ‘Anglo-Saxon royal writs were produced by the clerks of the royal secretariat.’

¹⁴⁷ Keynes, ‘Regenbald’, pp. 214–16; and more recently his comments in ‘Church Councils’, pp. 136–7.

¹⁴⁸ For example, for pre-Conquest wills, see Lowe, ‘Nature and Effect’; and Tollerton, *Wills*; for leases, see the body of work by Tinti, *Sustaining Belief*; *eadem*, ‘Writing Latin and Old English’; Gallagher and Tinti, ‘Latin, Old English’; for other typologies of vernacular document, see e.g.

highlight a few exceptions to this trend here. Richard Sharpe's 2003 article entitled 'The Use of Writs in the Eleventh Century' established the existence of sequences of writs (or, to use Sharpe's nomenclature, 'writ-charters') spanning the Norman Conquest, and proposed the hypothesis that such sequences reflect a mechanism of renewal, in which the beneficiaries/holders of privileges acquired (or were encouraged or compelled to obtain) renewals from new kings.¹⁴⁹ Whilst Sharpe's study was focused on Bury St Edmunds with its tendencies towards archival conservatism, it had broader implications for our understanding of the function of writs in pre-Norman England; Sharpe remarked that 'it is apparent that a writ-charter was not considered to be a permanent testimony to the grant of rights' and that the sequences reveal a preference for 'an up-to-date writ-charter confirming that the present king has agreed to allow the abbot to continue to hold the privileges so documented.'¹⁵⁰ Another useful contribution was made by Kathryn Lowe in the same year, who firmly established that a writ of Edward concerning the sokes of the eight and a half hundreds pertaining to Thingoe, Suffolk (S 1070, *BuryStE* 11) does not warrant further scholarly attention, since it is the product of an accidental conflation of two authentic texts through eyeskip, creating a 'ghost writ'.¹⁵¹

It is also necessary to highlight here the progress made, since the mid-1960s, by the collaborative research project led jointly by the British Academy and the Royal Historical Society to edit the entire corpus of Anglo-Saxon charters archive-by-archive. As Appendix I, Figure 1.1. demonstrates, roughly half the corpus of writs have fallen within these editions thus far (representing thirteen archives or 61 writs in total), with thirteen archives containing 62 writs still to appear, including notably Westminster, the largest archive in terms of extant writs. Such editions have been highly valuable, not only for their treatment of the history and identity of the relevant religious houses and how

Naismith, 'Ely Memoranda'. Cf. the comparatively large quantity of work on (predominantly Latin) royal diplomas, see the historiography in Keynes, 'Church Councils', pp. 42–135.

¹⁴⁹ Sharpe, 'Use of Writs', pp. 283–91; an analogous renewal 'sequence' can be found in a series of Christ Church Canterbury writs (S 985, *CantCC* 145; S 986, *CantCC* 150A; S 1086, *CantCC* 173), suggesting that a writ from the living king to the living abbot was in some way advantageous, either for the king, or beneficiary, or both. Indeed, Sharpe speculates 'whether they did so voluntary for the sake of greater security or under royal compulsion is something on which eleventh-century evidence is silent', at p. 283.

¹⁵⁰ Sharpe, 'Use of Writs', p. 284.

¹⁵¹ Lowe, 'Ghost Writ', p. 152; the text appears only in the late-thirteenth-century White Register (British Library, Additional MS 14847, fol. 30).

they negotiated political and religious ruptures, but also for their analysis of textual preservation and transmission at different institutions, highlighting for example the unique dynamics at archives such as Bury St Edmunds, Canterbury Christ Church, and Wells.¹⁵²

1.7. Methodology

The overarching aim of this thesis is to seek to elucidate the function of writs within contemporary diplomatic culture—i.e. to understand further the nature of their production, conveyance, performance, use and setting-in-life as part of the wider architecture of early English political, legal and court culture.¹⁵³ In doing so, it employs an inter-disciplinary methodology, combining palaeographical and diplomatic approaches alongside analysis of textual and material culture. Throughout the thesis, writs are considered across archival boundaries, and within the wider context of other kinds of pre-Conquest diplomatic output and legal writing. Moreover, particular attention will be paid to re-assessing lines of argument and areas within Florence Harmer's 'General Introduction' that have hitherto remained neglected by scholarship.¹⁵⁴

Chapter Two deals with the preservation and transmission of pre-Conquest writs, with a special focus on two specific groupings: writs preserved on single sheets of parchment in script contemporary with their contents, and writs entered into manuscripts in a contemporary or near-contemporary hand. These groups provide invaluable evidence regarding the physical appearance, nature and function of writs in their 'original' form—and their palaeographical features are considered in detail (including, for example, script and scribal affinities, folding, sealing, and so on). Their features will also be considered in the broader context of charters that survive as contemporary single-sheets—in order to

¹⁵² See *CantCC*, pp. 143–7; *Wells*, pp. 224–51, drawing on Keynes, 'Giso', pp. 227–54; my thanks to Professor Sarah Foot and Dr Kathryn Lowe for providing me with relevant material from their forthcoming *BuryStE*. Where they are available these editions are cited throughout in lieu of *Writs*.

¹⁵³ The term 'setting-in-life', referring to the concept of *Sitz im Leben*, describes the contexts in which a given text or charter was originally generated and deployed, and its contemporaneous functions. The concept of *Sitz im Leben* is distinct from (although always informed by) an understanding of the later transmission of the text.

¹⁵⁴ For example, Harmer's treatment of, and comments on, writs' 'stylistic devices', pp. 85–91 and writs of 'non-royal persons', pp. 19–24 are particularly ripe for re-assessment.

probe the extent to which writs appeared visually and typologically distinctive to contemporaries within the broader concurrent documentary culture.

Chapter Three moves on to provide an analysis of the component diplomatic parts of the pre-Norman writ—namely the aforementioned protocol or opening clause, the main announcement clause, and the additional clauses (prohibition, statement of religious motive, sanction, valediction, and so on). The chapter is an attempt to form a response to Sharpe’s observation, specifically the ‘need to understand systematically what the [diplomatic] forms are really doing—when they are usually not explicit.’¹⁵⁵ It aims to do so by considering the range of possible influences bearing down on writ diplomatic forms; for example, influence from other genres of charter, as well as the wider legal and epistolary discourses surveyed above in section 1.5. It will also consider the relative stability and/or dynamism of the forms themselves over time.

A critical issue in this chapter involves the nature of the language and range of formulae found within writs. It will attempt to re-assess Florence Harmer’s remark that the appearance of sequences of distinct formulae, especially alliterative formulae, within the corpus can be taken to represent fossilized forms of ‘undoubtedly ancient alliterative jingles [...] arranged for remembrance among the Germanic peoples in rhythmical and alliterative patterns.’¹⁵⁶ Yet might it be possible to discern the function of such formulae? Who would have heard them, and what might their affect have been on their intended court audience/s? In seeking to answer these questions, my analysis will draw on recent work concerning the use of symbolic language within Carolingian royal diplomas—in particular the question of the relative performativity of different diplomatic discourses, and their use of repetition.¹⁵⁷

Chapter Four considers the material and textual evidence for the association of Anglo-Saxon writs with seals—again focusing on the underlying question of function, it interrogates the evidence for the precise nature of documentary sealing and the wider rôle of seals and sphragistic devices in pre-Conquest society, and offers a re-assessment of

¹⁵⁵ Sharpe, ‘Use of Writs’, p. 254.

¹⁵⁶ *Writs*, p. 87.

¹⁵⁷ See Garipzanov, *Symbolic Language*, pp. 27–8; Koziol, ‘Making Boso the Clown’, p. 47; and Chapter Three, below.

Harmer's observations regarding the sealing of writs.¹⁵⁸ Evidence for various forms of documentary sealing will be considered, including sealing close, sealing *sur simple queue* and the use of sphragistic devices as symbolic or demonstrative 'tokens of credence'.

Finally, in Chapter Five, the thesis returns to the question of the legal function of writs with an analysis of the terms that constitute the legal register of pre-Norman writs, probing the changing definitions and functions of the legal terms and word-pairs embedded in the main announcement clauses of writs.¹⁵⁹ This chapter will also consider the important sub-typology of writs issued by individuals other than kings, placing them in the wider context of the participation of non-royal élites in diplomatic practices. This is followed by the conclusion, outlining the main findings of the thesis.

¹⁵⁸ *Writs*, pp. 92–105.

¹⁵⁹ *Ibid.*, pp. 73–85.

CHAPTER TWO: THE TRANSMISSION AND PRESERVATION OF ANGLO-SAXON WRITS

2.1. Modes of Transmission

Central to a comprehensive understanding of any genre or typology of early medieval charter is the context of their transmission and preservation, and the corpus of pre-Conquest writs is no exception.¹⁶⁰ Like the wider body of Anglo-Saxon charters, each writ has undergone a complex, unique and partially obscured process of textual transmission, shaped by the ruptures and continuities of their respective archival histories.¹⁶¹ Approximately seventy-seven insular and continental institutional archives have preserved pre-Conquest charter material, and twenty-seven of these have preserved Anglo-Saxon writs amongst their diverse muniments (meaning that roughly thirty-five percent of archives containing pre-Norman diplomatic material have preserved writs amongst their extant documentation).¹⁶² As Appendix I, Figure 1.1. demonstrates, several archives stand out as particularly well-represented in terms of their writ preservation, most notably Bury St Edmunds and Westminster (preserving fifteen and twenty-eight percent of the surviving writ corpus respectively).

The aim of this chapter is to examine the transmission and preservation of Anglo-Saxon writs specifically in the course of the pre-Conquest period. As such, it will focus on two key groups of texts, which represent two distinct conceptual phases in the transmission of writs in this period: i) the writs preserved on single sheets of parchment

¹⁶⁰ My thanks to the British Library Manuscripts Reading Room for allowing me to access many charters discussed in this chapter. All charters and manuscripts have been consulted either in the flesh where possible or in facsimile.

¹⁶¹ For the archival distribution of writs, see Appendix I, Figure 1.1.; Harmer, *Writs*, pp. xv–xvii, with the later addition of Harmer, ‘A Bromfield and a Coventry Writ.’ For a list of known archives, see Sawyer, *Annotated List*, pp. 44–67.

¹⁶² These calculations are presented with the necessary caveat that they do not include those archives whose material was wholly or partially subsumed into other archives within the medieval period. (For example, the archives in Crediton, St Germans, etc. from whence documents were transferred to Exeter in the eleventh century). When these archives are included in the calculation, the total number of archives preserving pre-Conquest charter material swells to some eighty-six known archives. In turn, this larger number does not include the likely far higher total number of ecclesiastical, royal and non-royal lay archives that actually existed in Anglo-Saxon England but which remain untraceable. For discussion, see Keynes, ‘Church Councils’, pp. 53 and 62–3; Rumble, ‘Anglo-Saxon Royal Archives’, pp. 185–200; and for the wider continental European context to lay archives, see Brown *et al.*, ‘Introduction’.

in script contemporary with their contents, and ii) writs entered into manuscripts in a contemporary or near-contemporary hand (see Appendix I, Figures 2.1. and 2.5. respectively). It is difficult to overstate the importance of these two diplomatic groupings in the wider context of the entire pre-Conquest writ corpus—ever since the foundational work of Jean Mabillon (1632–1707), the idea that diplomatists should pay particular attention to charters preserved in some sort of contemporary form (typically as ‘original’, unbound single sheets) has been a principle at the core of medieval diplomatic.¹⁶³ Indeed, the nature of their preservation means that original charters possess a dual importance: firstly, as texts potentially (or partially) uncorrupted by the manipulation of later copyists and transcribers, and secondly as contemporary, material artefacts of the utmost historical bearing. Such original documents have been used to propose answers to a number of fundamental questions regarding the production, form, function and setting-in-life of a range of typologies of early medieval charter. In addition, the identities of highly significant draftsmen, scribes and scribal collectives have emerged from more recent studies of groups of single-sheet charters, across archival boundaries—offering vital contributions to our conception of the circumstances of the production, conveyance and subsequent use of charters at different points in pre-Conquest history.¹⁶⁴

The first part of this chapter analyzes the corpus of single-sheet writs and their associated seal impressions, describing their salient physical and palaeographical features as well as their graphicacy, and placing these features in the wider context of other typologies of single-sheet documents in both Latin and the vernacular.¹⁶⁵ In doing so, it

¹⁶³ Mabillon, *De Re Diplomatica*; see also Aris, ‘Mabillon’, pp. 15–32; and Knowles, *Historical Enterprises*, pp. 44–51.

¹⁶⁴ This has been the case particularly for tenth-century royal diplomas: some notable examples include ‘Æthelstan A’, who exercised a seven-year monopoly over royal diploma production c. 928–35; see Keynes, *Atlas*, Table XXVII; *idem*, ‘Church Councils’, pp. 53–5; Woodman, “‘Æthelstan A’”, p. 223; and, later, ‘Æthelstan C’, ‘Edmund C’, and ‘Edgar A’, who were responsible for the production of rich corpora of surviving single-sheet diplomas c. 925–75; see Keynes, ‘Church Councils’, pp. 61, 158–79; and *idem*, *Atlas*, Table XXX for the ‘Edgar A’ corpus.

¹⁶⁵ As such it draws on the synoptic studies of the Latin and vernacular single-sheet corpora by Susan Thompson: *Vernacular Documents* and *Royal Diplomas*, as well as more specific studies of single-sheet groupings, for example Lowe, ‘Lay Literacy’; Keynes, ‘Church Councils’, pp. 158–79; and utilizing recent studies of late tenth and eleventh-century Vernacular minuscule and concurrent scribal culture, notably: Rushforth, ‘Manuscripts’; Scragg, *Conspectus*; and Stokes, *Vernacular Minuscule*. My definition of ‘graphicacy’ throughout this thesis draws on

seeks to consider the extent to which writs would have appeared visually distinctive to those who interacted with them; the extent to which their content and graphic elements would have been accessible to (and understood by) literate, semi- and non-literate audiences; and whether their function/s are reflected in aspects of their form. It will also tackle the question of the nature of production of writs in this narrower palaeographical context, re-assessing the arguments concerning scribal affinities and the potential relationships between hands. In considering the corpus of single-sheet writs across archival boundaries, it will also aim to provide a rejoinder to the British Academy editions (where they exist), with their tendency to focus on archival dimensions.

Highly significant too, and discussed in the latter part of this chapter, are the writs preserved as contemporary or near-contemporary copies in pre-Conquest manuscripts. The practice of copying the texts of charters (and other legal texts such as manumissions) into codices like gospel-books was well established in England by the eleventh century, representing a distinctive and powerful mode, not just of textual preservation, but (in some cases) of the communication of texts to specific contemporary audiences.¹⁶⁶ A description of this social practice can be found in the form of a compelling vernacular account dating from *c.* 1016 × 1035 (S 1462, *Charters* 78): a record of an outcome of litigation at a shire meeting at Aylton in Herefordshire, entered into blank space at the end of a quire within the Hereford Gospels.¹⁶⁷ In the account, Edwin, son of Enniaun, finds himself locked in a land dispute with his mother, who is so angered by his claims that she issues an oral statement rejecting her son as a future beneficiary, and that her considerable land, property and possessions should be bequeathed instead to her friend Leofflæd. After communicating this message to the shire authorities, Thurkil the White, Leofflæd's husband, then: 'rad ða to sancte Æpelberhtes mynstre be ealles þæs folces

Garipzanov, *Graphic Signs*, pp. 7–8, who defines it as a 'form of communication' in which 'complex graphic representational systems' contain various 'proxies for concepts and abstract thought'.

¹⁶⁶ Treharne, 'Textual Communities', pp. 346–8; Brooks and Kelly, *CantCC*, pp. 143–7; and for earlier examples, see Gameson, 'Insular Gospel Book', p. 69.

¹⁶⁷ Hereford Cathedral Library, MS P. I. 2, fol. 134. The gospel-book itself dates to the later eighth/early ninth century, produced most likely in western England or Wales; see Gameson, 'Insular Gospel Book', p. 48.

leafe 7 gewitnesse 7 let settan on ane Cristes boc.’¹⁶⁸ This act of commissioning an account to be entered (seemingly directly) into a gospel-book is thus carried out with the active involvement of the wider shire community, and at the behest of Thurkil—an individual who probably stood to benefit from creating an evidentiary narrative of this particular legal outcome.

The preservation of writs and other documents in this manner poses a number of critical questions—what might the function of such records have been, and how ‘evidentiary’ were they in nature? Were such records in gospel-books and other kinds of codices based always on purely ‘oral’ pronouncements and statements (as seems to be the case in S 1462 above, for example), or did they also include transcriptions of now-lost written documents at an intermediary stage? Were writs more or less prone to being recorded or preserved in these ways compared to other typologies of vernacular texts? The latter part of this chapter will seek to answer such questions.

2.2. *The Single-Sheet Writs and Seal Impressions: Their Palaeography and Graphicity*

As aforementioned, a small but highly significant group of pre-Conquest writs, tabulated in Appendix I, Figure 2.1., survive as single-sheet *cartae*, in handwriting contemporary with their contents.¹⁶⁹ This group of seven documents, representing approximately seven

¹⁶⁸ ‘[...] rode with the consent and witness of all the people to St Ethelbert’s minster [Hereford], and had it entered into a gospel-book.’ (S 1462, *Charters* 78). A second vernacular charter was also entered into the Hereford Gospels at 135r, a memorandum of a land purchase (S 1469, *Charters* 99), dated c. 1043 × 1046. The buyer of the half hide is Leofwine, brother of Leofflæd and probably therefore the brother-in-law of Thurkill the White, suggesting that this was a well-connected local kin-group seeking to protect their property by having these accounts entered into the Hereford Gospels, and enjoying good relations with the cathedral community. For further discussion of S 1462 and this social practice, see Wormald, ‘Charters’, p. 151; Stafford, ‘Women’, pp. 241–3; Gameson, ‘Insular Gospel Book’, pp. 70–2; Oliver, ‘Legal Documentation’, pp. 526–7; Keynes, ‘Diocese’, pp. 16–17; and *idem*, ‘Use of Seals’, p. 77.

¹⁶⁹ Excluded from this study are a number of problematic cases, which to my mind represent later single-sheet copies rather than strictly contemporary texts, namely: S 1126 (*Writs* 82), which more likely represents a post-Conquest copy of an authentic writ of Edward and S 1145 (*Writs* 101), a clearly modified single-sheet copy of an original Edwardian writ; see *Writs*, pp. 505–6, 520–1; Finberg, *ECWM*, no. 182, pp. 78, 132. Keynes, for example, excludes S 1125 (*Writs* 81) from his discussion of single-sheet writs (‘Regenbald’, pp. 214–5), but it was included in Thompson’s survey alongside SS 1126 and 1145. S 1125 has been included in my analysis in this chapter with the caveat that it could represent a later, near-contemporary copy of an authentic single-sheet original.

percent of the surviving (non-spurious) Anglo-Saxon writ corpus and spread across five different archives, was identified by Florence Harmer, and in 1957, brought together by T. A. M. Bishop and Pierre Chaplais in their facsimile edition: *Facsimiles of English Royal Writs to A. D. 1100*.¹⁷⁰ There, the single sheets issued by Edward the Confessor were printed alongside the larger corpus of seven extant contemporary single-sheet writs issued by William I, and fifteen surviving contemporary single-sheet writs from the reign of William II. The writs within the pre-Conquest single-sheet corpus date from a span between c. 1044 and 1066, although it is possible to date the Worcester single sheet (S 1156, *Writs* 115) more precisely to 1062 since it announces the appointment of Wulfstan to that bishopric. Similarly, the Bury writ for Baldwin (S 1084, *BuryStE* 24) can be narrowly dated to the period between Baldwin's appointment as abbot of Bury following Abbot Leofstan's death in the summer of 1065, and the death of Edward the Confessor on 5 January in the following year.

In terms of the content of the single-sheet writs and their intended functions, the group falls into four of the typological groupings shown in Appendix I, Figure 1.3. (with contemporary single sheets demarcated in bold). The most populous grouping in terms of single sheets are those writs that announce a grant of legal and fiscal privileges, namely: the Bury writ declaring that Abbot Leofstan and the Bury brethren be entitled to sake and soke (S 1071, *BuryStE* 12); the Canterbury Christ Church writ declaring a grant of legal and financial rights to Archbishop Stigand and the Christ Church community (S 1088, *CantCC* 179); and the Westminster writ announcing a grant of legal and financial rights to Abbot Edwin (S 1125, *Writs* 81). Two single sheets survive declaring a grant of land alongside legal and fiscal privileges: the Bury writ confirming that abbey's possession of the soke of the eight-and-a-half hundreds in Suffolk after the appointment of Baldwin as abbot of Bury (S 1084, *BuryStE* 24); and the Westminster writ declaring the grant of Perton to Westminster Abbey, alongside legal and financial privileges (S 1140, *Writs* 96).

¹⁷⁰ *Writs*, pp. 117–8; Bishop and Chaplais, *Facsimiles*. Bishop and Chaplais' work represents an important contribution to the wider group of facsimile editions that present Anglo-Saxon charters preserved as contemporary single sheets. For these, see Bond, *Facsimiles*; Sanders, *Facsimiles*; and Keynes, *BAFacs*, alongside the high-quality photographs on the 'Classified List' on the 'Kemble' website and the Digitised Manuscripts pages within the British Library website: <http://blogs.bl.uk/files/list-of-anglo-saxon-charters.pdf> (viewed 15 July, 2020). See also Appendix II, Figures A–D for images of the contemporary single-sheet writs in the British Library, reproduced with permission.

Meanwhile, the single-sheet writ preserved at the abbey of Saint-Denis, in which Wulfwig, bishop of Dorchester, is given permission by King Edward to draw up a *boc* concerning a grant of land at Taynton for Saint-Denis (S 1105, *Writs* 55), alongside the Worcester writ in which the king announces the appointment of Wulfstan to that see, with associated privileges (S 1156, *Writs* 115) stand alone as the sole surviving single-sheet specimens of their respective typological functions.

2.2.1. *Physical Condition, Appearance and Preparation of the Membrane*

The single-sheet writs are preserved on horizontal (wide-rectangle) pieces of parchment, measuring between 20 mm and 93 mm vertically, and 151 mm and 265 mm horizontally (for dimensions, see Appendix I, Figure 2.2.).¹⁷¹ They have been written on the flesh side of the membrane rather than the hair side, a practice that reflects a tendency to favour the flesh side for the face of vernacular documents from around the turn of the eleventh century onwards.¹⁷² The only single-sheet writ that has been ruled is the Westminster writ concerning Perton (S 1140), with the scribe probably repurposing the lower section of a previously ruled leaf, since part of the ruling of a blank line is visible above the first line of text.¹⁷³ As a result of the lack of pricking/ruling, some of the documents slope or undulate noticeably, namely the Bury writ for Baldwin (S 1084) and the Christ Church writ (S 1088).

The effects of repair, alongside other forms of later manipulation, are visible on at least four of the single sheets. The Westminster writ concerning Perton (S 1140) has

¹⁷¹ Cf. the greater degree of variation in the dimensions of both other typologies of single-sheet charters, especially royal diplomas (which range in size from the largest and most imposing S 876 and S 786, measuring 493 mm × 618 mm and 609 mm × 509 mm respectively, to the most minute: S 40 (169 mm × 152 mm) and S 41 (184 mm × 190 mm).

¹⁷² See Thompson, *Vernacular Documents*, pp. 6–7, who notes that only three of thirteen vernacular single sheets dating to after the turn of the eleventh century are written on the hair side, suggestive of a general change in scribal practice. A similar change occurred in the context of royal diplomas, with the flesh side typically favoured from the beginning of the tenth century to the end of our period, see *eadem*, *Royal Diplomas*, pp. 21–2.

¹⁷³ Ruling and pricking is less frequently observed on vernacular single-sheet documents in general, with only twenty-one vernacular documents wholly or partly ruled (representing roughly forty-five percent of the extant single-sheet corpus), and evidence for pricking surviving in just four; see Thompson, *Vernacular Documents*, pp. 6–7, 46. However, ruling became the norm (with pricking also becoming more common) for the preparation of royal diplomas around the turn of the tenth century, see *eadem*, *Royal Diplomas*, pp. 22–6.

undergone repair with five stitches along an original vertical fold-line and six stitches at the bottom-left corner of the sheet where the wrapping tie and seal has obviously caused strain around the thinner strip of membrane. The two Bury single sheets have been trimmed (discussed below, section 2.2.3.), and the Bury writ for Baldwin (S 1084) has a stained appearance as a result of a reagent having been applied to the parchment, which has itself been smoothed flat, partly obscuring the visibility of the early medieval folding.

Meanwhile, the Christ Church writ (S 1088) has been subject to later manipulation, with several discernible stages of erasure and emendation. Multispectral imaging in 2017 revealed traces of erased text beneath every line of visible text, indicating perhaps that the scribe reused wholesale a piece of parchment or an earlier writ or document, creating a palimpsest.¹⁷⁴ Furthermore, the first three lines of text, from ‘+ Eadpeard cyngc gret ealle mine bisceopes’ to ‘h[i] beo[n]’, are neatly written in a rounded, mid-eleventh-century Insular minuscule; however a second, later scribe has added the final **n** of ‘beon’, thereby modifying the singular present subjunctive to a plural (and probably also altered the pronoun ‘he’ to ‘hi’ through erasure)—all subsequent text has been erased and rewritten in this hand, which was active in the Canterbury archive in the period from *c.* 1090 to *c.* 1130.¹⁷⁵ It has been convincingly suggested that this scribe’s motive in the case of the Christ Church writ was to modify only the pronouns in order to emphasize that the monks of Christ Church were joint beneficiaries (‘7 ic cyðe eop þæt ic habbe him geunnan þæt hi beon heora saca 7 socne purpe’, following an address clause greeting the shire-court collectives in which Archbishop and the Christ Church community have land)¹⁷⁶ of the grant of judicial and financial rights, rather than

¹⁷⁴ Hudson, ‘Writ of Edward’ and *eadem*, ‘A Lasting Impression’, within the British Library website: <https://blogs.bl.uk/digitisedmanuscripts/2017/01/a-lasting-impression.html> (viewed 15 July, 2020).

¹⁷⁵ The scribe of the erased portion of writ was also responsible for altering a vernacular writ of William I to similar effect (*RRAN: William I*, no. 66; Bishop and Chaplais, *Facsimiles*, no. IVa); adapting a ninth-century single sheet to create a forged grant of Healthege Scearpa to Christ Church (S 1221, *CantCC* 152), likewise a partial palimpsest; and as the scribe responsible for the compilation of *ASC F*. See *Writs*, pp. 173–5; Dumville, ‘Annalistic Writing at Canterbury’, pp. 49–50; and *CantCC*, pp. 50, 146–7, 1198–9.

¹⁷⁶ ‘And I make known to you that I have granted them that they be entitled to their sake and soke’.

Archbishop Stigand as the sole recipient.¹⁷⁷ Such an alteration would fit the political context of the turn of the twelfth century in which cathedral communities were keen to assert the perpetuity of their possession of estates and concurrent rights, rather than reverting to the king in the event of a bishop's death.

The single-sheet writ preserved at Saint-Denis (S 1105) has clearly been preserved in idiosyncratic circumstances. The writ itself announces that Edward has granted land 'æt Tengctune' (Taynton, Oxfordshire) to the monastery of Saint-Denis, and permits Bishop Wulfwig to draw up a 'boc' (charter/diploma) concerning it, and the single sheet finds itself stitched to the lower left-hand margin of a single-sheet royal diploma of the Confessor (S 1028, *Writs* 'Appendix II'), possibly that very 'boc' referred to in the writ, or a near-contemporary copy of it.¹⁷⁸ The corresponding seal is reported missing from the Archives Nationales, but can be viewed in photographs and casts.¹⁷⁹

In general, and notwithstanding the issues outlined above, the single-sheet writs find themselves preserved in relatively good condition (without, for example, the holes, staining and damp-damage of certain single-sheet charters), and aside from the erasures of the Christ Church writ, legibility is unimpaired by the condition of the parchment.¹⁸⁰

¹⁷⁷ It does not appear that any of the re-written text after 'beo[n]' was compressed to include additional text (in order to accommodate additional legal/fiscal rights, for example); for further discussion see Brooks, 'Archbishopric of Canterbury', p. 52; *CantCC*, pp. 1198–1200.

¹⁷⁸ Paris, Archives Nationales, Cartons des rois, AE III 60 (K 19, no. 6). Harmer suggested that the diploma represents a copy, produced c. 1100, of an authentic charter of Edward generated by or at the behest of Bishop Wulfwig, see *Writs*, pp. 35–6; cf. Keynes' suggestion that we should not discount the possibility that this is the original diploma rather than a later copy; *BAFacs*, p. 8. Interestingly, the diploma concludes with a statement written in the same hand as the main text, an unusual statement that seems to reflect a contemporary acknowledgement of this royal physician's receipt of the diploma at Saint-Denis in 1059: 'Et ego Balduinus Sancti Dyonisii monachus. sub regimine abbatis mei Hugonis constitutus. tunc temporis Anglorum Regis Edvvardy medicus. omnibus quorum hic adnotata sunt nomina sine cuiuslibet calumpnia scriptum huius donationis confirmantibus de manu eiusdem regis et scriptum huius donationis confirmantibus de manu eiusdem regis et scriptum. et donum. imperpetuum Sancto Dyonisio habendum suscepi.' ('And I Baldwin, constituted a monk of Saint-Denis under the rule of my abbot Hugh, and at that time a physician of Edward, king of the English, have received the charter of this gift from that king's hand, all those whose names are noted confirming without objection, both charter and gift to be held by Saint-Denis in perpetuity.')

¹⁷⁹ See below, section 2.2.9.

¹⁸⁰ Cf. the damage sustained by certain single sheets such as SS 1539, 1472, 961, 1004, *inter alia*. For general comments on the condition of pre-Norman single sheets, see Thompson, *Vernacular Documents*, p. 5–6; and *eadem*, *Royal Diplomas*, pp. 19–20.

2.2.2. Folding

Each single-sheet writ appears to have been folded soon after its creation: these early medieval fold creases are still visible and are tabulated in Appendix I, Figure 2.2., along with the approximate size of each resulting folded package in millimetres. In the case of three writs (SS 1071, 1105 and 1156), no horizontal folds are visible, a result of the shorter vertical length of the membrane. In every case however, it appears to have been desirable to create a small and compact folded packet, measuring somewhere between just 17 and 42 mm vertically and 23 and 57 mm horizontally—in four instances, the lengths of the single sheets are so similar that the same number of seven vertical folds have been employed to create the eight panels forming the folded package (SS 1071, 1084, 1105 and 1156). Indeed, it must be remarked that, when compared to other typologies of single-sheet vernacular documents and royal diplomas, writs display a greater degree of overall uniformity in terms of their folded shape and dimensions.¹⁸¹

2.2.3. Tongues, Wrapping-ties, ‘Steps’ and ‘Stubs’

Tongues (onto which seals could be affixed), wrapping-ties, ‘steps’ (the extended portion of parchment from which these features extend) and ‘stubs’ (a protruding part of torn or broken membrane, perhaps originally a tongue and/or wrapping-tie) constitute further important features of the corpus of single-sheet writs, features that generally distinguish the single-sheet writs from much of the wider body of pre-Conquest diplomatic in both Latin and the vernacular. On the single-sheet writs, the tongues and wrapping-ties were created by the application of a single horizontal cut, from right to left, at the foot of the document, nearly across its entire length to create the wrapping-tie on

¹⁸¹ Throughout the pre-Conquest period, typically all manner of vernacular documents as well as royal diplomas were folded (rather than rolled), a practice that no doubt had a range of pragmatic advantages for the efficient transportation, deployment and storage of the documents, and allowed the charters to be endorsed. Folding and unfolding may also have been part of the conveyance of the documents. A notable example of a Latin charter folded into a tiny panel comparable with the size of the folded writs is S 88 (*Roch* 2), a ninth-century single-sheet copy of a toll remission of Æthelbald of Mercia with later confirmation by Berhtwulf—in this case a small folded packet was likely necessitated by the demands of transportation; see Kelly, ‘Trading Privileges’, p. 24. For further discussion of folding, see Thompson, *Vernacular Documents*, pp. 7–9, 46; *eadem*, *Royal Diplomas*, p. 20–1; Keynes, ‘Church Councils’, pp. 166–8; and *idem*, ‘Use of Seals’, p. 78.

the lower strip, and a second, parallel incision to delineate the tongue on the upper strip of parchment.

Fully intact tongues and wrapping-ties (of roughly equal length and width) can be observed on the Christ Church writ (S 1088) and the Westminster writ concerning Perton (S 1140), allowing the writs to be sealed *sur simple queue*, i.e. ‘on a single tail’, from the bottom-left foot of the writ with a pendent seal.¹⁸² A long portion of wrapping-tie (169 mm) and shorter (64 mm) section of tongue can be observed on the Westminster writ for Abbot Edwin (S 1125), although no seal is extant. The Worcester single sheet (S 1156) has an obvious protruding step and bipartite stub, part of what was almost certainly a tongue and a wrapping-tie akin to those on the Westminster and Canterbury Christ Church single sheets (SS 1088, 1125 and 1140). The Saint-Denis writ (S 1105) similarly has a step and stub; part of what was perhaps most likely a tongue on which the (now misplaced) seal was once attached.¹⁸³ Curiously, this writ lacks evidence of a wrapping-tie; a small incision of roughly 5 mm is visible above the stub, indicating that the tongue may have served a dual function as both a wrapping-tie and as the attachment for the seal, since the incision would allow the tongue to wrap around the document and then pass through it. This writ could, then, have been sealed ‘close’ (sealing in such a way that the charter’s contents could not be discerned until the seal had been broken or sliced off), and thus represent an exception to the ‘norm’ observed on the other pre-Conquest single-sheet writs.¹⁸⁴ It is also possible that this incision served some different purpose, or may not be contemporary with the single sheet.

The two Bury single sheets have clearly been trimmed, most likely in the modern period, obliterating any evidence of former wrapping-ties or their associated seals. In the

¹⁸² For discussion of this method of seal-affixing, see Bishop and Chaplais, *Facsimiles*, p. xii; Bedos-Rezak, ‘King Enthroned’, pp. 61–5; and Keynes, ‘Use of Seals’, p. 79.

¹⁸³ Harmer noted that, when she inspected the writ, the seal was attached suspended from the lower right-hand edge of Edward’s grant of Taynton (S 1028), but that a small tag of parchment projecting from the seal corresponded in width and texture to the stub of the Saint-Denis writ, indicating that the seal was originally attached to it; see *Writs*, p. 470. Later restorative work, probably in the later 1950s, has unfortunately destroyed this evidence; see Keynes, *BAFacs*, p. 7.

¹⁸⁴ Brooks and Kelly propose the hypothesis that it may have been common for writs to be sealed ‘close’ as well as ‘patent’/‘open’ in the later Anglo-Saxon period, accounting for the need to enter certain writs into gospel-books to secure or enhance their authority, yet positive evidence for sealing close, aside from this uncertain Saint-Denis single sheet, is still lacking; see *CantCC*, pp. 143–7 and below, section 2.3. For sealing close and letters close in later medieval diplomatic and epistolary culture, see Chaplais, *Diplomatic Practice*, pp. 94–6.

writ for Abbot Leofstan (S 1071, *BuryStE* 12), the descenders, most commonly of **g**, have been sliced through, and the press-mark on the writ's dorse has been pared back. Similarly in the writ for Abbot Baldwin (S 1084, *BuryStE* 24), the knife or scissors have trimmed many of the top-line ascenders and some bottom-line descenders.

Notwithstanding the appearance of the Bury single sheets prior to their trimming and the issues around the Saint-Denis stub, there does appear a strong degree of uniformity in terms of the appearance of tongues and wrapping-ties on single-sheet writs, and the techniques used to create them. This can be contrasted with other typologies of single-sheet vernacular documents as well as Latin charters, which generally appear not to have featured tongues and wrapping-ties—although a number of important exceptions must be noted here.¹⁸⁵ In the vernacular documents that appear to have had wrapping-ties, it is probable that the feature reflects the pragmatic functionality of these texts: the copy of the will of Ætheling Æthelstan, for example, may have been connected to the publication of the details of the ætheling's bequests at the level of shire courts and the beneficiary churches; and transportation over a distance may have necessitated that the lower portion of the chirographic will of Leofwine be cut, folded and wrapped in a manner similar to a writ or letter.¹⁸⁶ Evidence for wrapping-ties on single-sheet Latin

¹⁸⁵ See, for example: the Fonthill letter (S 1445, *CantCC* 104), which has a very small lower left-hand step, possibly indicating the existence of a former (albeit thin) wrapping-tie or tongue; a contemporary copy of the will of Ætheling Æthelstan (S 1503 [MS 2], *CantCC* 142 [A2]), which has a small lower left-hand step, probably the stub of a former wrapping-tie; the will of Leofwine (S 1522, KCD 1293), the lower part of a chirograph with a clear lower-left step, most likely indicating a former wrapping-tie; and a Worcester lease of Abbot Ælfweard (S 1423, *Charters* 81), again a lower portion of a (tripartite) chirograph with a one-inch lower-left step. Evidence for the use of wrapping-ties can also be found in Latin diplomatic culture: a fragment of a charter of Æthelwulf (S 1862, *CantCC* 80) has two steps on its bottom edge, either wrapping-ties/tongues or the result of haphazard cutting; a diploma of King Æthelberht (S 328, *CantCC* 83) has a gap in its endorsement indicating that it was written around or anticipating a wrapping-tie; a charter of Ealhhere (S 1199, *CantCC* 87), has a strip cut from its lower margin, most likely a wrapping-tie; and a diploma of King Eadmund (S 497, *CantCC* 114), with a step on its top-right margin possibly indicating a former wrapping-tie, or perhaps more likely in this case merely the result of a slanting incision after folding. See also the Wealdhere letter (S 1428b, *LondStP* Appendix I), with a gap in its dorsal address, consistent with the use of a wrapping-tie (although not one created by slicing the membrane itself to create an attached *simplex cauda*); see Chaplais, 'Wealdhere', pp. 9–17.

¹⁸⁶ *CantCC*, p. 1045. Later copies of Ætheling Æthelstan's will (S 1503) preserved at the Old Minster, Winchester (British Library, Additional MS 15350, 43v–44r and fol. 50), may derive from further copies of the document dispatched to the Hampshire shire court and churches at Shaftesbury, the Nunnaminster, and the New Minster, Winchester.

diplomas is more precarious, and notwithstanding our four examples (SS 1862, 328, 1199 and 497), scribes seem to have resisted adding the feature to such documents.

2.2.4. Margins

The scribes of the single-sheet writs wasted little space in their use of membrane, with three writs having virtually no margins (SS 1088, 1125, 1156), the Bury writs having been tightly trimmed (SS 1071 and 1084), and the remaining two having clear, yet subtle, margins all around the text (SS 1105 and 1140). In the case of S 1140, the repurposed ruled leaf appears to have provided a ‘frame’ for the text, with the final line ‘þæs þe þær in to hyrð’ falling into an un-ruled space below.¹⁸⁷

2.2.5. Pictorial Invocations

A pictorial invocation is employed on five of the seven single-sheet writs, and in each case, takes the form of a small, square *signum crucis* placed on the top line, directly in front of the name of the king.¹⁸⁸ However, no pictorial invocations appear on the single-sheet writs preserved at Saint-Denis (S 1105) and Worcester (S 1156), which begin with the initial letter **E** of the king’s name.¹⁸⁹ Pictorial invocations could take a

¹⁸⁷ Scribes’ propensity to be economical with their use of membrane is reflected in the wider corpus of vernacular single-sheet documents, which tend to have very small or non-existent margins; see Thompson, *Vernacular Documents*, pp. 10–11. Royal diplomas, however, show a far greater degree of heterogeneity in terms of their margins and overall format and use of space; for example the care and attention given to the various graphic elements in many of the diplomas produced c. 935 × 965 (employing, for example, wider line-spacing, the use of points to demarcate the king, beneficiary and estate/s granted, the use of bold capitals to separate component diplomatic elements, etc.), see Keynes, ‘Church Councils’, pp. 55, 161–2; *Glast*, p. 119; *CantCC*, pp. 878–9.

¹⁸⁸ This type of pictorial invocation (termed the ‘Small Square cross’ type by Thompson) first appears on royal diplomas in the second half of the eighth century; the earliest example is S 35 (*Roch* 9), a grant of King Ecgberht II issued 778. For the early development of the *signum crucis* and its wider European context, see Garipzanov, ‘Metamorphoses’, pp. 421–2; and *idem*, *Graphic Signs*, p. 96.

¹⁸⁹ Only seven single-sheet vernacular documents (including these two writs) lack this feature: SS 1105, 1156, 1281, 1447, 1467, 1486, 1487; see Thompson, *Vernacular Documents*, p. 23–4. Similarly only seven single-sheet royal diplomas definitely omit this feature (Christ Church Canterbury royal diplomas: SS 24 (ex Lyminge), 106, 161, 338; a Glastonbury charter S 563, an Abingdon charter S 618 and a Crediton charter S 830.) These charters span the mid-eighth through to the mid-to-late tenth century; see Thompson, *Royal Diplomas*, pp. 32–6. Omission of pictorial invocations, therefore, seems to represent an exception rather than the rule, but an exception attested in charters preserved across a range of archives in our period.

range of forms on Anglo-Saxon charters, but they conventionally appear as a small *signa crucis* on most typologies of vernacular document and on royal diplomas until the mid-tenth century. More elaborate chrismons and christograms, or the alpha-omega letters, were also employed, and by *c.* 955 there had been a clear stylistic turn with a tendency to employ larger and more florid pictorial invocations on royal diplomas.¹⁹⁰

On the single-sheet writs, the *signa* are small and delicate, and tend not to extend beyond the relative height of the initial **E** letter of each writ; only on the Bury St Edmunds single sheet (S 1071) and the Westminster single sheet (S 1140) does the descender of the pictorial invocation extend below the first line. In each case, the pictorial invocation has been written by the same scribe as the text of the writ—or, in the case of the Christ Church single sheet (S 1088), by the same scribe as the first three lines of authentic, non-manipulated text.

2.2.6. *Script and Scribal Affinities*

The uniformity of the size of the single-sheet writs when folded-up into their panels (discussed in section 2.2.2., above) is reflected by a uniformity of script size across the corpus of single-sheet writs. Heights of minims typically stand at two millimetres, and ascenders vary slightly between three and four-and-a-half millimetres in height. The script used for all the texts can be characterized as a tall, thin mid-eleventh-century Vernacular minuscule; developed in the period between *c.* 960 × 990 and with strong affinities to the script found in late-tenth-century charter bounds.¹⁹¹ In that period, English Vernacular minuscule, only observable in a small number of samples in the 960s, began to proliferate until it supplanted the Square minuscule script entirely: its most prominent feature was the lengthening and narrowing of letters, especially the elongation

¹⁹⁰ The earliest examples of the more elaborate devices emerge in the later eighth and mid-ninth century: S 114 (BCS 230), the first appearance of $\Lambda\omega$ in 779; and S 298 (BCS 451), another $\Lambda\omega$ combined with a chi-rho in 846. From the mid-tenth century, there was a radical change in the style of pictorial invocations, with a tendency to employ large and florid graphic devices; for example the curvaceous chrismons (a chi with curved arms and a long-stemmed rho) conceived by ‘Edgar A’, see *Abing*, p. 265; and Thompson, *Royal Diplomas*, p. 35.

¹⁹¹ Rushforth, ‘Manuscripts’, p. 82; and for the recent seminal study of the script *c.* 990–1035 and its antecedents, see Stokes, *Vernacular Minuscule*, pp. 10–23.

of ascenders and descenders.¹⁹² Several models have been proposed to account for this process of elongation and hence the ‘origin’ of Vernacular minuscule, namely the script used for glosses, charter boundary-clauses, sung passages in liturgical manuscripts and Anglo-Caroline minuscule.¹⁹³

The first conceptual grouping of writs to be considered in terms of their script and possible affinities of their scribes (‘house’, ‘royal/chancery’ or otherwise) comprises the two Bury St Edmunds single sheets and the first three ‘authentic’ lines of the Christ Church Canterbury single sheet (SS 1071, 1084 and 1088). These texts display a strong degree of neatness and consistency in their execution: in all three cases, a somewhat rounded Vernacular minuscule is employed, with gracefully curved initial capitals (e.g. in the **E** of the king’s name; the **S** of ‘Sce Eadmund’ in S 1071; the **E** of ‘Eadmundes byrig’ in S 1084); ascenders in all three writs are strictly vertical with slightly thicker, split wedges in S 1084; minims in all three cases have small but distinct feet, and **y** is always dotted.¹⁹⁴ The script of S 1088 has been compared to the hands of other charters from the Christ Church archive, but there is nothing to suggest that these charters were the product of the same scribe working at Canterbury; rather they most likely reflect the scribal consistency that could be achieved by competent practitioners of Vernacular minuscule.¹⁹⁵ Such consistency led Bishop and Chaplais to suggest that ‘since the writs [SS 1088 and 1071] are for different beneficiaries, it is possible that these features illustrate the style of the royal Chancery script.’¹⁹⁶ In the case of the Bury St Edmunds writs, there are no manuscripts or charters localizable to Bury with especially strong

¹⁹² For Square minuscule, see Parkes, ‘Palaeography’; and Dumville, ‘Origins of English Square Minuscule’.

¹⁹³ The various ‘models’ are discussed in detail by Stokes, *Vernacular Minuscule*, pp. 192–201; Dumville, ‘Specimina’, pp. 8–10.

¹⁹⁴ See the commentaries by Bishop and Chaplais, nos. 1–3; Foot and Lowe, *BuryStE* (forthcoming), drawing on Rushforth, ‘Manuscripts’, pp. 81–2; and *CantCC*, p. 1198.

¹⁹⁵ Namely: S 1467 (*CantCC* 164), a single-sheet account of King Harold’s restoration of (and a dispute over) Sandwich; S 1466 (*CantCC* 163), an agreement between Archbishop Eadsige and Toki entered into the MacDurnan Gospels; S 1400 (*CantCC* 172), a single-sheet grant by Archbishop Eadsige; see *CantCC*, pp. 1145–53, 1180.

¹⁹⁶ Bishop and Chaplais, *Facsimiles*, p. xvii.

affinities to the hands of either document, indicating that the texts do not betray a discernible ‘house-style.’¹⁹⁷

No particular affiliations have been posited for the scribe of the Worcester single sheet (S 1156), criticized by Bishop and Chaplais for its ‘small and not calligraphic’ script, with ‘consistent, though not well executed’ forms, ‘poor’ spacing and unclear scheme of word separation.¹⁹⁸ Yet some of its palaeographical features are, to my mind, comparable with the aforementioned Christ Church and Bury texts, namely: a curved initial capital **E**; vertical ascenders with slight thickening of their tops; minims with small but deliberate feet; long and consistent **s**; and consistently dotted **y**. The omission of the *signum crucis* and the misspelling of ‘biseoprice’ for ‘bisceoprice’ may indicate that it was the work of a less experienced or proficient scribe, but nonetheless one familiar with the demands of Vernacular minuscule; the text itself is highly legible.

Meanwhile, a house-scribal affiliation has been posited for the Westminster writ concerning Perton (S 1140); based on similarities noted by Bishop and Chaplais to the boundary-clause of S 1248 (BCS 82), a later eleventh-century (possibly post-Conquest) single-sheet copy of a late-seventh-century grant of Eorcenwald to St Mary’s, Barking.¹⁹⁹ In noting the similarity of the hands, however, Bishop and Chaplais’ postulation of a Westminster ‘house-scribe’ in the case of S 1140 merits further interrogation. Indeed, there are several noteworthy dissimilarities between the writ and Eorcenwald’s grant in terms of the appearance and execution of certain letter-forms. In the bounds of the grant, **p** typically has a more distinctive, looping descender; there are differences in the execution of **d**, which typically have horizontal backs in the writ; execution of **c** and **g** is also at variance between the texts; and the heights and appearance of the tironian *notae* also differs between the two documents, although there is only one example in the boundary-clause. Another striking dissimilarity is in the use of terminal and medial **ð** and **p**. The **ð** is always used in terminal position in the writ (with **p** as medial as well as initial), but in Eorcenwald’s boundary-clause we observe a terminal **p** and several initial

¹⁹⁷ Although Rushforth contends that there is also nothing about their script to preclude them from having been written at Bury; see her ‘Manuscripts’, pp. 81–2.

¹⁹⁸ Bishop and Chaplais, *Facsimiles*, no. 28.

¹⁹⁹ S 1248 is London, Westminster Abbey, W.A.M. I. The boundary-clause has both Latin and Old English introductory clauses. See also Bishop and Chaplais, *Facsimiles*, no. 25, who simply note that the hands are ‘very similar’, with little substantiation.

and medial **ð**: ‘op’, ‘ðara’, ‘beferiðe’. Whilst such observations, when stacked together, cannot definitively preclude the possibility that the writ and Eorcenwald’s boundary-clause were the work of the same person, to my mind they increase the likelihood that different scribes produced these texts.²⁰⁰

Furthermore, recent scholarship has problematized wider attempts to assign ‘house-styles’ to pre-Conquest scriptoria, especially in the context of the writing of Vernacular minuscule. Peter Stokes has noted that almost no scribal hands can be positively attributed to London or Westminster in this period.²⁰¹ Similarities are perhaps better explained in the context of wider geographical trends, with scribes in Westminster operating within the same scribal ecosystem as those in Canterbury, Bury St Edmunds and so on, in a broadly definable ‘south-eastern’ zone. Simon Keynes has also posited that scribal similarities in the context of diplomatic might also be explained in relation to the movement of personnel between the king’s household or chancery and Westminster Abbey (as well as other foundations), and this may provide a parallel explanation in the case of SS 1140 and 1248.²⁰² Indeed, early medieval scribes were rarely, so to speak, hermetically sealed in their respective religious houses or geographically constrained to their locality or shire, a point reinforced by the dynamic careers of many mid-eleventh-century churchmen.

Similar attempts to localize script and identify a scribal agency have been made in the case of the Saint-Denis writ (S 1105). Written in Vernacular minuscule, the writ employs Caroline forms of **a** (as well as a tendency to use Caroline forms of **a** within the **æ** ligature), alongside forms of **e** that might be described as Caroline or semi-Caroline (with the exception of the Vernacular **e** in ‘dionisie’). The writ’s use of stress-marks (e.g. ‘hánde’, ‘geútige’, ‘bóc’) is not uncommon in vernacular documents and also recurs in one of the Bury single-sheet writs (S 1084). Bishop and Chaplais contended that such letter-forms (alongside forms of **ð** echoing forms of **d**) indicate that the writ’s scribe was

²⁰⁰ The bounds of S 1248 are likely to be an interpolation on the part of the eleventh-century scribe (rather than based on an earlier exemplar which might account for these aforementioned aspects of its palaeography or orthography), see Hart, *Early Charters of Barking*, pp. 21–6; and Gelling, *ECTV*, nos. 313 and 350.

²⁰¹ With the possible exception of the eleventh-century vernacular wills SS 1487 and 1522; see Stokes, *Vernacular Minuscule*, pp. 144–5.

²⁰² Keynes, ‘Regenbald’, p. 215.

‘unfamiliar with the Old English minuscule, probably not an Englishman’ and ‘possibly Baldwin himself’. This assertion was also based on the inter-textual evidence of the above-discussed statement of receipt by Baldwin, the royal physician, within the royal diploma granting land at Taynton to the monastery of Saint-Denis in 1059 (S 1028), indicating that Baldwin may have played a rôle in obtaining this grant—and therefore may have had a vested interest in drawing up a record of the writ.²⁰³ This supposition thus accorded neatly with Chaplais’ broader conception of ‘interested ecclesiastics’ outlined above in Chapter One, which held that writs were essentially private memoranda of formalized oral declarations, generated by interested ecclesiasts and other such parties, rather than a central agency catering for diverse beneficiaries.²⁰⁴

Again, however, this argument merits reassessment, both in terms of the palaeography of the Saint-Denis writ and its wider historical context. Firstly, its Caroline features are not necessarily out of place within mid-eleventh-century Vernacular minuscule: Caroline **a** for example, is found elsewhere in this script and exchange between Anglo-Caroline minuscule and Vernacular minuscule, as noted above, was a key influence in the overall development of the latter.²⁰⁵ A further problem lies in any attempt to strictly identify the scribe of any given Anglo-Saxon charter or document in the absence of a notarial subscription, or based on its affinities with another text by an identifiable hand—indeed, in this case, no hand assignable to the royal physician Baldwin can be identified in any other charter or manuscript. Moreover, if we were to follow the line of argument that the Saint-Denis writ was the product of a scribe with a continental background/scrabal training, we know of a significant number of possible candidates operating in England at the time of this writ’s composition: examples include Duduc, a royal priest under King Cnut and a regular witness in the diplomas of King Edward; Herman, who served at the court of Harthacnut and later Edward; Leofric, who served as a ‘chancellor’ of Edward and later bishop of Devon and Cornwall, who had a probable

²⁰³ Bishop and Chaplais, *Facsimiles*, no. 20; cf. *BAFacs*, p. 7.

²⁰⁴ Chaplais, ‘Origin and Authenticity’; *idem*, ‘Diploma to Writ’; and *idem*, ‘Chancery’, p. 60.

²⁰⁵ Ker, *Catalogue*, p. xxviii; Stokes, *Vernacular Minuscule*, pp. 196–8. Caroline forms of **s** and **e** were also used by the scribe of the Westminster writ for Abbot Edwin (S 1125), and Caroline **s** can be observed in the Bury St Edmund’s and Christ Church single sheets (SS 1071, 1084 and 1088) and such letter-forms were used by scribes of other typologies of vernacular diplomatic: see Thompson, *Vernacular Documents*, pp. 27–30.

Lotharingian upbringing; Regenbald, discussed in section 2.2.9 below; alongside several others.²⁰⁶ In addition to acting as scribes in the service of the king and/or their respective religious-houses, such individuals likely brought with them and disseminated the fruits of their Lotharingian education, alongside an intimate knowledge of contemporary imperial political culture, and acted as conduits for the concurrent importation of codices and other high-status objects from further afield.²⁰⁷

The final writ to be considered here in terms of script is the Westminster writ for Abbot Edwin (S 1125). Harmer noted that its hand ‘might be contemporary (with a writ issued 1049 × 1066), but it seems more likely that it is a little later’, and Bishop and Chaplais later concluded that ‘no decisive argument against the textual authenticity of this writ can be formulated’ although it contains some characteristics which seem to belong to a slightly later period than the apparent date of issue.²⁰⁸ As noted above, the document contains some Caroline letter-forms within its Vernacular minuscule script, namely occasional Caroline *s* and *e*. The writ is clearly the work of a competent scribe, who used graceful proportions, slightly thicker wedges for their ascenders, and on three occasions a flourish in the form of *e* with a very long and pronounced tongue (in ‘inne’, ‘strande’ and ‘healde’), a common scribal practice in pre-Conquest documents, but a feature generally lacking in the other single-sheet writs.²⁰⁹ *Y* is always dotted.

2.2.7. Abbreviations, Orthography and Scribal Errors

The single-sheet writs contain a number of common abbreviations employed throughout the pre-Conquest period for vernacular texts.²¹⁰ The average number of abbreviations within the single-sheet writ corpus is fifteen per writ: this ranges from nine

²⁰⁶ Keynes, *BAFacs*, p. 7; *idem*, *Atlas*, Table LXXII; *idem*, ‘Giso’, pp. 205–13.

²⁰⁷ Keynes, ‘Regenbald’, pp. 185–95. For manuscripts from Germany in later Anglo-Saxon England, see for example the fragment of the Romano-German Pontifical (British Library MS Cotton Vitellius E xii, fols. 116–52); for further examples, see Keynes, ‘Giso’, p. 211, n. 56; and for links with the Byzantine world and its neighbours, see Jones, ‘*Enkolpion*’.

²⁰⁸ *Writs*, pp. 318, 505; Bishop and Chaplais, *Facsimiles*, no. 24; Gelling, *ECTV*, no. 248. The slightly later features noted by Harmer included linguistic forms (‘æni’/‘ænine’ for ‘ænig’/‘ænigne’ and the use of ‘wel’ in the protocol, which only occurs in Westminster writs and a forged Ramsey writ).

²⁰⁹ Thompson, *Vernacular Documents*, p. 27.

²¹⁰ Documents in Old English tended to employ fewer abbreviations than diplomas and other predominantly Latin texts; cf. Thompson, *Vernacular Documents*, pp. 31–3; and *eadem*, *Royal Diplomas*, pp. 103–6.

in S 1088 to twenty-nine in S 1084. The most common abbreviation is 7 (tironian et for ‘and/ond’), followed by þ (‘pæt’), s̄ce (‘sancte’) and finally standard abbreviations for religious hierarchs common in the witness-lists of vernacular documents but typically found in the writ protocols: abb (‘abbod’) and bes (‘bisceopes’). The Worcester single sheet (S 1156) contains the unusual abbreviation .b. for ‘bisceop[rice]’, which appears to be unique in the corpus of surviving vernacular documents.²¹¹

The tironian *notae* are often ornate and well executed (particularly in the Bury St Edmunds and Westminster single sheets); their ubiquity in writs is reminiscent of the vernacular boundary clauses in royal diplomas, which throughout the pre-Conquest period feature just two contractions: 7 (‘and/ond’) and þ (‘pæt’). Much like the vernacular boundary clauses embedded in Latin diplomas, the relative simplicity of the abbreviations would have made writs easy for fairly competent literate or semi-literate audiences to understand and to read aloud. There are few scribal errors: in the Worcester writ (S 1156), ‘biseoprice’ for ‘bisceoprice’; in the Saint-Denis writ (S 1105) the scribe originally wrote ‘ford’ for ‘forð’ but has self-corrected. There are two orthographic variations of the king’s name (‘Eadpeard’ and ‘Eadpard’), but there appears to be no obvious correlation in terms of date or archival context, so this can probably be attributed to individual scribal preference.²¹²

2.2.8. Endorsements

Endorsements—text/s inhabiting the dorse of the single sheet that would usually remain visible on one of the outer panels of the charter created by the folding process—are a feature of five single-sheet writs, but in all cases the endorsements have been added later, in Latin, by a different scribe, and are not contemporary with the hand of the writs themselves. These endorsements date from between the twelfth to the late fourteenth centuries. Approximately 65 percent of the entire corpus of extant pre-Conquest single-sheet charters acquired an endorsement at some point during the Anglo-Saxon period.²¹³

²¹¹ Thompson, *Vernacular Documents*, p. 32.

²¹² See Appendix I, Figure 2.3.

²¹³ This figure was reached in a recent seminal study of single-sheet endorsements by Gallagher and Wiles, ‘Endorsement Practices’ (forthcoming). See also Drögereit, ‘Königskanzlei?’; and Parsons, ‘Some Scribal Memoranda’.

Of these, the majority were written in the vernacular and served the function of summarizing the contents of the charter in some way, usually referring to the name of the land to which the charter related, and (less often) the benefactor or beneficiary of the document.

The texts of the endorsements found on the single-sheet writs are tabulated in Appendix I, Figure 2.3. In two cases: SS 1071 and 1088, the vernacular contents of the writ itself appear to have guided the twelfth-century Latinate endorsers, who identify Edward as the issuer of the writ and the grants of ‘sacam et socam’ and ‘saca 7 socne 7 libertatibus’ to the respective beneficiaries. The three other twelfth-century writ endorsers at Westminster and Worcester were more terse in their descriptions of ‘Libertates’, ‘Pertuna’ and ‘Edwardi regis’.

2.2.9. Associated Seal Impressions and their Graphic Elements

The single-sheet writs from Christ Church Canterbury, Paris Saint-Denis and Westminster concerning Perton (SS 1088, 1105 and 1140 respectively) bore impressions of large (each between *c.* 75–78 mm in diameter), double-faced wax royal seal impressions, depicting Edward the Confessor bearded, crowned, in an enthroned posture with an outward facing gaze, and carrying a cross-mounted orb (*globus cruciger*) in his left hand and sceptre topped with a trefoil/fleur-de-lis in his right on the obverse, and a sword in his left hand and staff surmounted by an eagle in his right, on the reverse/counter-seal.²¹⁴ Varying degrees of damage to all the surviving seal impressions, as discussed below, has made some of these graphic elements difficult to reconstruct.

²¹⁴ *Writs*, pp. 94–105; for images of the seal impressions deriving from the so-called ‘second’ (but only authentic) seal matrix of Edward the Confessor, see Keynes, ‘Use of Seals’, pp. 77–80. Two further, forged Edwardian matrices are known to us: the so-called ‘first’/‘Westminster’ seal (British Library, Seal xxxiv.3), deriving from a matrix forged at Westminster Abbey in the late eleventh century; and the ‘third’ seal, which survives as a poorly-preserved, small white wax fragment attached *sur simple queue* to S 1145 (*Writs* 101), London, Westminster Abbey, W.A.M. XV; most probably a modified and later copy of an original single-sheet writ. Non-contemporary (modified and spurious) writs surviving on single sheets also show evidence of former sealing, namely Westminster writs: SS 1117, 1120, 1121, 1124, 1126, 1137, 1138, 1141; Coventry writ S 1098; Hereford writ S 1101; and London St. Paul’s writ S 1104. These later, forged seal matrices and impressions must have fulfilled an array of functions since the practice continued well into the twelfth century, serving as authenticating devices in archival settings. See Birch, ‘Three Great Seals’; Wyon and Wyon, *Great Seals*, plate II; *Writs*, pp. 101–5, 520–1; and Keynes, ‘Use of Seals’, pp. 80–1.

Both sides of each of the wax impressions feature the circumscribed Latin legend ‘+SIGILLVM EADVWARDI ANGLORVM BASILEI’, invoking the Greek title for ‘ruler’ first employed by draftsmen of King Æthelstan (924–39) in some of his royal diplomas.²¹⁵ Chronologically, the seal impressions come down to us from the period *c.* 1052 × 1066, with conceivably the earliest being the seal attached to the Christ Church Canterbury writ, created possibly as early as 1052 (with a *terminus ante quem* of 1066), followed by the Saint-Denis seal (*c.* 1053 × 1057) and finally the Westminster seal (*c.* 1062 × 1066). As such they derive from the period in Edward’s reign labelled the ‘Rule of Solomon’ (*c.* 1054–64/6) by Frank Barlow, following the volatility of the mid-term crisis of 1051–2 and characterized by continued fierce competition for the control of earldoms and other offices, by the king’s increasing reliance on the house of Godwine and, in the final decade, by the question of dynastic succession.²¹⁶

These three surviving Edwardian wax seals, impressions of the ‘second’ (according to Birch’s 1874 classification) and only known authentic original seal matrix of the king, find themselves preserved in varying condition.²¹⁷ The most poorly-preserved by some measure is the Westminster seal (attached to S 1140), cast in white wax and unvarnished; the edge of the seal has degraded over time, eroding the circumscribing Latin legend and leaving only a redolent outline of the king in majesty, with his legs visible on both obverse and counter-seal. The Christ Church Canterbury seal is in better condition, cast in white wax and covered in a light brown varnish. The Saint-Denis seal, in brown wax, was the most complete of the three surviving specimens, but went missing

²¹⁵ For example, the royal diplomas: SS 429, 430, and 431; see Foot, *Æthelstan*, p. 213 and Gebhardt, ‘From Bretwalda to Basileus’, pp. 157–9, 181–2. The title also appears in concurrent scribal culture, namely in the so-called ‘Æthelstan Gospels’ (British Library, Cotton Tiberius A. ii, 15v), within the king’s dedication of the manuscript to Christ Church, Canterbury; and it was employed also by later charter draftsmen of Cerdicing rulers including Edmund, Eadred, Eadwig, Edgar and Æthelred II. For discussion, see Snook, *Chancery*, p. 156; and Maddicott, *Origins*, p. 44.

²¹⁶ Barlow, *Edward*, pp. 188–255; for the background to Godwine’s career and formal power structures in the 1050s and 1060s, see Campbell, ‘Rise of an Anglo-Saxon “Kingmaker”’; Raraty, ‘Earl Godwine’; Keynes, ‘Cnut’s Earls’, pp. 70–4; Baxter, ‘Edward the Confessor’, pp. 116–7; and *idem*, ‘Limits’, pp. 508–13.

²¹⁷ Bishop and Chaplais, *Facsimiles*, pp. xix–xxxii.

in the Paris Archives Nationales at some point between 1957 and 1986; it can still be accessed through casts and photographs.²¹⁸

The seal's Latin legend, beginning with a cross *signum* and followed by the word 'sigillum', Edward's name (in the genitive) and title, conforms to a phraseological pattern that is broadly shared by the corpus of four surviving seal matrices of non-royal persons from late Anglo-Saxon England, belonging to Ælfric I, Godwine *minister* and Godgyth *monacha Deo data* ('the thegn' and 'nun given to God' respectively), Wulfric and Ælfric II, which date to between the late tenth and early-to-mid eleventh century.²¹⁹ The script used to execute these inscriptions has been likened to that employed for inscriptions on coins, nummular brooches and other objects; termed 'Anglo-Saxon capitals', it is characterized by the use of capitals with a mixture of classical and non-classical letter-forms.²²⁰

The graphic programme of Edward's 'second' seal drew on a range of iconographic influences, which can be traced in various geographic and ideological directions.²²¹ The full-length depiction of Edward enthroned in majesty itself represents a radical point of departure from inherited representations of pre-Conquest kings—the enthroned majesty posture (or *majestas*-portrait) tended to be reserved in Insular art for representations of Christ, evangelists and biblical kings, although it should also be noted that his own mother Queen Emma had been depicted enthroned on the resplendent

²¹⁸ The casts, made in 1833, are: British Library, Doubleday Casts A.3 and A.4. Bishop and Chaplais noted that the original seal impression was 'loose' in 1957, having originally been attached to S 1105, and in 1986 Brigitte Miriam Bedos-Rezak noted that the impression was now missing from the Archives Nationales, see her 'King Enthroned', p. 78; this was later confirmed by a letter from the then Conservateur du Service des Sceaux to Simon Keynes in 1989, and it remains missing; see Keynes, *BAFacs*, p. 7, and *idem*, 'Use of Seals', p. 79.

²¹⁹ For further discussion of the late non-royal seal matrices, see below, Chapter Four, section 4.2. and Appendix I, Figure 4.1.; Kershaw and Naismith, 'Seal Matrix', especially p. 298 for the hazards of attempting to date these matrices too narrowly; Harvey, 'This Is A Seal', pp. 1–4, who argues that the word *sigillum* in the seal's legend refers not to the seal itself but to the cross *signum* at the start of the legend; and Fenton, 'Royal Authority' (forthcoming).

²²⁰ Okasha, *Corpus*, pp. 19–27; Naismith, *Medieval European Coinage*, pp. 377–8.

²²¹ Karkov, *Ruler Portraits*, p. 157–60. As discussed in Chapter One, it is likely that certain rulers prior to the Confessor possessed royal seals; for speculation about the nature of Æthelredian royal seals and their hypothetical graphic elements, see Keynes, 'Use of Seals', p. 77; and for Cnut's seal and possible influences, see Karkov, *Ruler Portraits*, pp. 136, 159.

frontispiece of the *Encomium Emmae reginae*.²²² On the continent the posture had long been appropriated for representations of secular rulers; notably in ninth-century scribal and illuminated renderings of Lothar I and Charles the Bald, as well as on sixth-century Byzantine coins.²²³ The reign of Otto III witnessed the first sphragistic rendering of a ruler in majesty: on his one-sided seal, in use between c. 985 and 996, the young, crowned ruler holds an orb surmounted by a cross in his left hand and lily-sceptre in his right.²²⁴ In this context, the blurring of the boundary between the iconography of Christological and secular political authority had the effect of enhancing and sacralising the latter, projecting an image of political permanence and stability.²²⁵

Edward's posture in his 'second' seal finds parallel also in contemporary English numismatic graphicacy, with the emergence of the ostentatious Sovereign/Eagles type coinage (c. 1056–9), depicting on its obverse the king full-length, enthroned and holding a staff and globe, and hence representing a profound break from the royal bust in profile.²²⁶ The reverse of the Sovereign/Eagles type features eagles (once anachronistically interpreted as heraldic 'martlets', but now understood to be drawing on this well-established element of imperial iconography) at angles framing a cross *signum*, echoing also the eagle surmounting Edward's long staff on the reverse of the 'second'

²²² British Library, Additional MS 33241, 1v. We must note, however, that Emma's *Encomium* portrait may have been the work of a scribe from Flanders (or southern England); for discussion, see Keynes and Love, 'Godwine's Ship', p. 193; and Tyler, *England*, pp. 53–61; and for the wider genre of *majestas*-portrait, Bedos-Rezak, 'King Enthroned', p. 58; and *eadem*, 'Semiotic Paradigm'.

²²³ See Deshman, 'Christus rex'; Bedos-Rezak, 'King Enthroned', p. 59; Dodwell, *Pictorial Arts*, p. 62; and Grierson, *Byzantine Coinage*, pp. 24–31.

²²⁴ Schramm, *Die Deutschen Kaiser*, pp. 80–2, 199–200; Keller, 'Die Siegel und Bullen Ottos III.', pp. 767–73; for the concept of *christomimesis* in imperial Ottonian visual culture, see Garrison, *Ottonian Imperial Art*, pp. 50–60; and for seals as vehicles of Ottonian political ideology, see Michałowski, *Gniezno Summit*, pp. 223–31.

²²⁵ For Ottonians as 'sacral' kings, see Leyser, *Rule and Conflict*, pp. 83–91; and for the evolution of Christological kingship in England, see Deshman, *Benedictional*, pp. 212–13; and Cubitt, 'Benedictine Reforms', p. 83. The effectiveness of Otto III's sphragistic *majestas*-portraits is surely reflected by its adoption by his successors Henry II, Conrad II, Henry III and Henry IV.

²²⁶ A further innovation came in the form of the Facing Bust type coinage (c. 1062–5), turning the orientation of Edward's head from profile to outward-facing, and (consciously or unconsciously) harking back to ninth-century ecclesiastical issues; see Talvio 'Stylistic Structure', pp. 181–3; Naismith, *Medieval European Coinage*, pp. 274–6. Edward also appears bearded in both the 'second' seal and in all five later numismatic types of the king, perhaps reflecting a desire to capture naturalistic detail; see Naismith, *Medieval European Coinage*, p. 274; and Barlow, *Edward*, p. 254.

seal.²²⁷ Moreover, on several extant dies of the Sovereign/Eagles type, the Confessor's name was rendered 'E(A)DVVEARDVS' rather than 'EADWARD' or 'EADPARD', as had been standard on previous issues; thus projecting a style that accorded more with the elevated Latin inscription on the 'second' seal.²²⁸ Both the graphic and linguistic parallels here might indicate the influence of this sphragistic style on die-cutters, eager to capture new or innovative aspects of royal portraiture and ideology. The trefoil or fleur-de-lis sceptre on the obverse, meanwhile, had been a graphic element within Harold Harefoot's coinage, with the introduction of the Fleur-de-Lis type c. 1037, which coincided with the consolidation of Harold's authority as sole ruler in England.²²⁹

Indeed, the palette of insignia on Edward's 'second' seal: the orb, sceptre, sword and staff, finds parallels in Ottonian and Byzantine seals, but the distinct combination used on the Confessor's 'second' seal is a unique configuration. Perhaps the most unprecedented aspect of the king's insignia is the inclusion of the sword, which rests against Edward's left-hand shoulder. This lacks precedent in Ottonian and Carolingian sigillographic portraiture, but is contemporary with renderings of the Byzantine emperor Isaac I Komnenos (1057–59), a ruler with a pedigree as a successful military commander and represented on his seal with an unsheathed sword resting on his shoulder.²³⁰ It also finds an Insular antecedent in the form of King Cnut's portrait in the *Liber vitae* of the New Minster, Winchester in which the king clasps his sword in his left hand, whilst placing the golden cross on the high altar with his right.²³¹ The sword is undoubtedly an element of late Anglo-Saxon royal imagery; as the most coveted of early medieval weaponry this is hardly surprising, and its appearance on Edward's 'second' seal anchors what was otherwise (at least within later Anglo-Saxon visual culture) a deeply

²²⁷ Dolley and Elmore Jones, 'A New Suggestion', pp. 215–26; Jones, '*Anglorum basileus*', p. 103.

²²⁸ Naismith, *Medieval European Coinage*, p. 275.

²²⁹ *Ibid.*, pp. 270–1.

²³⁰ The seals of Isaac I Komnenos were also the first imperial seals to feature inscriptions entirely in Greek; see Zacos and Vegler, *Byzantine Lead Seals*, pp. 76–7, nos. 85–6; and Oikonomidès, *Byzantine Lead Seals*, p. 27. For politico-cultural connections between England and the Byzantine world in this period, see Jones, '*Enkolpion*'.

²³¹ British Library, Stowe MS 944, 6r. For discussion, see Keynes, '*Liber Vitae*'; Jones, '*Anglorum basileus*', p. 105; and Karkov, *Ruler Portraits*, pp. 133–42. It should also be noted that the eighth-century Repton Stone, possibly a rendering of Æthelbald, king of the Mercians, depicts the rider brandishing a sword, with a shorter *seax* at his waist; see Biddle and Kjølbye-Biddle, 'Repton Stone', pp. 261–4, 287–90.

Christological typology of portraiture in a traditionally secular milieu. The orb, sceptre and staff, meanwhile, are similar in design to the royal regalia found on the seals of the Salian emperors Conrad and Henry III, where they appear for the first time in this combination.²³² Moreover, that this imagery was part of the royal iconographic palettes of earlier emperors is clear from the dedication image of Otto III in his Gospels produced at the Benedictine abbey of Reichenau around the turn of the millennium: in this resplendent *majestas*-portrait spread across two folios, the emperor holds a golden sceptre with an eagle finial in his right hand and an orb with a large cross *signum* in his left.²³³

The representation of the Confessor as a crowned ruler reflects what appears to have been, by the mid-eleventh century, a well-established practice of festal crown wearing, a custom imbued with practical and symbolic value as a means through which rulers sought to elevate their authority above the (potentially competing) claims of lay and ecclesiastical élites.²³⁴ In England the practice of kingly crown wearing is traceable to the reign of Æthelstan—as revealed in his Bust Crowned coinage as well as in the concurrent scribal illustration of his humble donation of a book to St Cuthbert—and it may well have been an innovation of Æthelstan or his courtly advisors.²³⁵ Moreover, the

²³² Bedos-Rezak, 'King Enthroned', p. 63, with relevant images.

²³³ Munich, Bayerische Staatsbibliothek, Clm. 4453, 23v–24r. For discussion see Garrison, 'Otto III at Aachen', pp. 83–110.

²³⁴ Maddicott identifies festal crown wearing during major church feasts and at royal assemblies as an aspect of charismatic kingship, accentuating the ruler's legitimacy and sacrality. The first attested representation of crown wearing in an aulic setting is found in the dating clause of an alliterative diploma of King Eadred (S 549, *Burt* 8) issued in 949, which states: 'regiam sublimauit diademata paschali sollempnitate' ('the king was exalted with royal crowns'). Later evidence is episodic, namely: the account of King Eadwig's coronation feast in 956 in B.'s *Vita Sancti Dunstani*, 21.1–4 (ed. Winterbottom and Lapidge, pp. 66–9), describing the 'regiam coronam, quae miro metallo auri uel argenti gemmarumque' ('the royal crown, brilliant with the wonderful gold and silver and glimmering jewels that comprised it'); and Byrhtferth of Ramsey's description of an Easter assembly in 965, in which King Edgar is described: 'Rex autem armipotens Eadgar, sceptris et diadematibus pollens...' ('King Edgar powerful in arms, exulting with scepters and diadems...'). *Vita Sancti Oswaldi*, iii.10 (ed. Lapidge, pp. 74–5). For problematisation of these passages, see Hare, 'Kings, Crowns and Festivals', p. 45; Maddicott, *Origins*, pp. 18–22; and for wider context see Barrow, 'Demonstrative Behaviour', p. 128; and Leyser, 'Ritual', pp. 192–4.

²³⁵ For the introduction of the Bust Crowned type in the 930s, the first numismatic representation of the king wearing a crown (rather than a more simple diadem), in this case a band with three stalks topped by globules, see Blunt, 'Coinage', pp. 47–8; and Naismith, *Medieval European Coinage*, pp. 203–4. This representation bears strong visual parallels to the contemporary illustration of Æthelstan's donation of a book to St Cuthbert, within a copy of the *Vita Sancti*

second English coronation *ordo*, which some commentators have suggested was employed for the first time at Æthelstan's coronation in 925, was the first to insist that the king be crowned.²³⁶ The deeper origins of royal crown wearing lie in eighth-century Carolingian coronation ritual, which was further cultivated in the tenth-century Ottonian *Reich*; it is hardly surprising that tenth-century English rulers would seek to emulate this effective facet of royal ceremonial.²³⁷

This analysis has mapped both 'external' iconographic influences (Byzantine, Carolingian, Ottonian, and Salian) as well as 'internal' political and cultural factors that may have contributed to the overall appearance of the 'second' seal and its surviving impressions. Yet such a binary distinction is itself problematic in a mid-eleventh-century context: embedded within Edward's own court were foreign priests and other clerics whose political prominence is recorded in the witness-lists of Edward's royal diplomas—such individuals may have acted as conduits for continental sphragistic practices and concurrent iconography.²³⁸ Particular attention has been drawn to the career of Regenbald, a 'presbyter' of probable Lotharingian origin, whose title later evolved to 'regis sigillarius' ('royal seal-custodian/bearer') and 'regis cancellarius' ('royal chancellor') in the early 1060s.²³⁹ The emergence and nature of these distinctive titles begs a range of questions about the court functions of Regenbald and similar actors.²⁴⁰ Such individuals may have had a multiplicity of changing rôles, including overseeing the

Cuthberti given to Chester-le-Street (Cambridge, Corpus Christi College, MS 183, 1v); see Foot, *Æthelstan*, pp. 216–23.

²³⁶ Wormald, *Making*, p. 447; cf. Nelson, 'Second English *Ordo*', pp. 365–9, positing that this *ordo* was actually devised for Edward the Elder's coronation *c.* 900, hence potentially pushing back the prescription of crown-wearing to this earlier reign.

²³⁷ Kantorowicz, *Laudes Regiae*, pp. 85–101; Maddicott, *Origins*, pp. 20–2; Wangerin, *Kingship*, p. 146.

²³⁸ Keynes, *Atlas*, Table LXVIII.

²³⁹ Regenbald is styled 'presbyter' in a royal diploma issued *c.* 1050 (S 1021, KCD 791); 'regis sigillarius' *c.* 1061 (S 1033, KCD 810); and 'regis cancellarius' *c.* 1062 (S 1036, KCD 813). See Keynes, 'Regenbald', pp. 195–222, 'Fig. 3' at p. 206; and for the structural political context to his career, see Smith, 'Preferment', pp. 171–3.

²⁴⁰ Another case-study is provided by the career of the Frankish or Lotharingian priest Ingelric; probably in the service of Edward, the wealth and power he accumulated is reflected by his endowment (with his brother Eirard) of the church of St Martin's-le-Grand in 1068, and his rôle as an assertive royal agent for William I; see Keynes, 'Regenbald', pp. 218–19; and Taylor, 'Ingelric', pp. 228–9. For Lotharingian connections in the first half of the eleventh century, see Keynes, 'Giso', pp. 205–13.

conduct of religious life; composing or otherwise delegating the production of diplomas and other texts by scribes in their service (within the eleventh-century royal chancery); managing the royal archive (in whole or in part); and responsibility for custody of relics belonging to the king including, in Regenbald's case, the royal seal matrix.²⁴¹ Further possible conduits for continental graphicacy can be found slightly further from the ambit of the royal court: a certain Theodoric (possibly German: 'Dietrich'), a goldsmith with extensive landholdings across the Conquest, is effusively described in the Waltham Chronicle: 'in opere fusili auri et argenti totius ciuitatis præcipium', and he would surely have had the requisite skills for undertaking sigillographic design.²⁴²

In sum, the agency (or collective agency) responsible for the conception of Edward's 'second' seal's graphic programme was clearly selective rather than wholly imitative in their sphragistic practice, reconfiguring their imagery to suit the prevailing political mood and, we may speculate, Edward's own ego.²⁴³ This involved drawing on graphic signs and symbols of authority to construct an image (or *imago*) of the king both as a legitimate member of an illustrious panoply of past and present imperial rulers on the continent (especially German and Byzantine emperors), as well as asserting his own Christ-likeness.²⁴⁴ Another important feature was the 'second' seal's double-sided

²⁴¹ That pre-Conquest kings possessed such reliquaries is evinced by a group of formulaic references in chirographic texts spread across a broad range of archives: S 939 (*CantCC* 137), a confirmation of the will of Æthelric of Bocking dated c. 995 × 999, states that one of the three portions is: 'æt þæs cinges haligdome' ('at the king's reliquary/treasury'); similar statements are found in: S 981 (*CantCC* 154), a fabricated grant of reversion of land at Folkestone (although the statement referring to the 'kynges haligdome' may derive from an authentic pre-Conquest document); S 1478 (KCD 956), a mid-eleventh-century agreement; and in the earlier eleventh-century wills: S 1520 (KCD 932) and S 1521 (*Wills* 29). The inference here is that documents may have sat with relics and other objects as part of a peripatetic collection, certainly as early as the turn of the millennium and perhaps even earlier; see Hart, 'King's Haligdom', pp. 18–19; Keynes, 'Regenbald', p. 190; and *CantCC*, p. 1007.

²⁴² 'The foremost craftsman in gold and silverwork in the city [of London].' *De inventione Sanctæ Crucis*, ch. 24 (ed. Stubbs, p. 34). Although Theodoric does not appear in the witness-lists of any surviving diplomas and his relationship with (or rôle within) Edward's court is unclear; see Chaplais, 'Anglo-Saxon Chancery', p. 60, suggesting that Theodoric may have been responsible for both the Sovereign/Eagles type coinage and Edward's 'second' seal; cf. Keynes, 'Regenbald', p. 217; and Baxter and Blair, 'Land Tenure', pp. 41–2.

²⁴³ Jones, 'Enkolpion', p. 374.

²⁴⁴ The term *imago* here refers to the concept of an established and curated series of representational norms, which the ruler embodied and reiterated in graphic representations and written discourse. The *imago* is especially relevant to sigillographic media, given the iterative

format; deviating from the one-sided design used in the above-discussed Carolingian, Salian and Ottonian seals, this format in turn allowed Edward's royal portraits to accommodate this multiplicity of iconographic gestures and meanings.²⁴⁵

2.3. Other Contemporary or Near-Contemporary Forms of Preservation

We can now turn to the second group of texts relevant to our discussion here: writs entered into manuscripts in a contemporary or near-contemporary hand.²⁴⁶ These seven texts are tabulated in Appendix I, Figure 2.5., and range in date to between *c.* 1002 × 1061; six of the documents thus pre-date the corpus of contemporary single-sheet writs discussed above. The writs preserved in this manner reflect a set of scribal behaviours outlined at the beginning of this chapter and attested elsewhere, in which gospel-books and other types of codices were used as repositories for diverse texts and forms of documentation. The earliest examples in Britain date to eighth- and ninth-century Wales, with charters, a manumission and a dispute memorandum added into the margins of the St Chad (or Lichfield) Gospels at Llandeilo Fawr; and in England in the early tenth century with the insertion of a grant of renders and an agreement into the Augustine Gospels at Canterbury.²⁴⁷ The practice soon proliferated and was adopted in other major English churches in the eleventh century, namely at Bath, Bury St Edmund's, Christ Church Canterbury, Glastonbury, Hereford, Thorney, Worcester, and York.²⁴⁸

quality of wax seal impressions; for discussion see Schmitt, 'La Culture de l'*imago*'; Bedos-Rezak, 'Medieval Identity'; *eadem*, 'Replica'; and *eadem*, *When Ego Was Imago*, pp. 132–9.

²⁴⁵ Harmer, following Bresslau, offers the hypothesis that the double-sided nature of the royal seal was an innovation of Cnut as a ruler of kingdoms straddling the North Sea, and thereby adopted by Edward; see *Writs*, p. 99; and Bresslau, *Urkundenlehre*, pp. 686–7. A more convincing suggestion is that the 'second' seal drew inspiration from double-sided Byzantine bullae and chrysobulls (golden bullae), which had long been attached to the most important Byzantine documents and decrees of emperors. Excavations in Winchester of two Byzantine bullae of the mid-eleventh century suggest that such documents were received in England; see Biddle, 'Excavations at Winchester'; Laurent, 'Un Sceau'; Bedos-Rezak, 'King Enthroned', p. 65; Jones, '*Anglorum basileus*', pp. 105–10; and Karkov, *Ruler Portraits*, pp. 135–6.

²⁴⁶ See *Writs*, pp. 117–18; SS 1090 and 985 are here considered alongside the texts in Harmer's group (I).

²⁴⁷ Sims-Williams, 'Uses', p. 25; the St Augustine's charters are: SS 1198 and 1455, entered into Cambridge, Corpus Christi College, 286 at 74v and 77v. For a list of English altar-books with later additions, see Wormald, 'Sherborne', p. 106.

²⁴⁸ *CantCC*, p. 53, n. 41.

Contemporary or near-contemporary versions of pre-Conquest writs have been entered into four different codices (three gospel-books and a pontifical) at Canterbury and Sherborne. These writs are characterized by their diversity in terms of the nature of their announcements and ostensible functions, falling into seven different typological categories as set out in Appendix I, Figure 1.3: two non-royal texts, namely the writ of Bishop Æthelric giving testimony regarding a dispute over ‘scypgesceote’ (‘ship-scot’) and a threat to ownership of land at Holcombe (S 1383, *Sherb* 13); and the writ of Archbishop Wulfstan of York informing Cnut and Ælfgifu that Æthelnoth has been consecrated to the see of Canterbury (S 1386, *CantCC* 150); four royal writs of Cnut: confirming the privileges of Christ Church at the request of Archbishop Lyfing (S 985, *CantCC* 145); declaring that he has granted judicial and financial rights to Archbishop Æthelnoth (S 986, *CantCC* 150A); declaring that Archbishop Æthelnoth is to continue to discharge obligations on the lands belonging to the archbishopric (S 987, *CantCC* 156); and declaring that he has granted to Archbishop Æthelnoth all the landed property that Ælfmær had (S 988, *CantCC* 157); and finally a royal writ of Edward the Confessor (S 1090, *CantCC* 178), announcing that land at Mersham is to belong to Christ Church with sake and soke. In the remaining part of this chapter, the palaeography and codicology of these texts will be discussed, followed by analysis of the phases of transmission that may have lain behind them and the functions of such additions.

2.3.1. *Æthelric’s Writ and the Sherborne (or Dunstan) Pontifical*

The earliest writ to be preserved in a contemporary or near-contemporary hand is the writ of Bishop Æthelric (S 1383), copied into the last leaf of the so-called Sherborne Pontifical *c.* 1002 × 1014, or just after.²⁴⁹ The pontifical itself, measuring 315 mm × 205 mm, was most likely created at Canterbury *c.* 959 × 988 for Archbishop Dunstan and reached Sherborne in the earlier 990s upon Bishop Wulfsize’s elevation to that see, and following Dunstan’s death. Significantly, it contains as its preface (and written by its main scribe) a copy of Dunstan’s pallium-privilege from Pope John XII (fol. 7), and it

²⁴⁹ Paris, Bibliothèque Nationale, lat. 943, 170v. Pontificals were books created for bishops, to be used as the basis for readings/performances at consecrations and other events; see Stokes, *Vernacular Minuscule*, pp. 137–8, 209; Gittos, *Liturgy*, pp. 42–3, 283. For the digitized manuscript, see: <https://gallica.bnf.fr/ark:/12148/btv1b6001165p.image> (viewed 15 July, 2020).

has been suggested that this may have inspired later scribes who made various additions to the pontifical in Latin and Old English.²⁵⁰ These additions were made by five different hands datable to between the late tenth and early eleventh centuries, and included a list of the bishops of Sherborne, a letter addressed to Bishop Wulfsgie, homilies, rules of confraternity and (in final position) Æthelric's writ.²⁵¹ Stokes has argued that the earliest hand of the additions, written in a late form of Square minuscule, may have been written at Canterbury, since it compares favourably with the main hand of the pontifical itself; while the remaining four hands on fols. 163–70 are more likely to have been added at Sherborne.²⁵² The movement of the pontifical may be explained in the context of consecration ritual, since the archbishop of Canterbury would have typically been responsible for the consecration of the bishop of Sherborne; and such movement (including possible concurrent transfer of scribes/scribal practices) might also explain the close relationship between the hand of one of the Sherborne additions and the script of insertions made in a manuscript at St Augustine's.²⁵³

Æthelric's writ is written in Vernacular minuscule with small, thin and consistent letter-forms, long and straight ascenders, and with an overall sloping aspect somewhat akin to the Bury single-sheet writ for Baldwin and the Christ Church writ (SS 1084 and 1088). The text inhabits a wide-rectangle space on the manuscript page reminiscent of the horizontal format of the single-sheet writs. Like five of the single sheets, the text begins with a small *signum crucis* placed before Æthelric's name. The scribe did not supply any punctuation within the text, which has been badly rubbed, rendering parts of it almost illegible.

There has been fruitful debate regarding the phases behind the transmission of Æthelric's writ; specifically whether it represents a transcription or 'file copy' of a physical copy of a writ sent from Bishop Æthelric to the ealdorman Æthelmær (now lost),

²⁵⁰ *CantCC*, p. 54, n. 43.

²⁵¹ Dumville, *Liturgy*, p. 84; Keynes, 'Wulfsgie', pp. 62–3, 72, 76; Scragg, *Conspectus*, nos. 979–983, p. 81.

²⁵² Scragg, *Conspectus*, no. 979; Stokes, *Vernacular Minuscule*, pp. 138, 209.

²⁵³ Cf. the similarities between the hand of additions in Cambridge, Corpus Christi College 320, 117r, 170r (Scragg, *Conspectus*, no. 159) probably made at St Augustine's; and the third hand of additions in the Sherborne Pontifical (Scragg, *Conspectus*, no. 981); see Stokes, *Vernacular Minuscule*, p. 138.

or alternatively a *post factum* written rendering of a purely oral declaration.²⁵⁴ In terms of the paleographical evidence, it seems to be the case that the scribe of Bishop Æthelric's writ was either attempting to remain faithful to aspects of their single-sheet exemplar (for example, in terms of the long-horizontal format; the small, unobtrusive *signum crucis*; and the script and overall scribal appearance), or, if based purely on an oral account delivered to the shire-court suitors, attempting to give his pontifical addition the flavour and appearance of an authentic writ or missive. Internal phraseological evidence is, however, perhaps more useful for judging the question of phases of transmission. In the text, the bishop complains of an alarming level of evasion of a local ship levy at eleven different locales, in a detailed list reminiscent of a vernacular boundary clause. The writ hinges around an active request for legal intervention from the ealdorman Æthelmær, who must have been the appropriate channel through which the levies could be re-negotiated. The main announcement has a strong personal voice, exemplified in the appeal: 'gif hyt þin pilla pære þu mihtest eaðe gedon þæt ic hyt eal spa hæfde.'²⁵⁵ Such an appeal points to the ongoing and unresolved nature of this dispute, and as Mary Anne O'Donovan has noted, 'it seems an unlikely form to have chosen to preserve as a title to the bishop's rights' and that one would expect a more positive entry to have been generated by the beneficiary (for example, cf. the above-discussed S 1462 which has a much different temporal perspective).²⁵⁶ Thus it seems more probable to my mind that this addition in the Sherborne Pontifical is a transcription of exactly the type of document referred to in passing as *swutelunga* by the Cuckhamsley chirograph (S 1454; and discussed in Chapter One), in other words a document (perhaps even a holograph) dispatched by an interested party of an ongoing dispute or negotiation, to be performed and used at court.

2.3.2. S 985 and the Gospels of King Cnut

A writ of King Cnut, declaring that he has confirmed the privileges of Christ Church (S 985) and dated 1017 × 1020 (possibly 1018), has been entered into the second of two leaves inserted at the end of the sixth quire of the so-called Gospels of King

²⁵⁴ Cf. Chaplais, 'Chancery', p. 59; and Keynes, *Diplomas*, p. 138, coining the term 'file copy'.

²⁵⁵ 'If you were willing, you could easily bring it about that I had it in the same way.'

²⁵⁶ *Sherb*, p. 48.

Cnut.²⁵⁷ In close proximity, at 43v, an Old English notice of confraternity has also been entered in a different contemporary hand. It seems likely that these leaves had been left intentionally blank during the production of the gospel-book, and were intended to act as a repository for these later additions; and the writ and confraternity notice, both written in elegant calligraphic hands, were probably added very soon after the book's completion.

The writ itself is unique in terms of its typological function: its discursive announcement clause is concerned with the 'freolsas' or 'charters of freedom' at Christ Church. Cnut, having been informed by Archbishop Lyfing that Christ Church 'hæfð nu læsse munde þonne hio hpilan ær hæfde' gives permission for Lyfing to draw up a 'freols' in his own name.²⁵⁸ However, Lyfing replied that Christ Church already possessed many such documents 'gyf hi aht forstodan' ('if only they were good for anything'). In response, Cnut arranged for the 'freolsas' to be laid on 'Cristes agen peofod' ('Christ's own altar') before prominent secular and ecclesiastical witnesses, seemingly as part of a ritual performative act, in order to confirm the community's ancient freedoms as granted by King Æthelberht I and by Cnut's predecessors.²⁵⁹

The text is written in an elegant Vernacular minuscule employing tall, decorative and deeply-split ascenders, long and slightly left-tapering descenders, and consistently-executed ð that are hooked at the right-hand side of their cross-bars. A *signum crucis* appears before Cnut's name on the top line. The distinctive hand belongs to the contemporary, and probably master, scribe of the scriptorium at Christ Church Eadwig Basan, 'the Fat'—this 'Eaduuius cognomento Basan' reveals himself in a colophon at the end of John's gospel in the Eadwig Gospels (Hanover, Kestner Museum, MS W. M. XXIIa, 36, 183v), and has been recognized in a total of four *de luxe* gospel-books or

²⁵⁷ British Library, Royal I D. ix, 44v. For a facsimile see Stokes, *Vernacular Documents*, p. 288, Plate 11. The gospel-book itself is written in 'Style I' English Caroline script, probably at Christ Church Canterbury under royal patronage or instruction; see *CantCC*, pp. 94, 1058–62. For the digitized manuscript, see:

http://www.bl.uk/manuscripts/Viewer.aspx?ref=royal_ms_1_d_ix_fs001r (viewed 15 July, 2020).

²⁵⁸ '[...] now has less *mund* than it once had.' For *mund* ('protection', 'immunity'), see *Writs*, p. 447. For this writ as part of a broader sequence, see Sharpe, 'Use of Writs', p. 287.

²⁵⁹ For discussion of the nature of these imprecise privileges, see *CantCC*, p. 1060; and for the placement of charters on altars as a means of confirming a grant, see Roach, 'Public Rites', p. 186; and Keynes, 'Church Councils', p. 127.

lectionaries, three psalters, and as the hand of three (or possibly four) charters.²⁶⁰ The date of issue of this writ accords with Basan's other known work, making it likely that the writ was entered into the codex *c.* 1017 × 1020, or just after.²⁶¹

Again, it is worth revisiting arguments made hitherto regarding the transmission of this text: Chaplais has posited that this writ amounts to 'a record of a ceremony which took place in Christ Church on the occasion of a visit of Cnut', and was thus entered directly into the codex as a scribal rendering of an oral pronouncement.²⁶² More recently, Brooks and Kelly have suggested that, if there was an original writ/exemplar for S 985, it may have been a writ sealed 'close' rather than 'open' or 'patent' (*sur simple queue*).²⁶³ According to this theory, the Christ Church community was thus attempting to create authoritative internal records of certain writs whose seals (functioning, in this interpretation, as authenticating devices) had been broken in order for their contents to be read to the shire courts, after which the writs would have 'no intrinsic value.'²⁶⁴ There are a number of problems with this theory, however; aside from the uncertain Saint-Denis single sheet (S 1105) discussed above, which may have been sealed 'close', positive evidence for sealing 'close' in pre-Conquest diplomatic culture is lacking. Moreover, the theory presupposes that seals functioned primarily as authenticating devices; yet (as discussed in Chapters One and Four), seals possessed a range of functions in Anglo-Saxon England.

2.3.3. *Four Writs in the MacDurnan Gospels*

Four writs have been entered into the MacDurnan Gospels, an exquisitely illuminated pocket-sized gospel-book (158 mm × 111 mm) produced in Armagh, Ireland in the second half of the ninth century and probably intended to form part of the personal

²⁶⁰ The charters in Basan's hand are: SS 950, 985, 22 and possibly also S 914; see Gameson, 'Colophon', pp. 201–2, n. 4; and *CantCC*, pp. 56–8.

²⁶¹ *CantCC*, p. 57.

²⁶² Chaplais, 'Chancery', pp. 59–60.

²⁶³ *CantCC*, pp. 143–7; for the theory that writs and other missives were sealed close in the tenth century, see also Heslop, 'English Seals', pp. 14–15; and *idem*, 'Twelfth-century Forgeries', p. 303.

²⁶⁴ *CantCC*, p. 1061.

inventory of a high-ranking ecclesiast.²⁶⁵ The first available blank space in the book was filled, probably at the court of King Æthelstan in the second quarter of the tenth century, with a metrical inscription in display capitals on 3v, associating the gospels with Mael Brigte mac Tornan (chief abbot of the Columban churches c. 890–927), and stating that Æthelstan now gives the gospel-book to the metropolitan see of Canterbury in perpetuity. Around a century later, Christ Church monks began to utilize the remaining blank leaves to insert a range of texts, namely a writ of Archbishop Wulfstan, three writs of Cnut, a vernacular note of the boundary of the Canterbury and Rochester dioceses, two vernacular agreements and a Latin summary of a grant of Cnut; in a total of five different hands.²⁶⁶

The first of these texts, a non-royal writ of Archbishop Wulfstan of York addressed to King Cnut and Queen Ælfgifu (S 1386), announces that Æthelnoth has been consecrated to the see of Canterbury.²⁶⁷ Its script is a neat, early-eleventh-century Vernacular minuscule with fewer calligraphic features than Eadwig Basan’s script for S 985. The writ addresses ‘Cnut cyning his hlaford 7 Ælfgife þa hlæfdian’ (‘King Cnut his lord and the lady Ælfgifu’) rather than the Kentish shire court, and for this reason has been described as a ‘letter [...] rather than a proto-writ’ by its recent editors.²⁶⁸

Three further writs of Cnut have been entered by a second scribe, the first on a blank folio before the Gospel of St Luke, declaring that Cnut has granted to Archbishop Æthelnoth of Canterbury judicial and financial rights over his men and over Christ Church (S 986); and the next two on a blank leaf after St John’s gospel: a writ of Cnut declaring that the same Æthelnoth is to continue to discharge obligations on lands belonging to the archbishopric as he had done hitherto (S 987), and declaring that he has

²⁶⁵ London, Lambeth Palace Library, 1370. See Keynes, ‘Athelstan’s books’, pp. 153–9; and Farr, ‘Pocket Gospels’. For the recently digitized manuscript, see: <http://images.lambethpalacelibrary.org.uk/luna/servlet/detail/LPLIBLPL~17~17~179191~126324?page=0> (viewed 15 July, 2020).

²⁶⁶ SS 987 and 988 were part of a leaf that had become detached from the MacDurnan gospels after coming into the library of Sir Robert Cotton, now forming British Library, Cotton Tiberius B. IV, 87r, as evinced by the presence of a wormhole; for identification of the hands, see Ker, *Catalogue*, pp. 346–7; and *CantCC*, pp. 86–7, 1124. For the digitized manuscript, see: http://www.bl.uk/manuscripts/FullDisplay.aspx?ref=Cotton_MS_Tiberius_B_IV (viewed 15 July, 2020).

²⁶⁷ London, Lambeth Palace Library, 1370, 69v.

²⁶⁸ *CantCC*, p. 1075.

granted to Æthelnoth all the landed property that Ælfmær had (S 988). All three texts are written in the same ink, with the same layout (taking care to respect the ruling and margins of the gospel-book itself), seemingly in a single scribal operation, and in a ‘disciplined’ yet ‘lively’ hand.²⁶⁹ This respectfulness towards the writs’ codicological setting is reflected by their script and its execution; in all three cases an elegant, angular Vernacular minuscule is employed, with tall, deeply-split, decorative ascenders and distinctive ð with long, diagonally-slanted backs.

The common thread running through at least four of the MacDurnan additions in terms of their content is their connection with Æthelnoth. This link raises several possibilities: the additions may represent copies of a batch of documents belonging to (or closely associated with) Æthelnoth, made after his death in 1038; alternatively, the gospel-book may have been in Æthelnoth’s personal possession, and remembered as such through the creation of these various additions.²⁷⁰ In both scenarios, the texts themselves may have been quasi-commemorative in function, celebrating the elevation of an archbishop elected from within the ranks of the Christ Church community (having served as its dean), rather than a bishop from a distant West Saxon see.²⁷¹ Indeed, the case for understanding these entries as at least partly commemorative is strengthened by the fact that the gospel-book was not used to record or copy writs or similar texts announcing the appointment of any other eleventh-century ecclesiast.

2.3.4. *S 1090 and the Æthelstan or Coronation Gospels*

The final document to be considered in this chapter is the writ of Edward confirming the grant of Mersham, Kent, by Sigweard and his wife to Church Church (S 1090), entered into the so-called Æthelstan or Coronation Gospels, a Lotharingian gospel-book (240 mm × 150 mm) dated to the turn of the tenth century and probably given to Æthelstan as a gift from the court of Otto I.²⁷² Æthelstan then donated the book

²⁶⁹ *Ibid.*, p. 1077.

²⁷⁰ *Ibid.*, pp. 53, 86–7.

²⁷¹ *Ibid.*, pp. 219–21.

²⁷² British Library Tiberius A. ii. An inscription naming ‘+ ODDA REX’ and ‘+ MIHTHILD MATER REGIS’ at the foot of 24r, referring to Otto I and his mother Matilda, may have functioned to commemorate the donors or associate the codex with the Liudolfings; see Keynes, ‘Athelstan’s books’, pp. 147–8. For the digitized manuscript, see:

to Christ Church, as evinced by a set of inscriptions in prose and verse on 15v and 15r respectively. A vernacular sanction from a composite grant of Edward entered into the gospel-book (S 1047, *CantCC* 181b), stating: ‘7 þe þisne cpyde æfre apende þe ic mid minre agenre hand on þissere Criste bec Cristes betæhte on uppan Cristes peofod [...]’, indicates that the Æthelstan Gospels were positioned on the community’s altar of Christ, and in this setting a series of texts and documents were inserted between the early eleventh and third decade of the twelfth century.²⁷³ This process of insertion also involved intervention in the codicological structure of the gospel-book, with some twelve or thirteen leaves incorporated into the binding for this purpose.²⁷⁴

Edward’s Mersham writ was added at the foot of 5v directly beneath part of the vernacular witness-list of S 914 (*CantCC* 140), a refoundation charter of Æthelred II (4r–6r); the writ was most likely added after SS 1229, 1389 and 1222 had been written on 5r, possibly (along with S 1047) immediately after the Conquest although plausibly before.²⁷⁵ The writ’s script, a neat and well-executed Vernacular minuscule, is less decorative than Cnut’s writs in the MacDurnan Gospels or Eadwig Basan’s writ in the Gospels of Cnut, but nonetheless some letter-forms, such as the dotted y with leftward flick, ð with its consistently-flicked cross-bar, and the þ abbreviation with its graceful upward curl on its cross-bar, have a decorative quality. There is a cross *signum* before the king’s name and protocol.

Like the above examples, it has been posited by its recent editors that Edward’s Mersham writ may have been entered into the Æthelstan Gospels to provide lasting authority for an oral announcement made at the shire court; or alternatively to provide a more authoritative written rendering of a writ sealed close and thus lacking its ‘authenticating’ seal once broken.²⁷⁶ Yet it is also very plausible that the Mersham writ was copied from an original single-sheet document (sealed patent), in the same manner as

http://www.bl.uk/manuscripts/FullDisplay.aspx?Source=BrowseTitles&letter=A&ref=Cotton_M_S_Tiberius_A_II (viewed 15 July, 2020).

²⁷³ ‘And he who would ever alter this bequest, which with my own hand on this gospel-book I have dedicated to Christ on Christ’s altar [...]’ For a concordance of documents inserted, see *CantCC*, pp. 89–92.

²⁷⁴ Ker, *Catalogue*, no. 185; *CantCC*, p. 88.

²⁷⁵ *CantCC*, p. 92, n. 13.

²⁷⁶ *Ibid.*, p. 1195.

other mid-eleventh-century texts copied into the same codex such as Queen Ælfgifu-Emma's statement regarding Newington (S 1229, *CantCC* 175), which may have had a separate existence as a testimonial missive on a single sheet.²⁷⁷

2.4. *Concluding Observations*

This chapter has highlighted the diversity of modes of transmission of pre-Conquest writs. Having placed the surviving single-sheet writs into a broader context of documents extant on contemporary single sheets, we might conjecture that the 'original' writs would have appeared—to literate, semi-literate and non-literate observers alike—highly visually distinctive, and of a fundamentally different nature to other sorts of documentation such as royal diplomas, leases, records of dispute and so on. Even when folded, where other kinds of documents might have borne contemporary endorsements summarizing the contents within, writs (judging by our extant sample) bore no such mark, bound instead by their wrapping-ties and attached with impressive wax seals.

In the case of royal writs, certainly from the time of the Confessor and likely earlier, such seal impressions were imbued with a range of symbolic meanings, drawing on antecedent and contemporary royal, imperial and Christological iconography. Where Brooks and Kelly's theory of 'sealing close' certainly provides an attractive hypothesis (and, given the relatively small sample size of surviving single-sheet writs, we should resist attempts to essentialize in terms of the nature and appearance of pre-Conquest writs more broadly, and the methods through which they may have been sealed or otherwise authenticated), it is also important to note that seal impressions were likely invested with a wide range of social and political functions, in addition to their rôle in authenticating the attached document.²⁷⁸ They may, for example, have functioned to identify and 'authenticate' the messenger as well as the message in the context of the performance of the writ itself in a shire court or other politically-charged settings; as well as to communicate the symbolic and personal authority of the king—a theory we shall return to in Chapters Three and Four.

²⁷⁷ S 1229 is discussed in more detail in Chapter Five, section 5.3.2.

²⁷⁸ Cf. *CantCC*, pp. 144–7; and Keynes, 'Regenbald', p. 214.

Thus, when being transported across terrain, when being observed and read at local courts, and when sitting alongside other documents in private or institutional archives, writs would have been relatively easy for contemporaries to recognize. In terms of their functional legibility (i.e. the ability of semi-literate or less competent readers to comprehend their contents), they are comparable to the vernacular boundary clauses and endorsements of Latin royal diplomas; and commentators have remarked that these latter diplomatic components, formulated in the vernacular with limited use of abbreviations, were written with wider lay audiences in mind.²⁷⁹ In my view, the lack of endorsements on writs is thus partially a reflection of the relative ease with which writs could be read by those who engaged with them.

A different but nonetheless complex picture emerges from the writs entered into gospel-books and the pontifical; here it is important to stress heterogeneity and diversity in terms of the intended ‘functions’ of such additions, once they had been entered into these high-status codices. If these gospel-book entries were based on now-lost single-sheet writs, they represent a second phase or layer of near-contemporary transmission, in which scribes identified the value of both preserving and presenting a text in an entirely new context and setting, within the milieu of a specific religious community. In the case of the additions made at Canterbury, it appears that from its inception, the practice of entering documents into the community’s gospel-books carried with it an affirmation of the community’s reformed Benedictine identity. Thus Cnut’s writ confirming the privileges of Christ Church at the request of Archbishop Lyfing (S 985) is positioned as the first addition in the Gospels of King Cnut; likewise the writs confirming Æthelnoth’s consecration (S 1386) and announcing a grant of judicial and financial rights to that archbishop (S 986) took initial position amongst the additions to the MacDurnan Gospels.²⁸⁰ As this chapter has highlighted, the commemorative and symbolic functions of such additions, inhabiting the sacred space of these gospel-book folios, is reflected by the attention and care given to their palaeographic execution. Moreover, given the sacred

²⁷⁹ Kelly, ‘Lay Society’, pp. 51–2; Keynes, ‘Royal Government’, p. 251; Geary, ‘Land’, p. 177; Gallagher and Wiles, ‘Endorsement Practices’ (forthcoming).

²⁸⁰ Meanwhile King Æthelred’s bilingual re-foundation charter (S 914, *CantCC* 140), recording the re-foundation of Christ Church as a Benedictine chapter, takes principal position amongst the later entries into the Æthelstan Gospels; for further discussion, see *CantCC*, p. 56; cf. Keynes, *Diplomas*, p. 261.

and public setting of such altar-books, we may also conjecture that such textual additions (and readings and performances of them) also served various functions within the community's ritual and liturgical life. As Levi Roach has noted, the closely related phenomenon of placing charters themselves onto altars, as attested by S 985 as well as by the Abingdon cartulary-chronicle and Domesday Book, may have served to strengthen the legitimacy of specific grants and help to make important grants more widely-known and understood within specific communities and localities.²⁸¹

Standing somewhat apart from this group is the writ of Bishop Æthelric (S 1383); positioned last out of the various vernacular additions made to that manuscript and its content, and concerning an ongoing dispute over 'ship-scot' evasion and a threat to the community's land, its function within the pontifical is more difficult to discern. It seems likely, however, that the pontifical entry was based on a separate single-sheet writ sent to Æthelmær, and therefore represents a desire or concern to retain evidence that the missive had indeed been sent. Thus, like chirograph-form documents intended to be retrieved in the context of continued or future disputation, we may conjecture that Æthelric's writ, as entered into the Sherborne Pontifical, had an evidentiary function in this new codicological setting. Indeed, the other texts entered into sacred codices at Canterbury no doubt also had a partial evidentiary function, since they were concerned to record grants and transactions that impacted the land, wealth and privileges of their own monastic community.²⁸²

²⁸¹ Roach, 'Public Rites', p. 186, n. 16.

²⁸² As Brooks and Kelly note, communities responded differently to perceived threats made against them, with the early-eleventh-century Worcester *Liber Wigorniensis* attempting to record full texts of the community's leases and other charters; see *CantCC*, pp. 57–8; and Tinti, *Sustaining Belief*, pp. 75–151.

CHAPTER THREE: THE DIPLOMATIC OF ANGLO-SAXON WRITS

3.1. Diplomatic Clauses, Forms and Structures

The aim of this chapter—having dealt in the last with aspects of the materiality and palaeography of writs (and associated seal impressions) extant in contemporary and near-contemporary form—is to provide an analytical overview of the component diplomatic parts of all non-spurious pre-Conquest writs preserved both as ‘originals’ and as later copies: namely their protocols (opening/address clauses), their main announcement clauses, and their additional clauses (prohibitions, statements of religious motive, sanctions, valedictions etc.). The resulting analysis will offer a response to Richard Sharpe’s observation, that in order to ‘understand systematically what the [writ-diplomatic] forms are really doing—when they are usually not explicit [...] one needs to develop a sense of what different clauses do in order to understand what a document as a whole means.’²⁸³ Methodologically, this will involve consideration of the spectrum of possible influences that shaped their language, phraseology and structure from concurrent and antecedent epistolary, legal and diplomatic discourses (surveyed in Chapter One). It will also consider the relative dynamism and stability of these diplomatic elements over time, alongside other possible ‘variables’ (for example: chronological, regnal, regional and archival factors) in the use and deployment of certain diplomatic forms.

A critical question at the heart of this analysis involves the issue of the precise nature and function of the range of formulae employed in pre-Conquest writs. Florence Harmer interpreted the appearance of sequences of distinct formulae, namely alliterative formulaic word-pairs, as ‘undoubtedly ancient alliterative jingles [...] arranged for remembrance among the Germanic peoples in rhythmical and alliterative patterns.’²⁸⁴ Nicholas Brooks and Susan Kelly more recently stated a similar view, characterising such ‘rhyming, rhythmical and alliterative phrases’ as ‘presumably oral-formulaic’ and that such language probably ‘formed part of the familiar business of those courts for several

²⁸³ Sharpe, ‘Use of Writs’, p. 254.

²⁸⁴ *Writs*, p. 87.

centuries.’²⁸⁵ These theories merit sustained re-assessment. Might it be possible to discern the function of these formulae, in their contemporary settings? Who would have heard them, and what impact might they have had on their audiences at different levels of the late Anglo-Saxon body politic? Might they, moreover, have served a function in connecting the royal centre, with its manifold and changing desires and demands, with the world of local élites? In seeking to answer these questions, my analysis draws upon recent work concerning the use of symbolic language within Carolingian royal diplomas, in particular the question of the relative performativity of different diplomatic typologies, and the use of repetitive elements within them.²⁸⁶

3.2. *The Protocol or Opening Clause*

The presence of a distinctive protocol or opening clause was central to Harmer’s definition of the writ as a diplomatic genre, who conceived of the pre-Conquest writ as essentially ‘a letter on administrative business to which a seal was appended, and the protocol (or opening clauses) of which named the sender of the letter and the person or persons to whom it was addressed, and contained a greeting.’²⁸⁷ As Harmer also noted, in the majority of surviving examples, the protocol acted as a conduit between the ruler and the ranked authorities of the shire court—although hundred courts, borough courts and individuals were also addressed (see below, section 3.2.1.). This in turn reflected one of the functions of the shire court as a site for the adjudication and resolution of *bocland* disputes.²⁸⁸ In this section, possible influences on the form of the writ protocol will be

²⁸⁵ *CantCC*, p. 147; see also Oosthuizen, *Tradition*, p. 14, recognizing the features of ‘repetition, verbal contrasts, musicality and predictive phrasing [which] helped to embed oral texts in the minds of speakers and listeners.’

²⁸⁶ ‘Performativity’ here is defined as the propensity for a text or charter to be read aloud or performed at a forum or other public setting in order to announce, publicize, or affect political action. My definition draws on the work of, amongst others, Stock, *Implications*, pp. 14–16, 42, 49–50; Koziol, *Politics of Memory*, pp. 3–5, 40–3; Roach, ‘Public Rites’, pp. 185–92; and *idem*, *Kingship*, pp. 11–20. The term itself derives from the work of Austin, *How To Do Things With Words*. For iterative language in diplomatic contexts and its relationship with the communication of different types of authority, see Garipzanov, *Symbolic Language*, pp. 27–8, 44 and 319. More recently, Koziol emphasized the potential performative functions of diplomatic formulae in his ‘Making Boso the Clown’, p. 47.

²⁸⁷ *Writs*, pp. 1, 24–8; see also Oliver, ‘Legal Documentation’, pp. 515–8.

²⁸⁸ Kennedy, ‘Disputes’; Lloyd, ‘Reeves’, pp. 14–17; Molyneaux, *Formation*, pp. 198–217; and Chapter One above, sections 1.3–4.

investigated, followed by analysis of the surviving protocol typologies and the possible factors behind their variation.

3.2.1. Development of the Writ Protocol

As outlined in Chapter One (section 1.2.), the writ protocol took its basic structure from the antecedent Latin *ille illo salutem* ('X greets Y') formula. This simple formulation had its origins in Greek and Roman epistolary culture: appearing in missives of emperors, provincial governors and early popes, as well as some of the earliest letters of Cicero.²⁸⁹ Lisi Oliver has suggested that the formula may have entered into England as early as the Augustinian mission of the late sixth century; indeed, it appears already in embellished form in Bede's dedicatory letter to Albinus, abbot of St Peter's and St Paul's (later St Augustine's, Canterbury), prefixing his early-eighth-century *Historia Ecclesiastica*: 'Desiderantissimo ac reuerentissimo patri Albino, Baeda famulus Christi salutem.'²⁹⁰ This sat alongside another missive embedded in the same work and employing the *salutem* formula, namely Pope Honorius's letter of 634 to King Edwin of Northumbria, with its elaborate address clause: 'Domino excellentissimo atque praecellentissimo filio / Eduino regi Anglorum Honorius episcopus seruus seruorum Dei salutem.'²⁹¹

The *salutem* formula appears, by the ninth century, to have been vernacularized and embedded in Old English dedicatory prefaces, which themselves appropriated formal aspects of epistolary writing for their own purposes.²⁹² In the prose preface to the Alfredian translation of Gregory the Great's *Regula pastoralis*, the *salutem* structure is enhanced with two adverbs expressing royal friendship and solidarity: 'Ælfred kying hateð gretan Wærferð biscep his wordum luflice and freondlice, and ðe cyðan hate ðæt

²⁸⁹ Lanham, *Salutatio Formulas*, p. 17; Lupoi, *Origins*, p. 306.

²⁹⁰ 'To his most dear and most revered father Albinus, Bede, a servant of Christ, sends greeting.' Bede, *Epistula ad Albinum* (ed. Westgard, p. 214); for discussion, see *Writs*, p. 26; and Oliver, 'Legal Documentation', p. 517.

²⁹¹ 'To my most excellent Lord and noble son, Edwin, king of the English, Bishop Honorius, servant of the servants of God, sends greeting.' Bede, *HE*, ii.17 (ed. Colgrave and Mynors, p. 194). The *HE* contained fourteen embedded papal letters but only this example employed the *salutem*-type address; see Story, 'Bede', p. 783.

²⁹² Irvine, 'Uncertain Beginnings', p. 5.

[...].²⁹³ Similarly, in the late-tenth-century preface to Ælfric's *Lives of Saints*, the author begins: 'Ælfric gret eadmodlice Æðelweard ealdorman', again indicating that the vernacularized *salutem* formula was in wider use at this time.²⁹⁴ The modification of the form with such adverbs as *eadmodlice* and *freondlice* should be seen in the context of the emergence of a wider discourse of friendship and affectionate language in Anglo-Saxon elite culture. As Els Schröder has highlighted, tropes of friendship appear in the proems of royal diplomas as early as the reign of Edmund c. 940 (e.g. SS 467, 471, 478), as well as in their dispositive sections and (more rarely) witness-lists and sanctions; such language is also frequently encountered in vernacular texts such as letters, wills, agreements and dispute memoranda.²⁹⁵ These tropes and lexical choices, emphasizing solidarity and harmony between potentially competing social forces, was a prominent aspect of political communication in later Anglo-Saxon England, operating at the frontier of formal and informal social power.²⁹⁶

The writ protocols thus identify the sender of the writ and their rank, and delineate the addressees, who are sometimes named individually, sometimes ranked and sometimes addressed generically as collectives. The opening clause typically describes the principal power brokers of the shire court (the presiding ecclesiast, earl and thegns), but the form had some adaptability: one writ, for example, addresses a hundred court, and four are directed to the borough courts of London, Winchester and Thetford.²⁹⁷ It is worth stressing here that these writ address clauses are, by their very nature, strictly formal in their register and therefore narrow: when described in other kinds of vernacular document (typically in witness-lists or less formal descriptions of witnesses), shire meetings take on a much more varied appearance. For example, secular kin (the sons and brothers of earls

²⁹³ 'King Alfred sends his greetings to bishop Wærferth with affectionate and friendly words and informs you that [...]' *Pastoral Care* (ed. Sweet, p. 3).

²⁹⁴ 'Ælfric send humble greetings to the ealdorman Æthelweard.' *Ælfric's Prefaces* (ed. Wilcox, pp. 120–1).

²⁹⁵ Schröder, 'Friendship and Favour', pp. 95–139; Insley, 'Where Did All The Charters Go?', pp. 115–6; cf. Barrow, 'Friends', p. 111. The affectionate greeting *leof* is common in wills and is also used in the protocol of the Fonthill Letter (S 1445, *CantCC* 104), and Tollerton has suggested that wills may have appropriated such language from the discourse of letters; see her *Wills*, pp. 23–4.

²⁹⁶ See Schröder, 'Friendship and Favour', pp. 135–9, who posits that the noun *freond* itself encompassed far-removed kin, in-laws and those bound by spiritual bonds such as god-parents, and was thus a flexible tool used to enlarge groups of associates. See also Stafford, *East Midlands*, pp. 164–5; and Lancaster, 'Kinship I', pp. 237–9.

²⁹⁷ For a hundred court, see S 1241, and for borough courts, see: SS 1096, 1103, 996, and 1153.

and also bishops) loom large in these types of memoranda as witnesses to agreements at the shirt-court level, along with élite women and their allies, but they do not find themselves addressed explicitly in writ protocols.²⁹⁸

The hierarchical formulation itself, describing ecclesiastical and secular power brokers beneath the king, is clearly a very old one. As noted in Chapter One, the prologue to the late-seventh-century laws of Ine describes how the king consulted his father, two bishops and all his ealdormen and chief councillors before creating the code, thus addressing an ordered and stratified West Saxon body politic: ‘Ic Ine [...] mid geðeahte 7 mid lare Cenredes mines fæder 7 Heddes mines biscepes 7 Eorcenwoldes mines biscepes, mid eallum minum ealdormonnum 7 þæm ieldstan witum minre ðeode 7 eac micelre gesomnunge Godes ðeowa [...]’.²⁹⁹ Edward the Elder’s first law-code of the earlier tenth century, meanwhile, addressed the reeves of the kingdom and urged them to do justice according to written laws (‘dombec’): ‘Eadwerd cyning byt ðam gerefum eallum, ðæt ge deman swa rihte domas swa ge rihtoste cunnon, 7 hit on ðære dombec stande.’³⁰⁰

A rather more precise formulation of the perceived local hierarchy can be found in Æthelstan’s London ordinance (or ‘VI Æthelstan’), delineating the bishops, ealdormen and reeves of the king’s *anweald* (‘territory’): ‘Endlyfte, þæt Æthelstan beot his bisceopum 7 his ealdormonnum 7 his gerefum eallum ofer ealne mine anweald, þæt ge þone frið swa healdan swa ic hine gerædd habbe 7 mine witan.’³⁰¹ Like the protocols of eleventh-century writs, the London ordinance is describing the stratified structure of a local assembly. The need for unambiguous communication between the peripatetic royal ‘centre’ and more distant localities was becoming increasingly relevant throughout the

²⁹⁸ For depictions of secular kin and their rôle in local dispute adjudication see, for example: SS 1462, 1473 and 1406. For women (especially widows, aristocrats, and royal women) as legal actors in local and central aulic contexts, see Rabin, ‘Female Advocacy’, p. 264.

²⁹⁹ ‘I, Ine [...] with the advice and instruction of Cenred my father, and Hædde my bishop, and Eorcenwold my bishop, and with all my ealdormen and the chief councillors of my people, and with a great assembly of God’s servants [...]’ *Ine Prol.* (ed. Liebermann I, pp. 88–9).

³⁰⁰ ‘King Edward commands all [his] reeves, that you judge such legal decisions as you know to be the most righteous, and as it stands in written laws.’ *I Ew Prol.* (ed. Liebermann I, pp. 138–40). For the function of this passage, see Cubitt, “‘As the Lawbook Teaches’”, p. 1033.

³⁰¹ ‘Eleventhly: Æthelstan commands his bishops and his ealdormen and all his reeves over all my dominion, that you observe the peace just as I and my councillors have enacted it.’ *IV As 11* (ed. Liebermann I, p. 182).

course of the later ninth and early tenth centuries, in a formulation that would later become formally embedded in the writ protocol.

Other protocol formulations can be found in concurrent eleventh-century texts, which were evolving alongside the body of extant pre-Conquest writs. Cnut's so-called letter to the English people of 1019 × 1020 begins with the elaborate protocol: 'Cnut cyning gret his arcebiscopas 7 his leodbiscopas 7 þurcyl eorl 7 ealle his eorlas 7 ealne his þeodscype, twelfhynde 7 twyhynde, gehadode 7 læwede, on Englalande freondlice.'³⁰² The cleavage emphasised here between 'twelve-hundreders' (king's thegns with a *wergild* of 1200 [shillings]) and 'two-hundreders' (those with a *wergild* of 200 [shillings]), finds parallel in an authentic writ of Cnut (S 985, *CantCC* 145) issued *c.* 1018, in which Cnut greets, amongst others 'ealle mine þegnas tpelfhynde 7 tpihynde freondlice'³⁰³ and reveals the flexibility of such modes of address to accommodate developing conceptions of the body politic and its inclusive scope. A similar *salutem* protocol is found in Cnut's *epistola* of 1027, which survives only in Latin (probably a post-Conquest translation of a document originally composed in the vernacular): 'Cnuto rex totius Anglie et Denemarcie et Norreganorum et partis Suanorum Æthelnotho metropolitano et Alfrico Eboracensi archiepiscopo omnibusque episcopis et primatibus et toti genti Anglorum tam nobilibus quam plebeiis salutem.'³⁰⁴ Here the royal style takes on a more ostentatious form and the sequence of addressees is no less detailed, with 'tam nobilibus quam plebeiis' a likely Latin rendering of 'twelfhynde 7 twyhynde' or similar word-pair. The letters of 1019 × 1020 and 1027 contained manifold announcements: emphasizing the primacy of divine law and royal authority, outlining the responsibility of reeves and other important legal functionaries amongst other stipulations; and it seems

³⁰² 'King Cnut greets in a friendly manner his archbishops and his diocesan bishops and Earl Thorkel and all his earls, and all his people, 'twelve-hundreders' and 'two-hundreders', ecclesiastic and lay, in England.' *Cn 1020* (ed. Liebermann I, p. 273).

³⁰³ 'All my thegns both 'twelve-hundreders' and 'two-hundreders', in a friendly manner.' For these terms, see *Writs*, pp. 169–70; and *CantCC*, p. 1059.

³⁰⁴ 'Cnut, king of all England, and of Denmark, and of the Norwegians, and of part of the Swedes, sends greeting to Æthelnoth the metropolitan, and to Ælfric, archbishop of York, and to all the bishops and primates, and to the whole English people, both noble and common.' *Cn 1027* (ed. Liebermann I, p. 276).

likely that their protocols would have allowed these texts to penetrate the shire-court communities in crucial periods of Cnut's personal absence from the English kingdom.³⁰⁵

3.2.2. *Typologies of Writ Protocol: Groups A, B, and C.*

Through an analysis of the form and structure of the address clauses employed within Anglo-Saxon writs, it is possible to observe typological groups of protocol styles that defy archival boundaries and therefore hint at centralizing practices and proclivities. These groups have been tabulated in Appendix I, Figure 3.1., which shows the three main groups of writ protocol, the total number of pre-Conquest writs in each grouping, and the archival spread of these protocol forms. The largest group, termed here Group A, are those protocols that greet a fixed sequence of identified individuals: typically a named presiding bishop of the shire, a named ealdorman or, later, earl, followed by the thegns of the relevant shire territories. To take an example: 'Eadward kyng gret Heremann biscop 7 Harold eorl 7 ealle mine þegenas on Dorsætan freondlice.'³⁰⁶ This formulation is the most populous typology of writ protocol, and to my mind constitutes its 'standard' formulation, upon which other improvisations could be made, and within which other individuals could be slotted.

A number of important sub-typologies occur within Group A, in which other ranked groups and individuals are addressed. Sometimes a named shire-reeve is inserted, positioned between the earl and thegns: 'Eadward kingc gret Alfwolf biscop 7 Harold eorl 7 Alfred scyrgereuan 7 ealle mine þegenas on Dorsætan freondlice.'³⁰⁷ At other times, a named but unranked individual (or individuals) is included, in the same position: for example, Godric, Ælfwine and Ælfric, Toli, Æthelric and Osweard—deemed important enough to include in the clause above and distinct from the general address to

³⁰⁵ *Writs*, p. 56; Keynes, 'Additions'; Lawson, *Cnut*, pp. 89–95; Wormald, *Making*, p. 348. A further stylistic parallel can be found in the address clause of Æthelred's Eynsham charter (S 911, KCD 714), discussed below in section 3.3.

³⁰⁶ 'King Edward sends friendly greetings to Bishop Herman and Earl Harold and all my thegns in Dorset.' (S 1064, *Writs* 2).

³⁰⁷ 'King Edward sends friendly greetings to Bishop Ælfwold and Earl Harold and Alfred the sheriff and all my thegns in Dorset.' (S 1063, *Writs* 1). This writ is preserved at Abbotsbury, like the aforementioned 'standard' Group A-type protocol of S 1064.

the thegn collective.³⁰⁸ The unranked Æthelric, who appears in the protocol of three Christ Church, Canterbury writs, for example, could have been the shire-reeve of the same name, or the wealthy Kentish landowner Æthelric bigga, who is described attending a shire-court meeting in a mid-eleventh-century vernacular memorandum of an estate purchase.³⁰⁹ The unranked status of such individuals could be an indication of their local power and pre-eminence, implying a level of name-recognition in the context of both the royal court and regional shire communities. Port-reeves (positioned between earl and thegns) and abbots (positioned immediately after the archbishop/bishop) are also addressed, albeit less frequently, and distributed across a number of archives.³¹⁰

A further small but significant group of protocol addressees are the stallers (positioned after archbishop/bishop/earls and before thegns) embedded in a total of five authentic protocols, although their confinement to writs from the Westminster archive has aroused suspicion.³¹¹ Certainly stallers, like port-reeves, abbots, and others, would have been present at shire-court meetings, since they appear in depictions of shire-court activity within other types of locally focused memoranda.³¹² The evidence is inconclusive, but given the relative flexibility of the protocol to accommodate ranks such as port-reeves and abbots, the presence of stallers could be another example of variation by the protocol draftsmen, conscious of local political particularism. As Katharin Mack has shown, such men were more intimately connected to Edward himself with a degree of

³⁰⁸ See, for example: SS 1066, 1069, 1070, 1078, 1080, 1083, 1084, 1085, 987, 988, and 1092 *inter alia*.

³⁰⁹ S 1473 (*CantCC* 171), which survives as the upper portion of a tripartite chirograph.

³¹⁰ For port-reeves (administrators of towns), see: SS 1096, 1103, 1149, and 1150 (the writs that contain these protocols are spread across the archives of Chertsey, London St Paul's and Westminster), and for abbots see, for example: SS 985, 1111, and 1137 (distributed across the archives of Canterbury Christ Church, Wells and Westminster). As the Cuckhamsley chirograph (S 1454, *CantCC* 133) demonstrated, abbots sometimes had an important rôle to play in the ritual of shire-court proceedings, and they also appear as witnesses in other vernacular accounts of shire-court adjudication.

³¹¹ These are: SS 1119, 1128, 1129, 1135, and 1142; all surviving as later copies. James Lloyd has suggested that it could well be that Westminster copyists, 'thinking stallers more prestigious, introduced them into the addresses themselves'; see his 'Reeves', p. 86; cf. *Writs*, pp. 50–2.

³¹² Three named and ranked stallers, for example, appear in the witness-list of a (probably authentic) mid-eleventh century agreement S 1476 (*Charters* 114).

influence and wealth that rivalled some of the lesser earls, and their pre-eminence in London and its adjacent shires would be hardly surprising.³¹³

The Group A-type protocol, with its various substrata, can be distinguished from a second type, Group B, in which the address is directed to ranked collectives rather than identified individuals, and typically finishes with the specifics of the beneficiary, usually a religious community alongside a named churchman. For example, the protocol of the Bury single-sheet writ for Abbot Leofstan takes the form: ‘Eadweard cyngc gret mine bisceopas 7 mine eorlas 7 ealle mine þegnas on þam sciren þær Sce Eadmund hafað land inne freondlice.’³¹⁴ There is some discernible variation within the group: occasionally an archbishop or bishop is named alongside their community (or independently), and sometimes an abbot is identified in the same way, for example: ‘Eadward king gret his bisceopas et his abbodas 7 his heorlas 7 þeignas þe on þam scyran syndon þe Ordric abbud hæfð land inne.’³¹⁵ In three surviving cases, ranked collectives are described without reference to the relevant community or its lands, for example: ‘Eadward kyngc gret alle mine bisceopes 7 mine eorles 7 mine þegenes on Barrocschire 7 on Middelsexen freondlice.’ (S 1141, *Writs* 97).³¹⁶ However the confinement of this latter type to the Westminster archive and the status of these writs as later copies (each undergoing a degree of alteration) would suggest that this formulation most likely represents a truncated form of the Group B-type protocol, and was probably the product of later scribes rather than an authentic mid-eleventh-century protocol formulation.³¹⁷

How might we explain the difference, then, between the protocols of the Group A- and B-types? Neither appears to have been an innovation of any particular period; the

³¹³ Mack, ‘Stallars’, p. 123; Naismith, *Citadel*, p. 164.

³¹⁴ ‘King Edward sends friendly greetings to my bishops and my earls and all my thegns in the shires in which St Edmund has land.’ (S 1071, *BuryStE* 12). Two other single-sheet originals (SS 1088 and 1125) have a protocol of the Group B-type, suggesting that it represents an authentic and contemporary eleventh-century formulation.

³¹⁵ ‘King Edward greets his bishops and abbots and his earls and thegns in the shires in which Abbot Ordric has land.’ (S 1065, *Abing* 148). For archbishops and bishops addressed in Group B, see: SS 986, 1086, 1088, 1089, 1097, and 1159 (represented across three archives); and for abbots addressed, see: SS 1065, 1099, 1125, and 1099 (likewise spread across three different archives).

³¹⁶ ‘King Edward sends friendly greetings to all my bishops and my earls and my thegns in Berkshire and in Middlesex.’ The two other examples of this particular protocol formulation are SS 1143 and 1145.

³¹⁷ For the inter-relationship between the three texts, see *Writs*, pp. 326–32.

Group B-type dates from (possibly) as early as the reign of Æthelred (and certainly from the reign of Cnut) down to the Conquest; and the Group A-type inhabits a broadly similar chronological range.³¹⁸ Both protocols are employed for writs with a range of ostensible functions in terms of the contents of their main announcements (see Appendix I, Figure 1.3.); however the range of functions represented by writs with protocols from the Group B-type is considerably more limited. As such, all writs with the B-type protocol are either declarations of a grant of land alongside legal/fiscal privileges or declarations of legal and fiscal privileges, with the exception of an announcement of an abbatial appointment (with associated legal and fiscal privileges) and two episcopal appointments (alongside legal and fiscal privileges).³¹⁹ The A-type protocol, meanwhile, is employed for writs of a much broader range of functions, for example: permission to bequeath lands (S 1064); declaration of a grant of a moneyer (S 1085); permissions for charters to be created (SS 1067, 1105, 1115), and many others (as well as the more common surviving examples of declarations of land and legal/fiscal privileges).³²⁰ Thus the B-type protocol appears to have been reserved for writs concerned with the weighty issue of announcements of transfers of land, legal/fiscal privileges and episcopal/abbatial appointments, and to my mind may have been developed specifically for this purpose, thus marking a significant and consequential moment within shire-court ceremonial. This function is echoed by the B-type protocol style itself, delineating shire-court collectives (bishops, abbots, earls and thegns) followed by the identified beneficiary or recipient in a hypermetric position, thus placing syntactic emphasis on the latter.³²¹

In addition to Groups A and B, a further, highly heterogenous group of protocols, Group C, can be identified, which incorporates address clauses that do not fit the more

³¹⁸ The earliest examples of writs with Group A-type protocols are: S 946 (*Writs* 107) issued by Æthelred II and dated c. 984 × 1001; and later S 985 (*CantCC* 145), dated 1017 × 1020; and S 991 (*Writs* 48), issued 1017 × 1030. The earliest of the B-type are: S 945 (*LondStP* 24), possibly dating to as early as c. 978 (although the problematic nature of this document was noted in Chapter One, section 1.3.); and S 992 (*LondStP* 27), issued by Cnut and dated c. 1033 × 1035.

³¹⁹ These exceptions are: SS 1100, 1151 and 1152.

³²⁰ For the diverse functions of writs with the group A-type protocol, see also: SS 1404, 1075, 1081, 1082, 1083, 985, 987, 1102, 996, 1111, 1113, 1116, 1132, 1134, 1135, 1136, 946, 1153, 1156 and 1158.

³²¹ Hypermetric lines are also employed in writ main announcement clauses to similar effect; see below, section 3.3.

rigid established ‘norms’ of the first two typologies.³²² The opening clauses of this ‘tail’ group are notable for their sheer diversity in terms of the individuals, institutions and collectives addressed. The Group C-type has a very broad date-range: the earliest surviving example is the Ruishton letter dating from as early as *c.* 995 × 1002 (S 1242), down to Edith’s writ addressed to the Wedmore hundred (S 1241) dated *c.* 1066 × 1075; the C-type protocol thus ran coevally with Groups A and B. Several of the writs falling into this group have been classed as letters rather than writs or proto-writs by editors and critics, based on the perceived ‘private’ nature of the texts and the contexts in which they may have been deployed; an issue discussed in more detail here and in Chapter Five, below.³²³ Non-royal writs dominate Group C, with the exception of Edward’s writ for Teinfrith concerning Shepperton (S 1131, *Writs* 87), directed towards Abbot Edwin (of Westminster) and the shire-reeve Ælfgæt: ‘Edward king gret Eadwine abbot 7 Alfgæt scirrefa freondlice.’³²⁴ Harmer saw this more targeted form of address as explicable in the context of the nature of the grant to Teinfrith itself, which she postulates may have reflected a ‘private arrangement’ regarding the Shepperton land already granted to the abbey, and tentatively linking it to the land granted in the other Westminster writ concerning Shepperton (S 1130, *Writs* 86).³²⁵

Protocols of the Group C-type tend to retain the *gret...freondlice* formula, but are addressed to a wider array of socio-political and legal communities: the hundred court (S 1241), as well as individuals and more precisely defined groups. In two cases, however (and the only instances in the entire pre-Conquest writ corpus), *eadmodlice* (‘humbly’) is employed as the adverb in the protocol. Both writs are addressed to clearly identified individuals rather than shire-court collectives: Archbishop Wulfstan’s writ, addressed to ‘Cnut cyning his hlaforð 7 Ælfgyfe þa hlæfdian eadmodlice’ (S 1386, *CantCC* 150) and the Ruishton letter, directed from Ælfthryth to ‘Ælfric arcebiscop 7 Epelwerd ealdarman eadmodlice’ (S 1242, *Writs* 108). This lexical choice, emphasizing respect and

³²² Group C-type protocols include six writs spread across six different archives: the Ruishton Letter (S 1242), Bishop Æthelric’s writ (S 1383), Archbishop Wulfstan’s writ (S 1386), Edward’s writ for Teinfrith (S 1131), Gospatric’s writ (S 1243), and Edith’s writ (S 1241).

³²³ For example, Brooks and Kelly posit that Wulfstan’s writ (S 1386) ‘may best be understood as a letter from Archbishop Wulfstan to the king and queen, rather than a proto-writ’, see *CantCC*, p. 1075; cf. *EHD I*, p. 601; and *Writs*, pp. 23–4.

³²⁴ ‘King Edward sends friendly greetings to Abbot Edwin and Ælfgæt, shire-reeve.’

³²⁵ *Writs*, pp. 319–20.

subordination on the part of the issuer, can be explained in the context of the idiosyncratic social setting of these texts. In the case of the Ruishton letter, Andrew Rabin has elucidated Ælfhryth's strategic 'rhetoric of advocacy' employed within the text: noting her attempt to relegate her own participation in the original transaction (and resulting dispute) to that of a disinterested witness; consciously omitting reference to her royal status or political connections to Æthelwold; and emphasizing relevant bonds of kinship instead—thus attempting to provide a convincing response to the charges of historic impropriety through careful use of political positioning.³²⁶ To my mind such a reading of the Ruishton letter's main announcement clauses also fits with the deliberate use of the adverb *eadmodlice* in the protocol, setting the tone for Ælfhryth's carefully arranged account.

A similar reading can be applied to Wulfstan's writ (S 1386), with its deliberately crafted protocol and main clauses informing Cnut and Emma that Æthelnoth has been consecrated to the see of Canterbury in accordance with the king's *swutelung* which 'came from you to us' ('spa spa us sputelung fram eop com'), and containing the central appeal that Æthelnoth be entitled to the same 'rights and dignities' as his predecessors: 'Nu bidde ic for Godes lufon 7 for eallan Godes halgan þæt ge pitan on Gode þa mæpe 7 on þam halgan hade þæt he mote beon þære þinga pyrpe þe oþre beforan pæron Dunstan þe god wæs 7 mænig oþer þæt þes mote beon eall spa rihta 7 gerysna pyrðe.'³²⁷ As noted in Chapter Two, Æthelnoth's consecration represented a victory for the community at Canterbury, since Æthelnoth came from their own monastic stock (and represented a break with the century-old tradition of Canterbury elevating a bishop from a West Saxon

³²⁶ Rabin, 'Female Advocacy', pp. 281–8. Ælfhryth's historic impropriety is alluded to within the clause: 'Nu cydde man me þat Aðelwold bisceop 7 ic sceoldon ofneadian þa boc æt Leofrice.' ('Now I have been informed that Bishop Æthelwold and I must have obtained the *boc* from Leofric by force.'). reflecting the social value of charter ownership and their function as title-deeds.

³²⁷ 'Now I ask you, for the love of God and for all of God's saints, that you shall honour God and the holy order, that he be entitled to the things that others were previously entitled to: Dunstan the Good and many others, that this man be likewise entitled to the rights and dignities.' This reference to 'rihta 7 gerysna' ('rights and dignities') may be a reference to the privileges which would later be embodied in the writ S 986 (*CantCC* 150A), in which Cnut declares that he has granted to Archbishop Æthelnoth sake and soke alongside *griðbryce*, *hamsoen*, *forsteal*, *infangenþeof*, and *flymenafyrmb*, and preserved alongside Wulfstan's writ as an addition to the MacDurnan Gospels; see *CantCC*, pp. 85–7 and Chapter Two, section 2.3.3., above. For *swutelung*, see Chapter One, section 1.4.

see to their archbishopric). Wulfstan's intervention, which itself conforms to his broader concern for the mechanics of consecration, may have reflected an anxiety that Æthelnoth, in one sense a political outsider, be entitled to the same financial and legal rights as his West Saxon predecessors.³²⁸ In my view, Wulfstan's protocol formulation with its employment of *eadmodlice* (and careful placement of *leof* in the introduction to its main announcement: '7 ic cyþe inc leof þæt [...]'³²⁹) should be understood in the context of these delicate socio-political circumstances.

Other examples from the C-type group further reveal the adaptability of the protocol, which could specify addressees and, in doing so, function as a more targeted and supple legal instrument. The protocol of Gospatric's writ (S 1243, *North* 21), issued either by Gospatric (d. 1064), son of Earl Uhtred (d. 1016) or Gospatric, earl of Northumbria (1067–8 and 1070–2), son of Maldred, provides an example of such targeting, addressing four distinct socio-political collectives: 'Gospatrik greot ealle mine passenas 7 hpylkun mann freo 7 ðrenge þeo poonnan on eallun þam landann þeo peoron Cōmbres 7 eallun mine kynling freondlyce.'³³⁰ The Cumbric plural noun 'passenas' has been recently re-approached by Andrew Breeze, noting the similarity of its first element *pas-* with Cornish *guas*, Old Breton *guos*, Old Irish *foss* and Gualish *uassos* (all meaning 'male-servant' or 'attendant'); and concluding that *wassenas* must represent a Northumbrian borrowing from Cumbric with the meaning 'retainers'.³³¹ Also addressed are 'hpylkun mann freo 7 ðrenge' ('every free man and *dreng*'), the latter category most likely a rendering of the Old Norse *drengr* ('young man') and pointing to a Scandinavian influence or cultural affinity.³³² The final group, 'kynling', is a *hapax legomenon* apparently deriving from Old English *cynn* ('kindred'), and probably with the same or similar meaning.³³³ The writ itself announces a grant by Gospatric to Thorfynn mac Thore, which includes a complex combination of privileges and immunities (incorporating a statement reminiscent of a boundary-clause delineating the territorial

³²⁸ Brooks, *Early History*, p. 290; Mann, 'Development', pp. 261–5; *CantCC*, pp. 219–21, 1075–6.

³²⁹ 'And, beloved, I inform you both that [...].'

³³⁰ 'Gospatric greets all my *wassenas* ('retainers') and every free man and *dreng* who live in all the lands that were Cumbrian and all my kindred in a friendly manner.'

³³¹ Breeze, 'Old English *wassenas*', pp. 272–5; *North*, p. 375.

³³² *North*, p. 375; Charles-Edwards, *Wales*, pp. 576–7.

³³³ *Writs*, p. 533; *North*, p. 375.

limits of the granted freedoms), framed around a prohibition clause invoking ‘seo gyrrh ðyylc Eorl Spward 7 ic hebbe getyðet’ (‘the peace which Earl Siward and I have granted’). As such it is hardly surprising that its protocol has been constructed in a politically sensitive manner, targeting the diverse socio-ethnic and legal communities of eleventh-century Cumbria, and more specifically the subjects of Thorfynn mac Thore.³³⁴

The writ of Lady Edith to the hundred at Wedmore (S 1241, *Writs* 72), with its protocol: ‘Eadgyþ seo hlauedi Eadwardes kynges lefe gret al þat hundred at Wedmore frendliche’ displays a similar concern to address a specific local legal community.³³⁵ In this case, Edith’s writ has a dual function as an announcement of land and associated privileges at Mark (which lay within the hundred), as well as a petition for legal intervention, requesting that the hundred court pronounce a judgement concerning a certain (otherwise unattested) Wudumann, who owes Edith six years of rent: ‘And ic bidde eow þat ge deme me richtne dom of Wudemann þe ic min hors bitachte 7 mi gael haeð ofhealden six gear eiðer ge hunig 7 eac feoch.’³³⁶ Edith’s request reflects the function of hundred courts as fora for the regulation and adjudication of trade, for appointing witnesses, allocating confiscated goods, and no doubt a variety of other unrecorded business.³³⁷ The survival of this text in turn hints at the scale of loss of such documents targeted towards legal communities that lacked institutional or enduring means of document preservation, and concurrently hints that the C-type protocol must have been far more ubiquitous in late Anglo-Saxon England than the surviving sample of six documents would suggest. To my mind, this applies particularly to documents with protocols akin to Edward’s writ for Teinfrith (S 1131, *Writs* 87), i.e. royal writs directed

³³⁴ For further discussion of this text, see Chapter Five, below; for the social and ethnic complexion of Cumbria and its neighbours in the eleventh century, see Insley, ‘Regional Variation’; Edmonds, ‘Personal Names’, pp. 53–61; *eadem*, ‘Emergence’; and *eadem*, ‘Expansion’, pp. 50–66.

³³⁵ ‘The Lady Edith, widow of King Edward, sends friendly greetings to all the hundred at Wedmore.’

³³⁶ ‘And I bid that you make a just judgement concerning Wudumann to whom I entrusted my horse/s and who has for six years withheld my rent, both honey and money also.’ For further discussion, see *Writs*, pp. 274–7; and below, Chapter Five, section 5.3.2.

³³⁷ For the development and functions of hundreds (which can refer both to geographical districts and legal/court entities), see Williams, *Kingship*, pp. 88–90; and Molyneaux, *Formation*, pp. 121–3, 141–55.

to parties other than the standard A and B-type shire-court collectives, perhaps tending to concern ‘private’ arrangements or land already granted.

Therefore, and in a similar fashion to the B-type protocol, a close link can be observed between the nature of the C-type protocols and the ostensible function/s of the writ itself. Moreover, the non-royal or ‘private’ writs that sit in this grouping provide another reminder, seen elsewhere in pre-Conquest diplomatic, of the ways in which royal diplomatic forms could provide paradigms for other élites drawing up documents to further their own interests in the eleventh century, and hints at the politics behind some of the connections and overlap we see between different diplomatic typologies; this is particularly the case for Gospatric’s writ and is explored in further detail in Chapter Five, section 5.3.³³⁸

As aforementioned, the specificity of certain protocol addressees in Group C has invited speculation concerning the ‘public’ versus ‘private’ setting of such writs, and whether they are better conceptualized as proto-writs or letters, intended to be read in ‘private’ rather than aulic settings; or, indeed, whether they represented oral pronouncements drawn up *post factum* in different formats and contexts.³³⁹ Whilst all the writs in this category resist easy classification and should each be understood on their own terms, in my view they should not be relegated to the genre of ‘private correspondence.’ Æthelric’s writ, for example, although addressed to Æthelmær as an individual, may also be conceptualized as a writ intended to be read aloud at the shire court, intended specifically for the ear of one particular shire-court suitor. Moreover, as Mary O’Donovan has noted, it is clear that the document’s purpose hinged around a very active and direct request for intervention on the part of Æthelric, and that we would expect a beneficiary (interrogating Chaplais’ model) to have generated a more positive

³³⁸ All writs issued by individuals other than kings employ C-type protocols, with the exceptions of: King Harthacnut and Queen Ælfgifu’s joint writ for Ramsey (S 997), Bishop Siward’s writ (S 1404), Abbot Wulfwold’s writ (S 1427), and Queen Edith’s first writ for Giso (S 1240), which all employ variants of the A-type protocol. For discussion of the distinction between royal diplomas and ‘private’ deeds, see Snook, *Chancery*, pp. 1, n. 3, 19–20, and Chapter Five, below.

³³⁹ See *CantCC*, p. 1075; and *Sherb*, pp. 47–8, both drawing on and critiquing earlier observations by Chaplais, ‘Chancery’, pp. 174–5, who posited that texts such as Æthelric’s writ and the Ruishton letter are best understood as records of oral pronouncements produced after the event by beneficiaries or interested parties.

and conclusive record.³⁴⁰ When understood in these aforementioned contexts of local and regional legal communities, the C-type writs (and their protocols) illuminate the nature of diverse local fora as vibrant spaces of encounter, sociality and petition.

3.3. *The Main Announcement Clause*

In light of our consideration of the development, content and structure of the writ address clauses, we can now turn to the next key diplomatic component of these documents, namely the main announcement clauses (also termed the clause of instruction or notification), in which the specific notification is contained. To introduce the clause, the short phrase: *7 ic cyðe eop* (or *ðe* or *inc*) (‘And I inform/make it known to you that’) is employed, invoking the personal voice of the king or issuer.³⁴¹ Such verbs of speaking are a common feature of wills (particularly multi-gift wills), which tend to centre the personal voice of the testator; for example Ealdorman Ælfred’s ninth-century will (S 1508, *CantCC* 96) begins: ‘Ic Ælfred dux hatu pritan 7 cyðan an ðissum geprite Ælfrede regi 7 allum his peotum 7 gepeotan [...]’.³⁴² Verbs of speaking appear also in accounts of dispute settlement, agreements, and other typologies of vernacular document, sometimes embedded (in the third-person) within formulaic constructions such as *Her cyð on ðysum gewrite hu* (‘Here it is made known in this document how’).³⁴³

³⁴⁰ *Sherb*, p. 48.

³⁴¹ Amongst non-spurious writs there is just one exception to the use of the *ic cyðe eop* formulation: Bishop Siward’s writ (S 1404, *Abing* 143), which survives as a later Latin translation of a lost vernacular original. Here the bishop’s main announcement, in which he offers testimony to the Berkshire shire court concerning the leasing arrangements of one of Abingdon’s estates in Berkshire, begins: ‘Audiui Brihtwinum terram de Lechamstede sibi omnino appropriare.’ (‘I have heard that Brihtwine has taken for himself all the land at Leckhampstead.’) For a further example of the use of the ‘staged’ first-person royal *ic* (in ‘King Edgar’s Establishment of Monasteries’), see Pratt, ‘Voice’, p. 186; and for the wider context to the use of the *ego* in diplomatic discourses, see Bedos-Rezak, ‘Medieval Identity’, pp. 1507–8.

³⁴² ‘I, Ealdorman Ælfred, declare and write in this document to King Alfred and to all his advisors and councillors [...]’. See also, for example, Ealdorman Æthelmær’s will (S 1498, *WinchNM* 25): ‘Æðelmær ealdorman cyð on ðysum gewrite his cynehlaforde 7 eallum his freondum [hwæt] his cwyde wæs to his nyhstan dæge’ (‘Ealdorman Æthelmær in this document informs his royal lord and all his friends what his will was on his last day’), then shifting to the first-person voice for the delineation of its depositions. For other examples, see Wynflæd’s will (S 1539, *Wills* 3); and Thurstan’s bequest (S 1530, *CantCC* 166); and for further discussion, see Tollerton, *Wills*, pp. 22–4.

³⁴³ For the *Her cyð* construction, see for example: SS 1454 and 1456; and for this clause’s wider functions, see Rabin, ‘Five Old English Lawsuits’, pp. 35–6. The Fonthill letter (S 1445, *CantCC*

In writs, the main announcement clause then goes on to situate and frame the notification itself. For example, in the Saint-Denis writ, Edward announces that he has granted the land at Taynton to the community in the form: ‘7 ic cyðe eow þæt ic hæbbe geunnan Criste 7 Sce Dionisie into his halgan mynstre begeondan sæ þæt land æt Tengctune [...]’.³⁴⁴ Like the protocol groupings, such clauses are stratified across a number of different typologies: these have been tabulated in Appendix I, Figure 3.2., noting their nature, frequency and archival distribution. The numbering system (1–7) is based on that established by Harmer in her ‘General Introduction’: however, I have provided an exhaustive tabulation of the (non-spurious) writ corpus (where Harmer provided examples); included non-royal as well as royal writs (which in certain cases accord to these phraseological patterns); and introduced a number of sub-typologies alongside a further category (8), for writs that do not confirm to any strict taxonomy.³⁴⁵ The largest category, type-1, is represented by the phraseology of the aforementioned Saint-Denis writ and accounts for approximately 41 percent of the surviving non-spurious writ corpus; its structure can be summarised in the form: ‘And I inform you that I have granted/have given [land/privilege/appointment/other], to *X* [...] as fully and as completely as [...]’ A small type-1 sub-group can also be identified with the structure: ‘And I inform you that *X* has sold/has given [...]’, similarly framing the action of the notification as a completed event in the past.

This can be contrasted with the type-2 structure, accounting for approximately 19 percent of the corpus, with its typical formulation: ‘And I inform you that my will is that *X* shall be worthy of (i.e. shall be entitled to/shall legally possess) [land/privilege/appointment/other] as fully and as completely as [...]’ In terms of the semantic difference between the type-1 and type-2 constructions, ostensibly the divergence appears to be on the basis of whether the action has been already completed (for example: ‘ic hæbbe geunnan’: ‘I have given/granted’) versus an implied future action (a mandate for future action is also implied in the case of types: 3, 4, 5 and 6.) It is

104) notably employs *cyðan* within its protocol: ‘Leof ic ðe cyðe hu hit pæs ymb ðæt lond æt Funtial [...]’ (‘Sir, I will tell you how it was, concerning the estate at Fonthill [...].’)

³⁴⁴ ‘And I inform you that I have granted to Christ and to the holy monastery of Saint-Denis beyond the sea the land at Taynton.’ (S 1105, *Writs* 55).

³⁴⁵ *Writs*, pp. 63–5.

difficult to discern whether the subtle temporal distinction implied by this semantic fault line had any significance in contemporary political culture: no particular pattern can be observed in terms of the nature of the typological functions of the writs themselves in either of the groupings, nor any correlations in terms of periodization.³⁴⁶

Inter-textual parallels for the clauses categorized in Appendix I, Figure 3.2. can be found in Latin royal diplomas, which in the years *c.* 900 × 1005 began to incorporate notification clauses positioned after the proem with the effect of metamorphosing ‘the operative part of the diploma, in the king’s voice, from a statement into a more direct notification.’³⁴⁷ To take an example, a diploma of King Æthelred issued in 1005 (S 912, *StAlb* 11) contains the clause: ‘Notum etiam uobis cupio fore quantum [...]’, thus preparing the audience for the dispositive section to follow.³⁴⁸ A number of possible stimuli have been posited for the development of such clauses in diplomas; amongst the most alluring being the practice whereby a given diploma was expounded or explained in the vernacular so that any assembled crowd could understand its terms.³⁴⁹ Such a social practice, rooted in the very pragmatic requirements of pre-Conquest political culture and assemblies, may have generated a demand for clear and unambiguous clauses of notification to be written into the diplomas themselves.

A further comparative case-study is provided by the language and form of King Æthelred’s diploma for Eynsham Abbey in the same year (S 911, KCD 714), an elaborate foundation charter with a *sui generis* address clause, directed to the king’s ecclesiastical and lay councillors: ‘Æðelredus gratia dei eiusque misericordia rex et rector regni Anglorum, et deuotus sanctae aecclesiae defensor humilisque adiutor, omnibus aecclesiasticae pietatis ordinibus, seu saecularis potentiae dignitatibus, in Christo domino

³⁴⁶ For example, notification clause types 1, 2, 6, and 8 all appear to have been in use as early as the reign of Cnut, with types 2 and 6 represented in the two (albeit problematic) writs of Æthelred.

³⁴⁷ Keynes, ‘Church Councils’, p. 105; *idem*, *Diplomas*, pp. 111–14; and for (non-spurious or dubious) examples, see: SS 880, 883, 937, 912, 915 and 943. Note, however, the lack of notification clauses in authentic diplomas of Cnut, Harthacnut and Edward the Confessor; see *idem*, *Diplomas*, p. 113, n. 92.

³⁴⁸ ‘I desire that it is made known to you that [...]’

³⁴⁹ This practice is attested as early as the mid-eighth century in the context of Latin documents being articulated to attendees of church councils in English. For discussion, see Cubitt, *Church Councils*, pp. 99–152, 266–7; and Keynes, ‘Church Councils’, pp. 20–1, 105.

pacis et beatitudinis praemia.³⁵⁰ This clause has been likened to the vernacular writ protocols; but to my mind is more approximate to the ornamented protocols employed nearly two decades later in Cnut's letter of 1019 × 1020 and his *epistola* of 1027 (discussed above in section 3.2.1.).³⁵¹ In all three texts, there is a concern to place the king's personal voice at their centre, responding to and addressing new and changing audiences in turbulent political times, and shifting their 'horizon of expectations.'³⁵²

Moreover, embedded in the same Eynsham foundation diploma, immediately following the boundary-clause and prior to the dating clause and witness-list, is a vernacular first-person statement from Æthelmær the Stout to King Æthelred and the witan. The announcement confirms the endowment, stating that Æthelmær is to remain 'ealdor' ('most senior') amongst the community, and that after his death they should chose a successor according to the Rule of St Benedict: 'Ic Æðelmer cyðe minan leofon hlaforde Æðelrede cynge, and eallon his witon, ðæt ic an ðysse are Gode and sancta Marian, and eallon his halgon [...]. And ic wille ðere beon ofer hi ealdor ðe ðær nu is, ða hwile ðe his lif beo [...].'³⁵³ This statement most likely represents a *post factum* record of a declaration made by Æthelmær himself before a royal assembly, and its incorporation into the diploma (which then code-switches back into Latin for the dating clause) hints at the paramount importance of clear and unambiguous communication in such elevated social settings. The similarity of Æthelmær's statement to the writ diplomatic form is clear from its use of a modified 'Ic [Æðelmer] cyðe [...] ðæt' clause (with an embedded

³⁵⁰ 'Æthelred, by the grace of God and through his mercy king and ruler of the kingdom of the English, faithful defender and humble protector of the holy church, to all those in orders of ecclesiastical piety, and to all those holding offices of secular power, the rewards of blissfulness and peace in the Lord Christ.' For discussion of the longest authentic document in Æthelred's reign, see Keynes, 'Æthelred's Charter', pp. 459–62.

³⁵¹ Keynes, *Diplomas*, p. 112, n. 89.

³⁵² The term 'horizon of expectations' is borrowed here from Garipzanov, and refers to 'how subjects tacitly participated in the indirect communication of royal/imperial authority and influenced the symbolic language developed at the highest levels of society'. See his *Symbolic Language*, p. 24; and for the origin of the term (*Erwartungshorizont*), see Jauss, 'Horizon Structure.' For diplomatic in this period as a response to contemporary society through penitential discourse, see Cubitt, 'Politics of Remorse', p. 188.

³⁵³ 'I, Æthelmær, make known to my beloved lord, King Æthelred, and to all his witan, that I have given this possession to God and Saint Mary and to all his saints [...] And I will it that he who is there now shall be chief over them during his life [...].' (S 911, KCD 714)

address clause), followed by a main announcement and additional clauses.³⁵⁴ It is perhaps one of the most lucid examples of diplomatic cross-pollination (as defined in Chapter One, section 1.5., and discussed elsewhere in this chapter), reflecting the interconnectedness of different forms of diplomatic output at various points throughout this period.

3.3.1. *Legal and Spatial Formulae and Other ‘Stylistic Devices’*

In writs declaring grants of land and/or legal and fiscal privileges (as well as numerous other typologies of announcement tabulated in Appendix I, Figure 1.3.), the terms of the grants are complemented by a sequence of formulaic word-pairs and other devices expressing the nature of the grant and framing its extent in spatial terms. For example, in a writ of Cnut issued *c.* 1035 (S 988, *CantCC* 157), the king declares: ‘*⁊ ic cyðe eop þæt ic hæbbe geunnan Æþelnoðe arcebisceope ealre þara landare þe Ælfmær hæfde ⁊ mid rihte into Cristes cyricean gebyrað binnan birig ⁊ butan on puda ⁊ on felda spa full ⁊ spa forð spa Ælfric arcebisceop hyre peold oþþe ænig his forgenegena.*’³⁵⁵ Lisi Oliver has argued that such formulaic language ‘provides a masterly example of poetic form used in legal diction’, noting the conjunction of opposites to describe alliteratively a totality, and finishing with the use of a hypermetric poetic line.³⁵⁶ In S 988 this hypermetric line to my mind coincides with, and therefore works deliberately to emphasize, the identity of the previous owner of the land, perhaps in a strategy similar to the syntactic emphasis put on the beneficiary of the writ’s announcement in the above-discussed Group B-type protocols.

Florence Harmer labelled these formulae and formulaic constructions ‘stylistic devices’, noting the relatively wide array of techniques employed, namely: alliteration (e.g. *sacu and socn; on strande and on streame*); rhyme (*be lande and be strande*); assonance (*mid mæde and mid læse*); and parallelism or antithesis, often in more complex

³⁵⁴ Æthelmær the Stout’s statement has also been compared to the phraseology of vernacular wills; see Roach, *Æthelred*, p. 207.

³⁵⁵ ‘And I make known to you that I have granted Archbishop Æthelnoth all the landed property that Ælfmær had and [which] rightly pertains to Christ Church, within borough and without, in woodland and open land, as fully and as completely as Archbishop Ælfric or any of his predecessors possessed it.’

³⁵⁶ Oliver, ‘Legal Documentation’, pp. 519–20.

constructions (*be wuda and be felda; ofer heora land and ofer heora men*).³⁵⁷ Observing the appearance of these devices in other typologies of vernacular text such as the Worcester marriage-agreement (S 1459, *Charters* 76) and an outcome of litigation at a Worcestershire shire court (S 1460, *Charters* 83), Harmer posited that they might have functioned as an *aide memoire*, facilitating the recollection of the terms of specific transaction/s.³⁵⁸

Formulaic word-pairs have long been studied in the context of the corpus of Old English verse, principally as a facet of poetic variation and its associated techniques.³⁵⁹ More recently, they have been analysed as a prominent feature of early medieval legal discourse, with critics emphasising their rôle in enhancing legal clarity and specificity (particularly of abstract concepts), rather than generating variation for its own sake.³⁶⁰ Matthias Ammon, for example, has excavated the semantic range of the *að and wedd* ('oath and pledge') type word-pair alongside its variants *að and ordal* ('oath and ordeal') and *word and wedd* ('word and pledge'), demonstrating that its two constituents are unlikely to have been originally understood as synonymous or nearly-synonymous. Rather, Ammon posits that its first constituent, *að/word*, probably refers to oral utterances or verbal promises, whilst *wedd* may represent a 'symbolic transaction', i.e. something more formal or tangible.³⁶¹ Over the course of time and with repeated use of a given collocation in diverse textual and social contexts, however, the specific emphasis of

³⁵⁷ 'Sake and soke'; 'on strand and in stream'; 'by land or by strand'; 'with meadow and with pasture'; 'in woodland and in open country'; 'over their lands and over their men'. See Harmer's taxonomy with further examples in *Writs*, p. 85–92.

³⁵⁸ Note the similarity of the clauses: '[...] to gyfene 7 to sylenne ðam ðe hire leofest wære on dæge 7 æfter dæge ðær hire leofest wære' ('to give and to grant to whomsoever she wished during this lifetime or after') in the marriage agreement (S 1459); and in the outcome of litigation (S 1460): '[...] to geofene 7 to sylenne ær dæge 7 æfter dæge sibban oððe fremdan þær him leofost wære' ('to give and to grant during this lifetime or after, to relatives or to strangers, as ever he wished'). Abbot Wulfwold's writ (S 1427) contains a very similar clause: 'to gyfanne 7 to sylanne ær dæge 7 æfter dæge, loc hpam me leofast is' ('to give and to grant in this lifetime or after, to whomsoever it pleases me best'), employed in a passage describing the nature of a grant made by Edward at Evesty and thus evoking the terms and conditions of that previous grant; see *Writs*, p. 87.

³⁵⁹ For surveys, see Godden, 'Literary Language', pp. 507–10; O'Brien O'Keeffe, 'Diction'; and Dance, 'Old English', pp. 46–7.

³⁶⁰ Sonderegger, 'Sprache', p. 208; Koskeniemi, *Word-Pairs*, p. 78; Berger, *Paarformeln*, p. 48; Ammon, 'Pledges', pp. 59–64.

³⁶¹ Ammon, "'Ge mid wedde'", p. 532.

the two different constituents was gradually lost in a process of ‘semantic bleaching’, with the overall meaning fusing to form a single unit.³⁶² Moreover, other recent studies on the same subject (and within other early European vernaculars) have revealed how alliterative word-pairs ostensibly increased over chronological time within written law and other legal discourses; and thus may have served a range of functions overlooked by earlier scholars.³⁶³ As aforementioned, there had been a strong tendency amongst such scholars, under the influence of Jakob Grimm and others, to interpret alliterative word-pairs as the oldest and most elemental form of word-pairs, and indeed to understand this alliteration as a mnemonic functioning (at least partly) as an *aide memoire* (foreshadowing Harmer’s interpretation of the function of *ær dæge 7 æfter dæge*, above).³⁶⁴ In the early twentieth century, Hubert Hall described how these ‘alliterative jingles’ within writs functioned to ‘set forth the special liberties or jurisdiction’ being granted, and this observation directly informed Harmer’s belief that such devices were ‘undoubtedly ancient [...] arranged for remembrance among the Germanic peoples in rhythmical and alliterative patterns,’ an interpretation re-stated by Brooks and Kelly in their edition of the Christ Church archive.³⁶⁵ The precise nature and function of such formulaic and alliterative word-pairs in writs thus merits reconsideration, particularly in light of more recent work on *að and wedd* and other word-pair types in early medieval legal discourse.

In the context of their semantic content, and taking the corpus of non-spurious Anglo-Saxon writs as a whole, it is possible to discern two broad conceptual groupings of formulae, typically contained in the main announcement clause: ‘legal’ and ‘spatial’ formulae/devices. The former group, which comprises formulae including *sacu and socn* (sake and soke or ‘cause and suit’) and *toll and team* (toll/tax and profits from ‘vouching to warranty’), as well as other constellations of judicial and financial rights: *infangenþeof* (right to receive forfeited possessions from thieves caught in the act; literally ‘in-seized-

³⁶² Koskenniemi, *Word-Pairs*, p. 23; Ammon, “‘Ge mid wedde’”, p. 534.

³⁶³ Berger, *Paarformeln*, pp. 2–3; Matzinger-Pfister, *Paarformel*; Ammon, ‘Pledges’, p. 60; *idem*, “‘Ge mid wedde’”, p. 531.

³⁶⁴ Grimm, ‘Poesie im Recht’, p. 27; and *idem*, *Deutsche Rechtsaltertümer*; in turn influencing Peter Clemons, *Interactions*, p. 156, who saw the word-pair as an ‘ancient type of formulaic unit serving a need which had been common to all oral transmission of traditional thought [...]’.

³⁶⁵ Hall, *Studies*, pp. 204–5; *Writs*, pp. 87–92; *CantCC*, p. 147.

thief'), *hamsoen* (attack on a house), etc., should, to my mind, be grouped with the aforementioned *að and wedd* type word-pair, and their meaning and function is discussed in greater detail in Chapter Five, below.³⁶⁶ The 'spatial' formulae grouping, on the other hand, comprises two conceptual sub-types. One group describes the physical space associated with a particular announcement or grant, emphasizing its totality: *on wudan and on feldan* ('in woodland and in field'), *binnan burh ge butan* ('within borough and outside it'), *be strande ne be lande* ('by strand or by land'). Another set describes temporal space, sometimes looking backwards (*spa full and spa forð spa* ('as fully and completely as [somebody previously had owned it]')), and sometimes looking to the future (*on dæge and æfter* ('during my lifetime and after')) and so on.³⁶⁷ These spatial formulae do not appear to have carried intrinsic legal meaning themselves, but rather frame the terms of the announcement and its embedded legal terms.

In order to probe further the question of the function of these spatial formulae, it is necessary to analyze their stability across the late tenth and eleventh centuries, and across the discrete kingships of the rulers whose vernacular writs have survived. In Appendix I, Figure 3.3., I provide the various issuers of writs, arranged chronologically, with the average number of spatial formulae per writ for each of these rulers (along with the total number of writs extant for each king), as well as the employment of spatial formulae in writs issued by individuals other than kings.³⁶⁸ The first, perhaps most striking feature of the royal group is that these formulae are maintained across five different kingships; they are not falling out of use over time and survive the turbulent

³⁶⁶ Cf. Hall, *Studies*, p. 204, differentiating between the '*mid saca and mid socna* clause', and the '*swa ful and swa forth* clause'.

³⁶⁷ Of the twenty-seven pre-Conquest archives that preserved writs, all except three contain writs that employ at least one of these spatial formulae in their main announcement clauses. This wide archival spread is strong evidence that such formulae were a central component of this diplomatic language from (at least) the later tenth century to c.1070. Moreover, of the group of single-sheet originals, all of them contain at least one of these spatial formulae (between one and four), suggesting that these formulae are authentically pre-Conquest in character, rather than the creation of later copyists.

³⁶⁸ I have included here, for a cross-Conquest perspective, the vernacular writs of William I, which maintain many aspects of the language, style and structure of pre-Conquest writs, but which uniformly shift to Latin after c.1070. For these, see Bates, *RRAN*, pp. 44–50; and Timofeeva, 'Cum Sacra Et Socra'. The protocol structures of William I's vernacular writs also conform to the two styles of Groups A and B, described above; for the list, see *idem*, *RRAN*, p. 45.

conquests of 1016 and 1066, being employed right down to *c.* 1070. The passage of time appears to have had little influence on any changes we observe in form, notwithstanding orthographic variation. Whilst writs themselves, as we have seen, were adaptable in terms of their functions and uses, these formulae appear rigid and stable; indeed, even between *c.* 1066 and 1070 no new spatial formulae emerge in the vernacular.

We also see the employment of some of the same (or in the case of Gospatric's writ, *sui generis*) spatial formulae within the corpus of non-royal writs issued between *c.* 995 and 1066 by various secular and ecclesiastical individuals, each with their own distinctive links to the royal court. In Gospatric's writ (S 1243), the freedom granted to Thorfynn mac Thore is given 'on peald, on freyð, on heyninga' ('in forest, in heathland, in enclosed arable'), and this *sui generis* formulaic triplet hints at the capability of non-royal writs (and other documents further from the loci of royal authority) to bend such seemingly rigid formulae to evolving regional and local socio-political concerns.³⁶⁹ In a similar way, Gospatric's construction: 'spa freo [...] spa ænyg mann beo [...]' ('as free [...] as any man may be [...]') mirrors the position (and surely also function) of the *spa full and spa forð spa* formula in royal and other documents, presenting another example of formulaic adaptation and modification.³⁷⁰

An ostensibly different strategy is employed in Abbot Wulfwold's writ (S 1427), a declaration to the Somerset shire court that Wulfwold has granted land at Gofestige ('Evesty') and Ashwick to St Peter's, Bath. In the main announcement, Wulfwold describes how King Edward had previously granted him the land that his father had owned, framing it with the deployment of four stylistic devices encountered elsewhere in royal writs announcing grants of land/privileges.³⁷¹ Now, Wulfwold informs the shire court that he has given the aforesaid land to St Peter's minster in Bath 'þam munecan to scrud fultume 7 to foðan, eall spa full 7 spa forð spa þe cinge hit me geuðe on eallan þingan.'³⁷² Here the *spa full and spa forð spa* device provides stylistic continuity,

³⁶⁹ See Gelling and Cole, *Landscape*, p. 225; and North, p. 375.

³⁷⁰ For more detailed discussion of this text, see Chapter Five, section 5.3.3.

³⁷¹ Namely: 'on puda 7 on felda' ('in woodland and in open country'), 'spa micel spa' ('as much as'), 'minan orfe 7 minra manna orfe' ('for my cattle and the cattle of my men'), 'ær dæge 7 æfter dæge' ('during this lifetime or after'). S 1427, *Bath* 25.

³⁷² 'to provide clothing and food to the monks, all as fully and as completely as the king granted it to me in all things.'

framing Wulfwold's present grant as the legitimate successor to a prior royal gift.³⁷³ Writs of royal women similarly employ spatial formulae in clauses describing both their own grants (namely Edith's grants for Bishop Giso: S 1240 and S1241 employing the *spa full and spa forð spa* device), and grants obtained by others (in the case of Ælfthryth's Ruishton letter (S 1242), describing, from the position of an observer, a previous grant made by Æthelwold given 'mid mete 7 mid mannun' ('with produce and with men').) It is thus tempting to see the employment of these formulae as evidence for high-ranking individuals other than kings (and/or their charter draftsmen) using stylistic devices otherwise associated with royal writ announcements (and relating to the conveyance of land and privileges), in order to give their own testimonies a degree of authority and legitimacy in the local or regional court settings in which they would have been heard and performed.

In order to provide a further rejoinder to Harmer's observations of spatial formulae appearing in other typologies of vernacular charter, the spatial formulae have also been tracked in documents outside the writ corpus, taking into account the wider body of pre-Conquest vernacular charters in Appendix I, Figure 3.4.³⁷⁴ Such spatial formulae are deployed less consistently, but nonetheless can be found embedded across a range of texts including records of land grants, wills, leases and outcomes of litigation, distributed across some nine archives. These documents mostly date to the period between the later tenth century and the Conquest (a reflection of the broader nature of the survival of vernacular documents), but there are a few earlier examples pointing to the deeper antiquity of certain formulae. The *binnan burh ge butan* construction, for example, appears within Æthelred and Æthelflæd's joint grant to St. Peter, Worcester (S 223, *SEHD* 13) dated *c.* 884 × 901, and alongside the formula 'on ceapstowe oððe on stræte', is used to express the breadth of the rights being conferred; their spatial totality is

³⁷³ The grant itself may have had a great deal of local political significance, since it probably took place after the exile of Abbot Sæwold to Flanders *c.* 1066, and thus may have been an attempt by his successor to shore up the support of the St Peter's monks; see *Bath*, pp. 43, 152–3, and for the previous grant of Ashwick by King Edward to Wulfwold in 1061, see S 1034 (*Bath* 22).

³⁷⁴ *Writs*, p. 87. My thanks to Professor Simon Keynes for sharing his 'Register of Vernacular Charters' (unpubl. spreadsheet) with me, upon which my analysis is based.

emphasized through the parallelism of the constructions.³⁷⁵ As noted in Chapter One, the first ostensible use of the word-pair ‘sake and soke’ (from our category of ‘legal’ formulae) is in the vernacular boundary-clause of a mid-tenth-century royal diploma of King Eadwig (S 659, *North* 2), and it may well be that innovations made at the elevated level of royal diplomas soon percolated down and across into the register of other diplomatic discourses.³⁷⁶ Other examples, surviving across a range of archives, show that the ‘spatial’ formulae were clearly well established and in use by the turn of the eleventh century at the very latest.³⁷⁷

3.4. *The Additional Clauses*

The main announcement is followed, in the majority of non-spurious writs and with the exception of some twenty-three documents, by one or more ‘additional’ clauses: these are diverse in form and function and range from prohibition clauses and anathemas to statements calling upon those addressed in the protocol to assist the beneficiaries to obtain or safeguard their legal rights. The twenty-three writs lacking any kind of additional clause (tabulated in Appendix I, Figure 3.7.) span eleven archives, which suggests that it was not unusual for writs to comprise a protocol and main announcement, without additional clause/s. In the remaining part of this chapter, the typologies and forms of additional clause with strong claims to authenticity will be analyzed, alongside their relationship to other genres of pre-Conquest diplomatic (again proposing diplomatic cross-pollination in various directions); and the function/s of such clauses in their contemporary socio-political settings.

³⁷⁵ The formula appears within the clause: ‘⁊ heo nu cyðað on Godes gewitnesse, on þisse bec, þæt heo willað on ælcum þæra gerihta þe to heora hlaforddome gebyrað, oððe on ceapstowe oððe on stræte, ge binnan byrg ge butan, geunnan healfes Gode ⁊ S. Petre ⁊ þære cyrcean hlaforde [...]’ (‘And they now declare, in the sight of God, in this charter, that of all the rights pertaining to their lordship, both in market and in street, within the *burh* and without, they desire to give half to God and St. Peter and to the lord of the church [...].’)

³⁷⁶ See Woodman, *North*, pp. 101–5; and above, Chapter One, section 1.5., and Chapter Five, below.

³⁷⁷ See for example: *mid mete and mid manne* in SS 1219, 1538, 1536 dating to the late tenth or early eleventh centuries. Other examples date to the reigns of Cnut and Harthacnut (e.g. *on dæge and æfter dæge* in SS 1220, 1460, 1459).

3.4.1. Prohibition Clauses

Clauses of prohibition, in which the ruler/issuer forbids interference, alienation, or any other kind of manipulation of the announced grant and its terms, are well represented in the surviving writ corpus and conform to a number of typologies/phraseological patterns. These are tabulated in Appendix I, Figure 3.5., with the frequency and distribution of clauses across archives also noted.³⁷⁸ Prohibition clauses are also well represented amongst the corpus of contemporary single-sheet writs (see types 1, 2, 4 and 6), indicating their ubiquity as an important component of pre-Conquest writ diplomatic. As the examples in Figure 3.5. demonstrate, prohibition clauses (like the protocols and main announcements) were strongly couched in the first-person singular, again invoking the (staged or performed) voice of the king or issuer: the most common surviving typologies conform to the patterns: ‘7 Ic nelle gefafian þæt [...]’ (‘And I will not permit [...]’), and ‘7 Ic nelle nanum men gefafian þæt [...]’ (‘And I will not permit anyone [...]’), and are complemented by a series of more heterogeneous variations on the themes of alienation, infringement, violation and so on.

I have introduced a further category (8) in Figure 3.5., which includes two *sui generis* prohibition clauses, namely within Gospatric’s writ (S 1243): ‘7 ne beo neann mann spa ðeorif þehat mið þæt ic heobbe gegyfone to hem neghar brech seo gyrth ðyyle Eorl Sypard 7 ic hebbe getyðet hem se frelycc spa ænyg mann leofand þeo pelkynn ðeoronðer’ (‘And let no man be so bold that, with what I have given to him, anywhere break the peace that Earl Siward and I have granted him as freely as to any man living under the sky’) and a writ of Edward for Westminster (S 1123) with its prohibition: ‘7 ic nelle non oþer’ (‘And I forbid that it be otherwise’), which also resists categorization within types 1–7.³⁷⁹ Whilst typologically unique, Gospatric’s prohibition is perhaps best understood as an adaptation of the more well-attested prohibition type-1: with the verb *breca*n taking the place of *misbeodan* or *unriht/unlage/woh beodan* within these clauses, and with the retention of a strong first-person voice. More unusual is the phrase ‘ænyg

³⁷⁸ This tabulation aims to provide an exhaustive survey of Harmer’s taxonomy of prohibition clauses mapped in in her *Writs*, pp. 66–7; with the addition of an eighth category of other/uncertain cases.

³⁷⁹ Also included in Group 8 is a later Latin rendering of an Old English prohibition in Edward’s (authentic) Coventry writ for Abbot Leofwine (S 1099); the nature of the translation prevents us from conclusively categorizing the clause within groups 1–7.

mann leofand þeo pelkynn ðeoronðer’ (‘any man living under the sky’); this could conceivably represent a colloquial or regional expression, and/or a stylistic device designed to invoke a spatial totality in a manner similar to a word-pair such as *binnan burh ge butan*.

As Appendix I, Figure 3.5. also shows, a number of prohibition clauses have only come down to us through particular archives, in this case types: 3 (Bury St Edmunds), 5 and 6 (Westminster), and 7 (Abingdon). Of these, type 3 may represent an authentic formulation; type 7 probably represents a later interpolation or scribal modification; and types 5 and 6 are best understood in the context of Westminster scribal practice.³⁸⁰ Whilst this analysis has shown that some 61 percent of extant non-spurious writs featured prohibition clauses, the clause is less common outside the boundaries of the writ corpus; prohibitions are found in royal diplomas but only after *c.* 940, increasing in frequency in the late tenth century (with sanction clauses being comparatively more popular with the formulators of royal diplomas throughout the pre-Conquest period).³⁸¹

3.4.2. Further ‘Additional’ Clauses

A range of further typologies of additional clause can be identified in non-spurious Anglo-Saxon writs: these have been tabulated in Appendix I, Figure 3.6., noting their frequency and archival distribution. The most populous of these further clauses are sanctions/penal clauses (a category that incorporates anathemas), statements of religious motives for the grant, and valedictions; all of which appear on contemporary single-sheet writs (see emboldened Harmer nos. in Figure 3.6.). Beneath these in the tabulation are a series of less well-attested but nonetheless highly significant additional clauses, including clauses of restitution, clauses calling upon the addressees to help the beneficiaries obtain rights, and permissions for charters to be generated.³⁸²

³⁸⁰ For type 3, see the forthcoming commentary in *BuryStE* 9; for type 7, see *Abing*, pp. 572–3 and *Writs*, p. 123–5; and for types 5 and 6, see *Writs*, pp. 66–7, 306–7. The status of S 1125 (*Writs* 81) as a possibly slightly later copy has already been discussed in Chapter Two, section 2.2., and should be noted here.

³⁸¹ Chaplais, ‘Authenticity’, p. 5, n. 2; Keynes, ‘Athelstan’s books’, p. 176, n. 162.

³⁸² This latter typology is discussed above, Chapter One, section 1.1., and in Keynes, ‘Church Councils’, p. 45, n. 115.

Sanctions or penal clauses (often termed anathemas), in which the audience is threatened with penalties (corporeal and/or spiritual) if they infringe or break the terms of the grant are well-represented within the surviving corpus, appearing in 25 non-spurious writs distributed across 14 archives. These take a range of forms, including a clause of forfeiture of royal friendship (four writs spread across three archives); and a clause encouraging that action be refrained from *for minan lufan* ('for love of me') (five writs distributed across four archives). These latter sanctions drew on the above-discussed language of royal friendship, which appears to have been a marked feature of expressions of agreement, address and aristocratic solidarity in England from the tenth century to the close of our period.³⁸³ Other anathemas, meanwhile, drew on the charged imagery of the abyss of hell and hell-fire (e.g. S 997); the betrayal of Judas Iscariot (S 1151); and the threat of *demonas* or *deofla* (S 1107). Petra Hofmann has shown how such motifs cut across diplomatic genre boundaries throughout the pre-Conquest period, and functioned to offer important pastoral warnings and reminders to their contemporary audiences in a range of social settings.³⁸⁴ In a similar vein, Lester Little and Catherine Cubitt have persuasively argued that sanctions had a performative function in various settings, and were sometimes followed by a real-life act of pre-emptive excommunication.³⁸⁵ Such imagery became especially a feature of royal diplomas in the second half of the tenth and early eleventh century, stimulated no doubt by evolving conceptions of Christological kingship and the turn of the first millenium, as anathemas became 'sandpits for the extravagant and playful imaginations' of charter scribes and draftsmen.³⁸⁶

A smaller but nonetheless significant number of writs, spread across some eight archives and dating from *c.* 1020 down to the end of the Confessor's reign, include a clause outlining the religious motive for the grant: this typically takes the form of a short statement, linked to the main announcement or prohibition clauses, which centres the king's personal piety: the grants are made 'for minre sawle hæle' ('for the salvation of

³⁸³ Barrow, 'Friends', pp. 107–111; Schröder, 'Friendship and Favour.'

³⁸⁴ See for example Hofmann's 'Group XXIII: Mansion-Motif' in her 'Infernal Imagery', pp. 395–6, in which hell is presented as a habitation for the damned, a motif found in a range of sanctions including in writs: SS 1427, 985 and 1149; and for the functions of such motifs and their affect, see Hofmann, 'Infernal Imagery', pp. 211–17.

³⁸⁵ Little, *Benedictine Maledictions*, pp. 56–7; Cubitt, 'Bishops and Councils', pp. 160–4.

³⁸⁶ Snook, *Chancery*, p. 4.

my soul') in S 1105; 'forgyfen minre saple to ecere alysendnesse' ('given for the eternal redemption of my soul') in S 986; or in Edith's case in S 1241 'for Eadpades kynges saple 7 for mine saple' ('for King Edward's soul and for my own soul'). In three cases, there is a somewhat more embellished form, in which the religious motive is framed as a grant offered: 'for mine saple 7 for mines fader 7 for allra minna yldrena saplan þe þone biscopstol gestaðelodon' ('for for my soul and for my father's soul, and for the souls of all my ancestors who established the episcopal see').³⁸⁷ The clause represents a vernacularized version of the ubiquitous phrase *pro anima mei* and its variants, which are common in royal diplomas as well as in wills and other typologies of vernacular charter (*for mine sawle* etc.), where it reflected wider societal and religious discourses about the redemptive power of gift-giving, and the belief that such gifts might warrant divine intercession.³⁸⁸

Valedictions, typically taking the form *God eow (ealle) gehealde* and with a number of slight variants as noted in Figure 3.2., are a feature of approximately 30 percent of the non-spurious writ corpus, spread across some eight archives. Like the statements of religious motive, the valedictory clauses in writs most likely represent a vernacularization of antecedent Latin phrases in common usage (and are especially well-represented in epistolary texts where they were often used to conclude or otherwise 'sign' letters) such as *Bene vale*, *Bene valeas* or *valet in domino*.³⁸⁹ That these phrases came to be adopted, relatively early, into the world of vernacular diplomatic is evinced by their appearance in documents such as S 1188 (*CantCC* 42), a contemporary single-sheet charter with a vernacular section (dated *c.* 805 × 832) in the voice of Archbishop Wulfred. In this passage, the archbishop confirms a previous donation, establishes a food-rent and requests liturgical services for the souls of the donors, ending with a majuscule Latin valediction (in the same hand): 'UALETE IN DOMINO.'³⁹⁰ The use of code-switching

³⁸⁷ S 1115 (*Wells* 37); see also SS 1151 and 1152 with similar clauses, both preserved at the Old Minster, Winchester.

³⁸⁸ Rosenwein, *To Be The Neighbor*, pp. 40–1; Tollerton, *Wills*, pp. 245–7.

³⁸⁹ *Writs*, pp. 70–2, noting the use of such valedictions in Roman imperial epistolary culture as well as by the late antique papacy.

³⁹⁰ For a more elaborate early-ninth-century valediction in a Latin grant, see S 153 (*CantCC* 26); and for discussion see Crick, 'Church', pp. 266–8; *CantCC*, p. 504; and Gallagher, 'Vernacular', p. 219. The Wealdhere letter (S 1428b), sent *c.* 704 × 705, also ends with a valediction; see Chaplais, 'Wealdhere', p. 17, n. 26.

in texts like S 1188 surely provides the context for the process of the vernacularization of such (presumably well-known and widely-understood) Latin phrases and their adoption into the diplomatic of writs.

Restitution clauses (in which the issuer orders the restitution of anything that has been alienated from the beneficiary) feature in a group of Edwardian writs preserved at Wells (SS 1111, 1112, 1116) for Giso; a writ of Edith also preserved at Wells (S 1240) in favour of Bishop Giso; and in a later Latin translation of a vernacular original preserved at Hereford (S 1102), in which Edward announces the appointment of Bishop Walter to the see and associated legal and financial privileges.³⁹¹ The overall formulation of S 1111 and S 1102 (both announcements of concurrent episcopal appointments) have been favourably compared, and it is significant that both appointments are recorded in the same year in the *Chronicle*, with Giso and Walter travelling to Rome to be consecrated by Pope Nicholas II on 15 April.³⁹² It has thus been posited that both writs may have been produced around the same time by Edward's writing-office, perhaps even by the same writ-draftsman.³⁹³ The corollary is that these restitution clauses likely represent a 'central' component of writ diplomatic, rather than an addition or interpolation made by Wells copyists.

Indeed, the use of the clause in S 1111 (and its re-use in the Edwardian writs S 1112 and S 1116: slightly later writs which no doubt functioned to bolster Giso's position within the Wells community) can be understood in the setting of recent tensions at that bishopric, notably between Giso's predecessor Duduc and Earl Harold. As described in Giso's 'Autobiography' (a text embedded in the anonymous *Historiola de Primordiis Episcopatus Somersetensis*), after Duduc's death in January 1061, three estates as well as moveable wealth in the form of priestly vestments, relics, and books were intercepted and seized by Harold.³⁹⁴ The 'Autobiography' also describes Giso's litigation with a certain

³⁹¹ For the restitution clause in S 1102 and its likely Old English exemplar (a document in the 'lingua Saxonica'), see *Writs*, p. 229.

³⁹² ASC E 1060, 1061 (ed. Irvine, p. 85).

³⁹³ See Keynes, 'Regenbald', p. 216, n. 183; cf. *Wells*, pp. 225–6, with the additional possibility that the Wells and Hereford writs might have served as models for one another.

³⁹⁴ 'Haroldum etiam ducem, qui ecclesiam michi commissam <spoliauerat>, nunc secreto nunc palam correctum, pari sententia cogitabam ferire [...]'. ('I even considered striking Earl Harold, who <had despoliated> that church committed to me, and whom I rebuked at times privately and at times openly, with a sentence of the same nature.'). *The 'Autobiography' of Bishop Giso*, §6

Ælfsige over possession of an estate at Winsham ‘a quodam antecessorum meorum prestitam, set per multorum annorum curricula absque obauditione a successoribus retentam [...]’.³⁹⁵ The inference here is that the restitution clauses may represent a royal or ‘central’ response to a tense local political situation at Wells, in which an embattled Giso sought to regain control of land deemed to belong lawfully to the bishopric. In light of Giso’s career as a royal priest and thus with likely close personal connections to any royal writing-office, we should also allow for the possibility that the clause/s were his innovation, and may have been woven into the writs by Edward’s draftsmen at the bishop’s request.³⁹⁶ In doing so, the writ draftsmen likely drew on the broader theme or legal notion of restitution, which found expression in other diplomatic typologies in pre-Conquest society.³⁹⁷ The re-deployment of the restitution clauses in the later Edwardian Wells writs S 1112 and S 1116 (post-dating S 1111 by up to five years) and shoring up Giso’s position and privileges within and alongside the community, as well as the use of the clause in Edith’s writ for Giso (S 1240), surely hints at the ongoing relevance and value of the restitution clauses into the 1060s, and the value of performative reiteration of such clauses in the context of shire-court culture.³⁹⁸ As such it is hardly surprising that

(ed. Keynes, p. 265). For discussion of this late-twelfth/early thirteenth-century text, see Gransden, ‘History of Wells’, pp. 28, 33–4; *Wells*, pp. 158–9, 169; and Keynes, ‘Giso’, pp. 213–26.

³⁹⁵ ‘which had been leased by one of my predecessors, but kept from successors for many years, without service [...]’. *The ‘Autobiography’ of Bishop Giso*, §5 (ed. Keynes, p. 265).

³⁹⁶ Similar local and ‘central’ dynamics may have lain behind the use of the clause in the Hereford writ (S 1102); unfortunately no charter issued by Walter survives but his aforementioned close affinity with Giso is striking. For Walter’s identity, see Barrow, ‘A Lotharingian in Hereford’, pp. 30–1; and Keynes, ‘Giso’, pp. 209–10.

³⁹⁷ The use of ‘restitution’ as a distinct narratological feature of charters is particularly apparent in Æthelredian royal diplomas from 993 until the end of that decade, in which the king made a series of restitutions (of church property) and grants to religious communities; see Stafford, ‘Political Ideas’; Cubitt, ‘Politics of Remorse’; Foot, ‘Reading’, p. 60. The issue clearly also had a much deeper antiquity in the earlier Anglo-Saxon kingdoms, with anxieties about the loss of church lands and associated documents raised by Archbishop Æthelheard at the synodal council at *Clofesho* in 798: ‘Necessarium est, fratres karissimi, ecclesias Dei et uenerabiles uiros qui iam multo tempore terrarum dispendio et absumptione cirographorum miserabiliter laborant, corrigere.’ (‘It is necessary, dearest brothers, to make restitution to the churches of God and to those venerable men who for some time now have been miserably afflicted by the loss of land and the removal of title-deeds.’) S 1258 (*CantCC* 27).

³⁹⁸ For the function of repetition in royal diplomatic and other discourses, see Garipzanov, *Symbolic Language*, p. 27; and in relation to the writ main announcement clause, see section 3.3.1., above.

Earl Harold should find himself addressed in the protocols of all these Wells writs containing restitution clauses, again hinting at the relevance of the aforementioned disputes alluded to in Giso's 'Autobiography' and a close link between diplomatic form and socio-political functions.

Another significant typology of additional clauses, represented across the Bury St Edmunds, Hereford, Ramsey and Wells archives (and on the Bury single-sheet writ for Baldwin (S 1084)), takes the form of a clause calling upon the addressees to assist the beneficiary of the land/privileges to obtain the rights that have been lawfully granted.³⁹⁹ The group comprises five writs of Edward and the only surviving writ of King Harold (S 1163), and all represent announcements of grants of land/legal and fiscal privileges to religious communities (with the addition of an abbatial appointment in the case of S 1083). The clauses of assistance are marked by a strong first-person voice, beginning (with minor orthographic variation): '⁊ ic bidde eop eallan þæt [...]' ('And I ask you all that'), typically employing various constructions with the verb *fultuman* to express the request for help or assistance, and usually ending with: 'for minan lufan' ('for love of me'). The clause appears alongside the restitution clause in the above-discussed writ for Giso (S 1112), and it may have had a similar or auxiliary function, reaching out to the most influential regional and local power brokers and urging them to cooperate and enforce that which is 'to lage ⁊ to rithte' ('lawful and right', S 1083). To my mind the clauses also betray a phenomenon observable elsewhere in pre-Conquest legal culture of the issue of the enforcement of legal principles in a society that lacked the institutional means of doing so (for example, in the form of an established police force), and the royal co-option of powerful and loyal individuals to fulfil such important societal functions.⁴⁰⁰

The appearance of a witness-list in King Cnut's writ announcing judicial and fiscal privileges for St Paul's (S 992, *LondStP* 27) is unusual.⁴⁰¹ It is the only extant writ

³⁹⁹ The spread of these assistance clauses over a number of archives has, like the restitution clauses and others, been used to posit centralised production of writs; see Keynes, 'Regenbald', p. 216, n. 183; and the forthcoming commentary in *BuryStE* 23.

⁴⁰⁰ The question of law-enforcement in the context of criminality is discussed in detail in Lambert, *Law*, pp. 149, 152–6, 274–92; and for enforcement in a cross-cultural insular perspective, see Taylor, 'Lex Scripta', pp. 54–60.

⁴⁰¹ In addition to its witness-list, other seemingly heterodox or suspicious features of this writ have been noted, namely: its protocol, prefaced with the first-person pronoun 'Ic'; and the

with a good claim to authenticity that employs a discrete witness-list, positioned immediately after the prohibition and before the anathema. The witnesses within the clause (which includes the archbishops of Canterbury and York, followed by bishops, earls and prominent thegns/stallers) are chronologically consistent, providing precise bounds for dating the text between 11 June 1033 and 12 November 1035.⁴⁰² A further group of writs, not included in the tabulation in Appendix I, Figure 3.6., but nonetheless relevant in this connection include statements providing named and unnamed witnesses to specific events, grants and conveyances.⁴⁰³ These tend to form part of narrative statements recounting deeds or actions in the past. For example, in Edward's writ declaring that Alfred has sold land at Litton to Bishop Giso (S 1116, *Wells* 38), we are informed that the sale occurred: 'toforan me siluen æt Peddredan, on mine ipetnesse 7 on Eadithe mine ibedden 7 on Haroldes ærles 7 on manegra oþra manna þe mid me þar waren.'⁴⁰⁴ The statement adds legitimacy to the clauses that follow, stipulating that Giso is to legally possess the Litton estate alongside a cluster of privileges 'swo ful 7 so furth swo hit ænige bissoppe formest on honde stod [...]' ('as ever any bishop held it [...].'), and concluding with a restitution clause. Moreover, the emphasis placed in the clause on Harold's witness (and thus his implied consent) to Giso's purchase may be understood in the context of the ongoing land-dispute/s between the earl and Giso alluded to in the 'Autobiography' and other charters and discussed above in relation to the restitution clauses.⁴⁰⁵ Such clauses may have thus served important contextual functions in their contemporary political settings. Susan Kelly has suggested that the discrete witness-list in Cnut's writ for St Paul's (S 992) may indicate a 'developing form', although one which

inclusion of *toll and team* which is absent in S 1104 (*LondStP* 28), only re-surfacing in St Paul's writs after the Conquest; see *Writs*, pp. 239–40.

⁴⁰² For a prosopography of this witness-list, see *LondStP*, pp. 204–5.

⁴⁰³ See the short statements of named witnesses to specified grants, sales and past actions in: Cnut's writ for Christ Church (S 985); Edward's writ for Giso (S 1116); and Edward's writ for Westminster (S 1123). See also the statements concerning unnamed witnesses in Edward's writ for Tole (S 1064) and in Siward's writ (S 1404). For similar clauses in spurious writs, see *Writs*, p. 73.

⁴⁰⁴ 'In my presence at Perrott, with myself as witness, and with the witness of Edith my wife and of Earl Harold and many others who were there alongside me.' For another detailed account of a later land purchase by Giso TRW from a certain Azor, son of Thored, with a particularly discursive vernacular witness-list, see Keynes, 'Giso', pp. 262–3.

⁴⁰⁵ *Wells*, p. 235.

may have tapered off in the course of the eleventh century.⁴⁰⁶ It must also surely be understood in the context of the above-mentioned concept of diplomatic cross-pollination, perhaps drawn up by a writ-draftsman accustomed to including witness-lists when producing other kinds of vernacular documentation.⁴⁰⁷ Indeed, its form in S 992 is closely comparable to the Old English witness-lists present in an array of other typologies of vernacular text such as grants, leases, wills, outcomes of litigation, and so on, and extant across a wide range of archives.⁴⁰⁸

A number of further ‘additional’ clauses are clearly problematic or dubious in nature, typically the product of scribal practice by later copyists or as spurious clauses in and of themselves.⁴⁰⁹ An example of the latter is the appearance of dating-clauses in two spurious Ramsey writs (S 1190 and S 1110), which provide the day without the year.⁴¹⁰ Hence, unlike most royal diplomas and in line with most other typologies of vernacular document, authentic writs lacked a dating-clause. The use of *Amen*, typically positioned at the end of the writ or just after the valediction, has been noted in Figure 3.6. within ten writs with a reasonable claim to authenticity or an authentic basis, but these are all restricted to the Westminster archive and are therefore best understood as a type of scribal addition by Westminster copyists operating between the later eleventh and thirteenth centuries.⁴¹¹

3.5. Concluding Observations

This chapter has aimed to provide a rejoinder to Florence Harmer’s analysis of writ diplomatic, principally by placing their clauses and formulae within the broader context of pre-Conquest charter writing and interrogating the relationship between diplomatic form and contemporary socio-political functions. At every stage, the phraseology and

⁴⁰⁶ *LondStP*, p. 204.

⁴⁰⁷ For ‘cross-pollination’, see above, Chapter One, section 1.5.

⁴⁰⁸ See for example: SS 1197, 1420, 1497, and 1474. For a searchable database listing Old English witness-lists, see *The Languages of Anglo-Saxon Charters Database*.

⁴⁰⁹ *Writs*, pp. 71–3.

⁴¹⁰ For example: ‘Pis writ wæs gemaced æt Windlesoren on feorðe Easterdæi’ (‘This writ was made at Windsor on the fourth day of Easter.’) S 1190, *Writs* 61.

⁴¹¹ See Hoffman, ‘Infernal Imagery’, pp. 47–9. The word *Amen* or *fiat* does, however, appear across a range of genres of pre-Conquest charter, usually (in the case of royal diplomas) at the end of their sanctions, and Westminster copyists were no doubt inspired by such forms.

forms of writs have drawn us into the world of wider pre-Conquest diplomatic culture, revealing that writs were not produced in a vacuum but by and for those with a good level of familiarity with the fashions and trends of concurrent diplomatic discourses. Several recurring ‘points of contact’ have been noted, particularly with royal diplomas and wills.

This analysis has also situated the protocols, the spatial formulae of the main announcement clauses, and the range of additional clauses (for example the so-called restitution clauses and clauses of assistance), within a wider context of court performativity, positing that they functioned, to borrow Hagen Keller’s phrase, as ‘symbolic markers’ for key moments of ceremonial at local courts.⁴¹² The clauses clearly disambiguate the personal voice of the king (his authority and identity also invoked through the concurrent use of seals, the subject of the next chapter), connect him to local élites, and make an announcement of a particular grant more emphatic by framing it with consistent, repetitive and predictable symbolic language. This diplomatic discourse must have played a vital rôle in constructing seemingly natural, shared conceptions of royal authority, in a political culture where the stable and uncontested relationship between ruler and ruled were paramount, and in which there was an urgent need for royal and other announcements to be conveyed clearly and understood with minimal ambiguity.⁴¹³ In my view, it is their performative function, rather than an innate concern for preserving archaic forms, that helps to explain the rise and persistence of the spatial formulae, as well as the rigid and enduring structures of the A- and B-type protocols and the more well-attested typologies of prohibition and additional clauses.

Alongside this, we must of course consider the practical likelihood that formulaic structures simply made it easier for pre-Conquest writ (and charter) draftsmen to construct their texts. Indeed, there is no positive evidence for the use of formularies in England before the Norman Conquest, and charter scribes seem to have recycled formulae and formulations from earlier documents.⁴¹⁴ Moreover, this chapter has noted concurrent strategies of adaptation and modification on the part of individuals other than

⁴¹² Or ‘als symbolische Kennzeichnung’. See Keller, ‘Hülde durch Privilegien’, p. 314.

⁴¹³ A similar conclusion has been drawn by Garipzanov in relation to the language of symbolic authority in the Carolingian world; see the application of the concept of *habitus* in his *Symbolic Language*, pp. 26–7, 276.

⁴¹⁴ See Keynes, *Diplomas*, pp. 115–20; and Pet, pp. 296–7; cf. Snook, *Chancery*, p. 41, n. 37.

kings, whose use, re-use and re-modelling of writ formulae and phraseology points to a lively and dynamic culture of writ-issuing elsewhere within the Anglo-Saxon body politic, and at a more local level.

CHAPTER FOUR: SEALS, WRITS AND SPHRAGISTIC CULTURE IN ANGLO-SAXON ENGLAND

4.1. Introduction

As this thesis has already demonstrated, a close relationship or set of close associations existed between writs and seal matrices and their impressions in pre-Conquest society.⁴¹⁵ These links can be traced in both material culture and in literary and documentary evidence: principally in the collocation *ærendgewrit/gewrit and insegel* ('errand-writ/writ and seal'), which emerged in the written record in the later ninth century, appearing also at the turn of the eleventh century in the narrative of the Snodland settlement, and later in the Peterborough Chronicle for 1051.⁴¹⁶ Moreover, it was suggested in Chapter One that the isolated terms *ærendgewrit/gewrit* and *insegel* may have sometimes functioned as *pars pro toto* for this collocation: for example in reference to the 'insigle' of the Fonthill letter retrieved at Alfred's tomb; the 'insegel' deployed at court in the Cuckhamsley chirograph; or the 'gewrit' dispatched by the king and recorded in Ælfric's *De populo Israhel*.⁴¹⁷ In the context of material culture, Chapter Two analysed the preservation and graphic programme of the single-sheet royal writs from Christ Church Canterbury, Paris Saint-Denis and Westminster concerning Perton (SS 1088, 1105 and 1140 respectively) and their associated imposing, double-faced wax seals of the Confessor in majesty. It also noted the presence of tongues, wrapping-ties, 'steps' and 'stubs' on other single-sheet writs (section 2.2.3.), providing evidence of former sealing and the apparent ubiquity of the sealing of royal writs *sur simple queue*, a practice which tended to contrast with other typologies of vernacular and Latin charter.

This chapter seeks to interrogate further the relationships between writs and seal matrices and their impressions by analyzing the functions of seals not just as authenticating devices, but also as instruments within a wider system of political communication in pre-Conquest society at the royal level and below. Indeed, scholarship

⁴¹⁵ See Chapter One, sections 1.1–4.; and Chapter Two, section 2.2.9.

⁴¹⁶ *King Alfred's Version of St Augustine's Soliloquies* (ed. Carnicelli, p. 62); the Snodland settlement is S 1456 (*Roch* 37); Peterborough Chronicle ASC E 1048 (=1051) (ed. Irvine, p. 80).

⁴¹⁷ For the chirograph, see S 1454 (*CantCC* 133) and above, section 1.3; for the Fonthill letter, see S 1445 (*CantCC* 104) and above, section 1.4; and Ælfric, *De populo Israhel* (ed. Pope, vol. 2, p. 659).

on Anglo-Saxon writs and seals in the earlier twentieth century tended to emphasise the function of seals primarily as authenticating devices in a documentary setting: Florence Harmer talked of the function of the seal as a ‘means of identifying the sender or certifying the document’, positing that ‘the sole means of authentication employed in their writs by Anglo-Saxon kings was the seal.’⁴¹⁸ The assumption that the seal’s primary function was to authenticate documents was similarly embedded in earlier scholarship on early medieval French sphragistic culture from the eleventh to the fifteenth centuries, an assumption that has since been extensively revised.⁴¹⁹

Later, in the context of English diplomatic, Pierre Chaplais offered a rejoinder to the question of the precise nature of such writ authentication, positing that seal impressions and matrices may have functioned as ‘tokens of credence’ prior to his conception of the emergence of open sealing in the 1040s, and thus were likely carried loose rather than physically attached or even associated with writs and other missives.⁴²⁰ Their function, in this context, would have been to ‘authenticate’ or otherwise identify and confer authority upon the carrier of the seal and their oral message or performance.⁴²¹ Whilst Chaplais’ understanding of the seal’s authenticating function neatly accorded with his view, developed elsewhere, that writs represented private memoranda of formalised spoken declarations (an interpretation problematized in Chapter One, section 1.6.), it

⁴¹⁸ *Writs*, pp. 28, 72. Other synoptic works on seals focused on the function of seals in the context of documentary authentication: Ewald, *Siegelkunde*; Pastoureau, *Les Sceaux*; Harvey and McGuinness, *Guide*; and, later, Heslop, ‘English Seals’, pp. 9, 14, positing that ‘the seal acted as the equivalent of the glue on an envelope flap and as an instant indication of the source of the letter [or writ]’; and *idem*, ‘Seals’, concluding that although they may have had ‘supplementary’ functions, seals were ‘a class of object made primarily for closing letters, whether formal or informal.’

⁴¹⁹ Bedos-Rezak, ‘Medieval Identity’, p. 1513; for a more recent summary of the authenticating function of seals in a Carolingian context, see Worm, ‘From Subscription to Seal’. Another preoccupation of an earlier generation of English sigillographers was the issue of the ‘legacy’ of Anglo-Saxon writs and seals; Bresslau and Harmer remarked upon the resemblance between the earliest vernacular Norwegian royal charters and seals and corpus of Edwardian seals and single sheets, also noting parallels in diplomatic phraseology and positing direct influence. Such research questions lie outside the scope of this thesis; see Bresslau, *Urkundenlehre*, pp. 59–60; Harmer, *Writs*, pp. 4–6; *eadem*, ‘English Contribution’; and for a more recent bibliography on the earliest Norwegian vernacular royal charters, see Mørck, ‘Sociolinguistic studies’.

⁴²⁰ Chaplais, ‘Chancery’, pp. 50–61; *idem*, *English Diplomatic*, pp. 1–45.

⁴²¹ This view was more recently reiterated by P. D. A. Harvey, ‘This is a Seal’, pp. 1–3.

nevertheless provided a useful and much-needed contribution to the question of the broader setting-in-life of seals in pre-Conquest society.

Research on early medieval continental European sphragistic culture in the last thirty or so years has emphasized the functions of seal impressions and matrices as part of a wider system of graphic signs and symbols of authority, articulating identity, status, prestige and other culturally-contingent values.⁴²² Influenced by the emergence of diplomatic semiotics amongst German scholars in the 1990s, seals (as well as charters, coins and other graphic and material media) were seen as intersecting codes in a communicative process between the issuer on the one hand and the audience/recipients of these media on the other.⁴²³ The importance of links and connections to the graphic elements of diplomas and charters more broadly (for example in their pictorial invocations, monograms, subscriptions and so on) was seen as all the more significant, since such graphic elements had too often been relegated to the periphery of diplomatic interest.⁴²⁴ Innovation, disruption and changes in these communicative graphic codes were therefore highly noteworthy, with critical implications for our understanding of the evolution of élite political culture.⁴²⁵ In the same vein, the continuity of certain aspects of sphragistic practice (such as their graphic programme and iconography) across discrete kingships was understood as a key element in the construction of authority at different levels, in a manner akin to the use and re-deployment of ‘repetitive’ alliterative formulae in writs themselves, as discussed above in Chapter Three.⁴²⁶ Intimately connected with the study of seals as devices communicating and articulating authority is the question of the ‘performative’ nature of both the impressions and matrices within contemporary society: did they function, to apply Geoffrey Koziol’s neat definition developed in the context of West Frankish diplomas, ‘to institute, publicise, and memorialise’ alterations within the political or legal regime?⁴²⁷ As we have already seen in Chapter One (section 1.4.), the ‘insigne’ retrieved at Alfred’s tomb described by the Fonthill letter (S 1445) was

⁴²² Bedos-Rezak, *When Ego Was Imago*, pp. 27–30.

⁴²³ See, for example, Rück, ‘Die Urkunde als Kunstwerk’, pp. 311–33; *idem*, ‘Beiträge’, pp. 13–15; Garipzanov, ‘Metamorphoses’, pp. 419–21; and *idem*, *Graphic Signs*, pp. 17–18.

⁴²⁴ Garipzanov, ‘Metamorphoses’, p. 419.

⁴²⁵ Keller, ‘Zu den Siegeln der Karolinger’, p. 434.

⁴²⁶ See Bedos-Rezak, ‘Ritual’, p. 27; *eadem*, *When Ego Was Imago*, p. 75; and Garipzanov, *Symbolic Language*, p. 27.

⁴²⁷ Koziol, *Politics of Memory*, p. 3.

an object not only invested with a range of social and symbolic meanings, but crucially functioning (at least within the narrative of the account) as part of an act of demonstrative behaviour; an act that fundamentally altered the course of a sentence of outlawry.⁴²⁸

At the same time, Brigitte Miriam Bedos-Rezak has highlighted the centrality of the concept of identity to sphragistic practices, seeing seals (with their symbolic iconography and inscriptions) as a medium for communicating individual, familial, gendered and dynastic ideology.⁴²⁹ The full-face seals of Carolingian rulers, as well as the early aristocratic seals of later eleventh-century France, are understood to have evoked the identity, presence and charisma of an absent ruler or person of high social standing.⁴³⁰ Indeed, running also through much of this more recent work is an awareness of sphragistics as a preoccupation of royal and other élites, and with it an interest in exploring the precise relationship between royal and ‘non-royal’ sphragistic practices. Did non-royal élites seek to emulate consciously royal sealing practices and iconography? Or did they also draw on a ‘common stock’ of graphic signs and symbols of authority found in concurrent diplomatic, scribal or numismatic culture?⁴³¹ For Bedos-Rezak, the emergence of non-royal seals in eleventh-century France, for example, demonstrates ‘the loss of a royal prerogative’ and the ‘establishment of competing comital, episcopal claims to authority’ with the ‘desire to share the aura of royal status’ through a direct appropriation of the praxis of the central chancery.⁴³²

This chapter will explore such questions in relation to both material and textual evidence from pre-Conquest England, with a focus on discerning the setting-in-life and diverse functions of seals, and the relationship between royal and non-royal sealing practices and their diffusion across different levels of society.⁴³³ Several of these issues have already been raised in Chapter One (section 1.4.), which surveyed the material and

⁴²⁸ Barrow, ‘Demonstrative Behaviour’, p. 138.

⁴²⁹ Bedos-Rezak, *When Ego Was Imago*, p. 28.

⁴³⁰ Worm, ‘Alte und Neue Strategien’, p. 304; Schmidt-Wiegand, ‘Die Rechtshistorische Funktion’, p. 73; Koziol, *Politics of Memory*, p. 36.

⁴³¹ Léopold Genicot had already posed a similar question: ‘Did the nobility form itself or make its position more clearly defined by taking the monarchy as a model in a sociological sense?’ in his ‘Recent Research’, p. 24.

⁴³² Bedos-Rezak, ‘Medieval Identity’, pp. 1512–13.

⁴³³ Recent surveys of the pre-Conquest material evidence can be found in Heslop, ‘English Seals’; Kershaw and Naismith, ‘Seal Matrix’; for textual evidence, see Roberts, ‘Anglo-Saxon Seals’; and for a panoramic overview of both, see Keynes, ‘Use of Seals’.

textual evidence for sealing in the earlier Anglo-Saxon kingdoms (c. 600–900). The discovery of Queen Balthild’s mid-seventh-century signet ring in Norfolk, for example, pointed to the penetration of Merovingian/Neustrian seals (or quasi-seals) into the earlier English kingdoms, and revealed that such devices could function both as practical instruments and as symbolic, value-laden objects of high status.⁴³⁴ The leaden bulla of King Coenwulf (796–821) with its cross moline, meanwhile, revealed the link between such devices and concurrent coinage in terms of the choice of graphic forms, and it was posited that the object may have functioned as an authenticating device within or alongside continued Anglo-Papal correspondence. The corpus of earlier Anglo-Saxon seals was completed by the mid-ninth-century bronze seal matrix of Æthelwald, bishop of Dunwich, Suffolk (acc. 845 × 870), which, with its large, floriated *signum crucis*, again revealed a link with the contemporary Floreate Cross Type coinage in their deployment of particular graphic signs.

Whilst these three early sphragistic devices are very different in their physical appearance and use of discrete graphic signs (reflecting, no doubt, changing contemporary trends and norms), their inscriptions reveal a degree of consistency: all feature a *signum crucis*, followed by the name of the sigillant in the Latin genitive (thus indicating ownership).⁴³⁵ Significantly, similar cross *signa* appear in single-sheet charters as pictorial invocations in the top-left hand of the document or as marks alongside attestations, typically in royal diplomas throughout the pre-Conquest period.⁴³⁶ In several early royal diplomas from seventh- and eighth-century Kent and Mercia, such cross *signa* in witness-lists may have been ‘autograph’ crosses (i.e. written *manu propria*, possibly by the witnesses themselves as part of a signing ceremony or ritual), although by the

⁴³⁴ The Balthild ring also reveals the deep history of sealing devices; globally sphragistic devices may have originated alongside, or even preceded, the invention of writing. For the practice of sealing wet clay with designs in the Halaf period in the Near East in the sixth millennium BC, and the later development of stamp and cylinder seals in and around Mesopotamia in the fourth millennium BC, see Kittel, *Siegel*; and Ross, ‘Art’s Role’, p. 304.

⁴³⁵ The cross *signum* on the obverse of Balthild’s signet ring merges with the ‘nose’ of the portrait, unifying inscription with graphic image.

⁴³⁶ As discussed in Chapter Two, section 2.2.5., pictorial invocations (of the type termed ‘Small Square cross’ by Susan Thompson) appear on the top line of five of the seven single-sheet writs immediately in front of the protocol. They also appear in the majority of single-sheet vernacular documents on the top line and in royal diplomas, although their appearance tends to become more florid and diverse post c. 930; see Thompson, *Vernacular Documents* p. 23; and *eadem*, *Royal Diplomas*, pp. 32–6.

tenth and eleventh centuries the cross *signa* were invariably the work of the main scribe of the diploma.⁴³⁷ The cross signs were thus associated with both the issuer/commissioner of the charter and its witnesses, functioning as a signature (or a ‘symbolic’ scribal representation of a signature) indicating presence, consent and subscription. This inscribing of the cross onto both charters and seals (as well as onto coins and other objects) reflected the broader employment of the cross as a dominant graphic *signum* and as the most frequent signature used by Christians throughout our period.⁴³⁸ Through the widely-recognised cross sign, then, our early seal matrices and their impressions were connected, both materially and symbolically, to a multiplicity of other authoritative and emphatically Christian media, settings and gestures.⁴³⁹

The inscriptions on the Coenwulf bulla and the Æthelwald matrix also feature the title/rank of the sigillant: ‘*REGIS*’ and ‘*EP-*’ respectively, and the latter matrix contains the abbreviated word for seal: ‘*SIF*’ (*sigillum*). This foreshadows an aspect of the corpus of English seals and seal matrices from the period *c.* 900–1066 (which form the focus of the next section of this chapter), namely: all of these matrices contain the word (or an abbreviation of) *sigillum* within the text of their inscriptions.⁴⁴⁰ This unifying feature of surviving late Anglo-Saxon sphragistic culture seems to have been a cultural

⁴³⁷ See, for example, the witness-lists of Kentish diplomas: SS 8, 19, 31 and 35; and the so-called Ismere diploma of Æthelbald of Mercia: S 89. For further discussion, see Thompson, *Royal Diplomas*, p. 33; and Keynes, ‘Church Councils’, pp. 164–6.

⁴³⁸ This finds parallel in Merovingian and Carolingian visual culture, where the cross (alongside other graphic signs) emerged as a *signum manus* in Merovingian charters in the seventh and eighth centuries. Having long been a polysemous symbol with protective, apotropaic and other connotations, it came to embody Christ’s passions and salvation, functioning as an outward manifestation of Christian identity; see Garipzanov, *Symbolic Language*, pp. 161–2; and *idem*, *Graphic Signs*, pp. 99–105.

⁴³⁹ For the gesture/tracing of the cross in early England and its apotropaic function, see Johnson, ‘*Crux Usualis*’.

⁴⁴⁰ For tabulated texts of these inscriptions, see Appendix I, Figure 4.1. P. D. A. Harvey has made an alternative suggestion that this word, rather than referring to the seal itself (either as matrix or impression), rather referred ‘unambiguously’ to the above-discussed *sigum crucis* at the beginning of the legend; see Harvey, ‘This is a Seal’, pp. 2–3. However, in my view this interpretation relies too heavily on an understanding that messages were typically conveyed orally until the reign of Edward and would thus have required a gesture of the sign of the cross to be made in an act of ritual authentication; moreover, as we shall see in the second half of this chapter, *sigillum*, like its vernacular counterpart, was a nebulous Latin noun with a broad semantic range and thus resists too narrow a categorization; see also Roberts, ‘Anglo-Saxon Seals’, p. 131, n. 2.

particularity, marking English seal legends out from their continental and Byzantine counterparts until the late eleventh century.⁴⁴¹

4.2. *Sphragistic Culture in the Tenth and Eleventh Centuries: Material Evidence*

A small and relatively coherent group of four non-royal seal matrices survives from the later Anglo-Saxon period, two cast in copper-alloy and two carved from walrus ivory, belonging to: Ælfric [I], Godwine *minister* ('the thegn'), Wulfric, and Ælfric [II], and spanning a period from *c.* 975 to the Conquest.⁴⁴² Only Godwine within this group is accorded a title or style in the inscription, and none of the laymen can be securely identified on prosopographical or other grounds.⁴⁴³ In addition, the seal of Godwine was later re-purposed, ostensibly for use by a certain Godgyth, styled *monacha Deo data* ('nun given to God') in its reverse legend. This latter re-purposed matrix belonging to a woman religious is complemented by the so-called 'Edith seal', which can be positively identified as the seal of Edith (961 × 964–984 × 987), daughter of King Edgar by (St) Wulfthryth, and a half-sister of King Edward the Martyr and King Æthelred II. The seal survives not as a matrix but in the form of later impressions that were appended to charters issued in the names of several abbesses of Wilton from the thirteenth century to the Reformation.⁴⁴⁴ The original seal matrix, depicting Edith in the garb of a woman entered into religious life, probably dates to the later 970s, and came to be used as a conventual seal within the Wilton community. This raises, in turn, the issue of the diffusion of sphragistic practices within pre-Conquest religious communities and institutional settings: the focus of the final sub-section. Underlying this discussion is an awareness of the significance of the impressions of Edward's 'second' seal (analyzed

⁴⁴¹ Harvey, 'This is a Seal', p. 1.

⁴⁴² Heslop, 'English Seals'; Okasha, *Hand-List*, pp. 118–20, *eadem*, 'A Supplement', p. 99; with the more recent addition of the Ælfric [II] matrix, first identified in Spencer, 'Unrecognised Anglo-Saxon Find', p. 26 and later analyzed by Kershaw and Naismith, 'Seal Matrix'; and Okasha, 'Four Supplement', pp. 372–3. For images, see Keynes, 'Use of Seals'.

⁴⁴³ See, for example, the 205 individuals named Ælfric recorded in *PASE*; and for problematisation, see Kershaw and Naismith, 'Seal Matrix', p. 296. Dating of the individual matrices has tended to rely on visual and art historical parallels with other media, which, while useful, resist precise dating bounds. For general principles of dating, see Okasha, *Hand-List*, pp. 6–7.

⁴⁴⁴ Keynes, 'Use of Seals', p. 73.

above in Chapter Two, section 2.2.9.) and iconographic and functional parallels (and points of divergence) between this most royal and imperial emblem of ‘Edwardian’ authority, and the sealing devices used by those lower down the socio-political hierarchy in the late tenth and eleventh centuries.

4.2.1. Non-royal Secular Seal Matrices in Later Anglo-Saxon England

Discovered in 1832 at Weeke in a bank on the Winchester to Stockbridge road, the copper-alloy seal matrix of a certain Ælfric (hereafter designated ‘Ælfric [I]’) was the first non-royal matrix to be discovered in the modern period, and probably dates to the later tenth or early eleventh century. Measuring approximately 45 mm in diameter, the matrix features on its obverse a clear and well-executed right-facing profile of Ælfric with fillet and streamers, sword, and cloak, and acanthus ornament on its reverse.⁴⁴⁵ On this side of the matrix, there are also two pits (containing solder traces), which may have once borne a hinged pin and a catch.⁴⁴⁶ However, the two pits are cut partially into the engraved acanthus, indicating that the hinge may have been an afterthought or a later addition, allowing it to function more easily as a fibula, or perhaps to be more efficiently removed from hot wax. In the absence of prosopographical evidence, tentative clues to dating are provided by iconographic parallels: in this case, a similarity with the execution of the fillet in the First Hand coinage of Æthelred II (dated *c.* 979–85), as well as parallels with the execution of the cloak and face in the Long Cross type (*c.* 997–1003).⁴⁴⁷

The use of acanthus on the obverse of the matrix links it to both the Ælfric [II] matrix and the handle of the Edith seal (their particular ornamentation is discussed below): hallmarks of the mature ‘Winchester’ school style of later tenth and eleventh-century English art.⁴⁴⁸ The style is characterized by the use of zoomorphic and foliate motifs, and was employed across a range of media including illuminated manuscripts,

⁴⁴⁵ For images, see: https://www.britishmuseum.org/collection/object/H_1832-0512-2 (viewed 15 July, 2020).

⁴⁴⁶ Heslop, ‘English Seals’, p. 4.

⁴⁴⁷ *Ibid.*

⁴⁴⁸ For the ‘Winchester’ style, see: Zarnecki, ‘Winchester Acanthus’; Gameson, ‘Manuscript Art’; and Webster, *Art*, pp. 173–9.

carvings in stone and ivory, and metalwork.⁴⁴⁹ An early example of the style, closely associated with the West Saxon royal court, is the late-ninth-century Alfred Jewel (probably pre-899), which features succulent tendrils engraved on its back plate; this in turn was influenced by concurrent Carolingian design.⁴⁵⁰ The form employed on Ælfric [I]'s obverse, circumscribed by an incised border, comprises a lozenge-shaped ornament providing a structural frame, interlaced with a diagonal cross, with each arm sprouting acanthus tendrils. At the corners of the lozenge, tripartite acanthus foliage emerges from a coil or knop; the overall design is well conceived, roughly symmetrical and neatly executed to fill the field of the reverse matrix.

The obverse inscription in the Latin genitive is followed by a symbol best interpreted as a monogrammatic alpha and omega (ΑΩ), the first and last letters of the Greek alphabet which had come to represent the Christian symbols of God and the divinity of Jesus Christ.⁴⁵¹ The earliest surviving use of this graphic sign in diplomas (as the pictorial invocation) is in an eighth-century grant of Offa (S 114), but it became more popular and increasingly florid (sometimes combined with a chi-rho) in tenth-century diplomatic.⁴⁵² It appeared too in numismatic epigraphy (as a pair or as a monogram), from the beginning of the ninth century to the close of our period, and was particularly prominent in the Hand and Agnus Dei types of Æthelred II (thus providing further evidence for the matrix's date).⁴⁵³ It is striking that the seal matrix of a non-royal layman should employ a graphic sign seen elsewhere in the elevated contexts of royal coinage and diplomas; to my mind this reflects an awareness on the part of Ælfric and his engraver of contemporary graphic and monogrammatic trends, as well as the perceived high status of the matrix itself. The appeal of the alpha and omega should also be

⁴⁴⁹ The style was traditionally conceived as a southern English phenomenon closely linked to the graphic culture of reformed monastic houses, but is now understood as more socially and geographically diffused; for more, see Kershaw, 'Distribution'.

⁴⁵⁰ Although Catherine Karkov posits that 'acanthus vine-scroll may have carried specifically royal associations in Anglo-Saxon England' (*Ruler Portraits*, p. 114), it appears to have been soon appropriated into the graphic programme of 'non-royal' material culture; other early items employing acanthus decoration include, for example, the stole and maniples of Bishop Frithstan of Winchester (c. 909 × 916). For its early employment on æstels, see Karkov, *Art*, pp. 214–18.

⁴⁵¹ For the history of this sign, see Garipzanov, *Graphic Signs*, p. 39; for the identification see Webster, 'Metalwork', p. 113.

⁴⁵² Thompson, *Royal Diplomas*, pp. 32–6.

⁴⁵³ Naismith, *Medieval European Coinage*, p. 377.

connected to the wider use of Greek vocabulary in both diplomatic and sphragistic contexts: Edward's 'second' seal and the Edith seal both employ Greek vocabulary (discussed in further detail below), and the use of Greek within pre-Conquest charters has been well-studied.⁴⁵⁴

The second surviving artefact in our group is the matrix of Godwine *minister* ('the thegn'): a circular seal die carved in walrus ivory with a distinctive decorated lentoid handle/tab, and a second inscribed matrix of Godgyth on its reverse (this latter intaglio is discussed in section 4.2.2., below).⁴⁵⁵ On the obverse, Godwine is depicted in right-facing profile, bearded, with a sword and cloak clasped at his shoulder.⁴⁵⁶ He is the only layman within the surviving corpus of 'secular' matrices to be accorded a title/rank in his inscription; John Blair has suggested that he might have been an Oxford portreeve, but a conclusive identification is not possible.⁴⁵⁷ It has been posited that the symbol in the otherwise well-executed inscription after '*SIGILLVM*' is the letter **B**, and may be an abbreviation for *beati* (alluding perhaps to Godwin's personal piety).⁴⁵⁸ However, this symbol/letter sits at an awkward angle compared to the other letters of the legend, and an engraved line intersects its back (angled against the **M** of the previous word). In my view it seems more likely that the engraver made an error (perhaps a failed first attempt at the letter **G** of Godwine's name) and has self-corrected by overlaying it with a surreptitious punctuation or dividing mark (':'). A similar (although perhaps more deliberate) quasi-punctuation or dividing symbol is also visible on the earlier Æthelwald matrix, located between the bishop's name and title; such symbols may have functioned to enhance the legibility or clarity of an inscription by guiding the eye.⁴⁵⁹ Aspects of the posture of Godwine's portrait have been likened to the Arm and Sceptre coinage of 1040–2 (issued

⁴⁵⁴ Snook, *Chancery*, pp. 78–9, 84, 96, 144, 150–2.

⁴⁵⁵ The matrix, discovered in August 1879 at Wallingford in Berkshire alongside a small whetstone and a walrus ivory one-piece comb, measures 86 mm × 45 mm with a depth of 8 mm. For images, see: https://www.britishmuseum.org/collection/object/H_1881-0404-1 (viewed 15 July, 2020).

⁴⁵⁶ Heslop described the intaglio of Godwine's portrait and inscription as 'well designed and well cut', which unites it with the lentoid handle but distinguishes it from the Godgyth inscribed matrix on the reverse; see his 'English Seals', p. 5.

⁴⁵⁷ Blair, *Anglo-Saxon Oxfordshire*, pp. 154–5; cf. Cubitt, "'As the Lawbook Teaches'", p. 1035, n. 59. See also Keynes, 'Seal-matrix of Godwine', suggesting that Godwine was probably in the king's service.

⁴⁵⁸ Dalton, *Catalogue*, p. 33.

⁴⁵⁹ Note also the similar sign/mark at the end of the legend on the Edith seal.

during Harthacnut's reign and at the very start of the Confessor's); in particular the portrayal of the whole length of the arm, the cloak clasped at the shoulder, the number of cloak folds and the segmented forearm guards (vambraces).⁴⁶⁰ Overt images of royal identity (i.e. sceptre and headgear) employed in the Arm and Sceptre type have been supplanted in Godwine's intaglio with an upward-facing sword, and the thegn is bareheaded. The seal-maker, then, perhaps cognizant of contemporary representations of kingly posture, may have adopted such a stance for Godwine's intaglio portrait, altering small but critical aspects of iconographic detail to reflect the identity and rank of their commissioner.

The lentoid handle of the matrix features an intricate relief on one side (the same side as Godwine's intaglio); its other side is unornamented and the tip of the handle has broken away. The relief depicts a small descending dove (a symbol of the Holy Spirit) at its apex, and figures of God the Father and God the Son, enthroned and turned towards each other; their feet resting on a naked, prostrate human figure who stares up at them. This unusual scene is almost certainly a figurative representation of the first verse of Psalm 109 (*Dixit Dominus domino meo*): 'Sit thou at my right hand until I make thine enemies thy footstool.'⁴⁶¹ The verse is depicted elsewhere in pre-Conquest visual culture, namely within the Harley Psalter (British Library, Harley MS 603, 56v), produced at Canterbury in the first half of the eleventh century. This took as its exemplar the innovative Utrecht Psalter (Utrecht, Universiteitsbibliotheek, MS 32, 64v) created in Reims during the reign of Louis the Pious; the illustrations in both psalters depict the enthroned, conversant figures of the Father and the Son, their feet resting on two naked and subdued 'enemies'. The influence of the Utrecht Psalter on the eleventh-century English visual imagination was enormous, and it is hardly surprising that the sculptor of Godwine's relief handle found inspiration in this codex or in one of its many copies.⁴⁶² Moreover, we might speculate that this particular psalm would have appealed ideologically to an assertive thegn exercising power on behalf of their Lord, and

⁴⁶⁰ Rigold, 'Seals and Titles', p. 100; Heslop, 'English Seals', p. 5, n. 34. For the Arm and Sceptre type, see Pagan, 'Pacx', pp. 11, 24; and Naismith, *Medieval European Coinage*, pp. 225, 270–1.

⁴⁶¹ Dalton, *Catalogue*, no. 31, pp. 32–3; Webster, 'Metalwork', pp. 113–14; Keynes, 'Seal-matrix of Godwine', p. 385.

⁴⁶² For the use and diffusion of the Utrecht Psalter in England and related later codices, see Noel, *Harley Psalter*, pp. 6–9.

expecting loyalty in return from those beneath him in the socio-political hierarchy. It is undoubtedly also a provocative image that may have required a degree of explanation and decoding in order to reach a wider audience.⁴⁶³

A second walrus ivory seal matrix, discovered in Sittingbourne in Kent, and in the name of a certain Wulfric, has a more worn and retrograde appearance, with abrasion and a damaged left-hand edge.⁴⁶⁴ The intaglio itself is shallow and no border is provided for the central portrait. Like the Ælfric [I] and Godwine portraits, Wulfric holds a sword, although his stance is more lively and demonstrative in a style described by T. A. Heslop as ‘virtually Romanesque’; his left hand points or gestures and his figure is depicted three-quarter length, bearded head in profile but body facing outward towards the viewer.⁴⁶⁵ The matrix has a carved, zoomorphic openwork handle in the form of a bird-headed dragon or serpent coiled into itself, biting or devouring its tail, resulting in perforations within the tab that would have allowed the matrix to be carried more easily or worn as a pendent. One of these perforations appears to be a deliberately bored hole.

The depiction of Wulfric in three-quarter length contrasts with the postures of the Ælfric [I], [II], and Godwine matrices, and is more closely comparable to the three-quarter length postures adopted in Godgyth’s counter-seal and the Edith seal. It has been argued that the posture may have been modelled or otherwise influenced by the enthroned posture of the Confessor on his ‘second’ seal, with the corollary that Wulfric’s matrix can be closely dated between *c.* 1050 and the Conquest.⁴⁶⁶ In my view, however, the more static *majestas*-posture of Edward (full-length with inclusion of the throne, legs and feet) does not compare favourably with the posture of the energetic, gesticulating layman, and it would be unwise to attribute a narrow date-range based on such an observation. It should also be noted that the representation of the sigillant in three-quarter

⁴⁶³ For the rôle of visual play in pre-Conquest art alongside interest in complex carved surfaces, see Webster, ‘Anglo-Saxon Art’, pp. 124–30.

⁴⁶⁴ Webster, ‘Metalwork’, p. 114. The matrix measures 83 mm × 38 mm. For images, see: https://www.britishmuseum.org/collection/object/H_2019-8032-1 (viewed 15 July, 2020).

⁴⁶⁵ Heslop, ‘English Seals’, p. 6.

⁴⁶⁶ Similar caution in the context of dating clues should be applied to the alleged similarity between Wulfric’s intaglio and certain figures in the Tiberius Psalter (British Library, Cotton MS Tiberius C VI), produced in the third quarter of the eleventh century: for example the Roman soldiers on 13r. For discussion, see Heslop, ‘English Seals’, p. 7.

length could have been employed as early as the later tenth century, since it is used in the Edith seal (where the ‘original’ matrix may date to as early as *c.* 975–984 × 987).

The matrix of Ælfric [II], discovered by a metal detectorist in Hampshire in 2010, completes the corpus of later non-royal seal matrices of secular potentates known to scholarship.⁴⁶⁷ Cast in bronze (or a similar copper-alloy), the matrix was gilded after the engraving of the two-sided intaglio in a ‘fire gilding’ process using a mercury and gold amalgam (still visible in its recesses), which would have given the object a shimmering golden veneer to its contemporary onlookers.⁴⁶⁸ The left-facing portrait contrasts with the right-facing orientation of the other non-royal seals of laymen, although (like Ælfric [I] and Godwine), Ælfric [II] wears a draped cloak held together with a fibula/brooch.⁴⁶⁹ Corrosion and damage around the bust has potentially obscured other details in and around the portrait (which lacks inclusion of a sword or any other ostensible symbol of rank). Kershaw and Naismith have, however, concluded that the rest of the obverse field was probably originally blank, and that the lack of an ecclesiastical trait such as a tonsure (and the broad affinities with the other non-royal matrices discussed here), indicates that Ælfric was likely a high-ranking layman.⁴⁷⁰ Its inscription uses the nominative form of the sigillant’s personal name rather than the genitive which seems to have been broadly preferred; although epigraphic errors and uninflected names are attested elsewhere in early medieval inscriptions, and as we have already seen, even highly-skilled seal-engravers were capable of error.⁴⁷¹

The acanthus design on its reverse, set within an incised border, is closely comparable to the reverse of the Ælfric [I] matrix and again captures the mature ‘Winchester’ style. Asymmetrical in design, it features a base trefoil that gives rise to three main extending stems topped by five blossoms of acanthus. Such graphic forms

⁴⁶⁷ The matrix measures 55 mm × 34 mm, with a width of 6 mm. It lacks a precise findspot.

⁴⁶⁸ For reconstruction of the ‘fire gilding’ technique, see Kershaw and Naismith, ‘Seal Matrix’, pp. 292–3.

⁴⁶⁹ The drapery on the bareheaded Ælfric [II] matrix has invited comparison with the Crux issue (*c.* 991–7) and the earlier Hand coinages (*c.* 979–91) of Æthelred II. For discussion, see Kershaw and Naismith, ‘Seal Matrix’, p. 297; and Naismith, *Medieval European Coinage*, pp. 224, 261–5.

⁴⁷⁰ Kershaw and Naismith, ‘Seal Matrix’, p. 293.

⁴⁷¹ For examples, see Okasha, *Hand-List*, nos. 14, 46, 85 and 111; *eadem*, ‘Supplement’, no. 161; *eadem*, ‘Second Supplement’, nos. 208 and 211; and *eadem*, ‘Third Supplement’, nos. 234 and 239.

(combining the trefoil base and slender branches) find close parallels in a number of later tenth and eleventh-century scribal illuminations in the ‘Winchester’ style, such as the sacramentary of Robert of Jumièges, produced *c.* 1014 × 1023 (Rouen, Bibliothèque municipale, 274(Y.6)) and the New Minister foundation charter (S 745, *WinchNM* 23; British Library, Cotton Vespasian A.VIII), drawn up in *c.* 966 (or slightly later).⁴⁷² Indeed, the frontispiece of the latter codex-form charter, in which King Edgar presents the book to Christ (2v), combines elements seen on both the Ælfric [I] and [II] obverses within its decorative golden border: the longer tendrils emerging from trefoil bases, as well as the use of a central ring with interlaced diagonal crosses, with arms formed of four acanthus leaves extending to clasp the sides of the frame. The ‘Winchester’ motifs of the Ælfric [II] matrix also extend to its double-sided, openwork handle, which has been described as resembling an ‘inverted cat-like animal mask’, from which extends a cluster of acanthus leaves.⁴⁷³ There is also an intersecting hole at the handle’s apex, which would have allowed the matrix to be worn or suspended whilst clearly facing outwards towards the viewer.

4.2.2. Ecclesiastical Seals and Seal Matrices in Later Anglo-Saxon England

The active participation of ecclesiasts and women religious in sphragistic practices is evinced in surviving material culture by the conical matrix of Æthelwald, bishop of Dunwich (*acc.* 845 × 870), and in the later period by the intaglio of Godgyth on the counter-seal of the Godwine matrix, and the so-called ‘Edith seal’. Whilst this body of surviving material evidence is slightly smaller than the corpus of seals of laymen, it would be wrong to assume from this evidence that ‘ecclesiastical’ matrices were any less widespread than ‘lay’ seals in pre-Conquest society, but merely that fewer have chanced

⁴⁷² In the sacramentary, see for example: 25v, 32v and 72v. Kershaw and Naismith also note the use of ‘attenuated tendrils’ on contemporary secular metalwork, including strap-ends from Winchester and the Isle of Wight dated to the tenth century; see their ‘Seal Matrix’, p. 295.

⁴⁷³ See Kershaw and Naismith, ‘Seal Matrix’, pp. 294–6. The motif of acanthus extending from leonine heads and mouths was a prevalent motif in concurrent scribal culture; for example, it was used for decorating the initial **B** within the late-tenth-century Ramsey Psalter (British Library, Harley 2904, 4r) and the early-eleventh-century Eadui Psalter (British Library, Arundel 155, 12r). It also appears as part of an interlace design within initial **D** in a copy of Bede’s verse *Vita S. Cuthberti* produced in the later tenth century (British Library, Harley 1117, 45r), as well as on ivory, metalwork and strap-ends; see Kershaw and Naismith ‘Seal Matrix’, pp. 294–6; and for an example strap-end, see Backhouse, *Golden Age*, pp. 128–9, no. 133.

to be discovered. These objects also form a crucial part of a small corpus of objects from pre-Conquest England, which name or specify a woman as owner of the piece.⁴⁷⁴

A group of charters in the name of various abbesses of Wilton, namely Matilda de la Mare (1252–71), Cecily Willoughby (1485–1528), and Cecily Bodenham (1534–9) have come down to us with attached impressions of the same seal matrix (now lost), of Edith, styled ‘*REGAL ADELPHÉ*’ (*regalis adelphe* or ‘royal sister’) in its circumscribing legend.⁴⁷⁵ Francis Douce identified the seals shortly after their re-discovery in 1815 as later wax impressions of a now-lost ‘original’ matrix of Edith (961 × 964–984 × 987), daughter of King Edgar and (St) Wulfthryth, and half-sister of both King Edward the Martyr and King Æthelred II.⁴⁷⁶ Edith died *c.* 984 aged 23, but the scale of wealth and patronage that she and her royal and aristocratic kindred brought to bear at Wilton resulted in a major local cult, further encouraged by the associations and actions of her namesake Queen Edith (daughter of Earl Godwine and wife of the Confessor), herself raised at Wilton and a major patron of that abbey just before the Conquest.⁴⁷⁷ The three-quarter-length sigillographic rendering, neatly circumscribed by its inscription and border, shows Edith’s body orientated outward towards the viewer with left-facing head in profile; both her hands are raised, with her left hand holding a book and her right probably in the act of giving benediction.⁴⁷⁸ She is veiled and particular attention has been given to capturing the drapery of her habit, garb and sleeves. The handle or tab takes

⁴⁷⁴ See, for example, the early-eleventh century Ædwen Brooch, inscribed with the vernacular verse legend: ‘+ ÆDVÐEN ME AG AGE HYO DRIHTEN / DRIHTEN HINE AÐERIE ÐE ME HIRE ÆTFERIE / BVTON HYO ME SELLE HIRE AGENES PILLES’ (‘Ædwen owns me, may the Lord own her. May the Lord curse him who takes me from her, unless she gives me of her own free will.’) See Hudson, ‘Ædwen’; other objects include the Æthelswith finger-ring and the recently discovered Wulfgyfe nummular brooch (Portable Antiquities Scheme ‘Find ID’ WMID-B1C4E3) with its inscription ‘+ WVLFGEFE ME AH AG HIRE’ (‘Wulfgyfe owns me; owns me for her’); see Marzinzik, *Masterpieces*, pp. 144–5, 160–1.

⁴⁷⁵ The matrix was also chosen, no doubt very deliberately, to seal the abbey’s deed of surrender to Henry VIII in 1539.

⁴⁷⁶ Douce, ‘Some Remarks’.

⁴⁷⁷ For the historical Edith and the later accounts of her life by Goscelin and William of Malmesbury, see Ridyard, *Royal Saints*, pp. 140–75; Foot, *Veiled Women II*, pp. 221–31; Karkov, *Ruler Portraits*, pp. 114–18; and Keynes, ‘Use of Seals’, pp. 73–4.

⁴⁷⁸ A clear sketch is provided by Douce, ‘Some Remarks’, p. 40; and for images, see Hudson, ‘Making A Good Impression’ within the British Library website: <https://blogs.bl.uk/digitisedmanuscripts/2017/06/making-a-good-impression.html> (viewed 15 July, 2020).

the form of a profusion of acanthus foliage, and it is striking that the matrix handle itself formed a part of the seal impressions on the later Wilton charters. The implication here may be that the Ælfric [II], Godwine and Wulfric tabs would have also formed part of impressions made from these matrices, either in the pre-Conquest period or later. From the appearance of the impressions, it seems that the original matrix handle would have contained deliberate perforations, again allowing this matrix to be worn as a pendant or otherwise hung. The overall style of the portrait accords closely with concurrent scribal representations of veiled and venerated women; for example in the Benedictional of St Æthelwold (British Library, Additional MS 49598), produced at Winchester *c.* 971–84. At 90v, Æthelthryth of Ely is presented in a strikingly similar posture to Edith: framed by exuberant acanthus, clutching a book in her right hand and a flower in her left and pointing, perhaps acknowledging Christ Pantocrator on the opposite folio. The distinctive ‘V’-shapes created by the contrasting drapery of her habit is also a prominent feature of the Edith seal.⁴⁷⁹ The employment of the Greek noun *adelphi/adelpha* in lieu of the Latin *soror* on the Edith seal reflects a burgeoning interest in flaunting knowledge of Greek vocabulary over the course of the later tenth and eleventh centuries and should be set beside the use of *basilei*, the Greek title for ‘ruler’ on Edward’s ‘second’ seal inscription, and the alpha and omega sign on Ælfric [I]’s legend as an example of such acculturation. On Edith’s legend the title neatly aligns Edith’s status both as a nun and as half-sister of Edward the Martyr and Æthelred II; the royal identity clearly carried with her into the conventual milieu.

Further evidence for the use of seal matrices by women (specifically women religious) is provided by the intaglio engraved onto the counter-seal of the Godwine matrix, bearing the three-quarter length, seated portrait of a certain Godgyth, styled ‘*MONACHE D[E]O DATE*’ (‘nun given to God’) in the circumscribing legend. The engraving is shallower and less well executed than the obverse intaglio, with a smaller border provided for the legend and a larger field for the portrait. Opinion has differed over whether the Godgyth intaglio in fact pre-dates the Godwine engraving on the obverse, but to my mind the reverse seal is very much ‘secondary’ in its conception and execution,

⁴⁷⁹ See also the similar effect created by the drapery on the six saints of the ‘chorus of virgins’ on 2r of the Benedictional. The execution and form of their golden books is closely comparable to Edith’s book on the seal.

given its comparative quality and the way in which it faces away from the ornate tab.⁴⁸⁰ Its addition therefore raises important questions regarding the re-use/re-appropriation of sealing devices and the relationship between Godwine and Godgyth as individuals.⁴⁸¹ In the absence of any positive prosopographical evidence, we may speculate that Godgyth is Godwine's widow, daughter or kin, and that the seal was perhaps taken by or bequeathed to her, surely as one of the thegn's most personal and cherished possessions.⁴⁸² The portrait of Godgyth bears several parallels to the Edith seal, namely the posture and gesture (again possibly offering an invocation), with a book executed in a very similar style in her left hand. The folds and creases of the habit and veil are carefully demarcated and the drapery falls into the familiar 'V'-shape. Two crosshatched brackets around her waist probably signify a seat or cushion.

More tentatively, T. A. Heslop identified a corpus of seal impressions from the twelfth century and later which may have been based on eleventh-century (possibly pre-Conquest) matrices—these survive from the religious houses of Durham, Exeter, Sherborne, Athelney, Glastonbury, and Christ Church, Canterbury.⁴⁸³ Their Latin legends follow the familiar formula of the cross sign, followed by *sigillum* and the name of the church or community in the genitive, for example: '+ SIGILLVM SCE MARIE SCYRBVRNENSIS ÆCCLÆ' ('+ the seal of the Church of St. Mary, Sherborne').⁴⁸⁴ In terms of their graphic programmes, three of the impressions also capture the matrices' decorated handles (Glastonbury and Athelney decorated with acanthus motifs; and Sherborne with a half-length figure of a monk holding a codex), and five of the six of these impressions carry images of buildings (probably stereotyped representations of churches) on their obverse fields. Where the Edith seal demonstrated the re-appropriation of a personal seal as the conventual seal of the Wilton community, these often-fragmentary impressions provide

⁴⁸⁰ Okasha, *Hand-List*, no. 117, pp. 118–19; cf. Tonnochy, *Seal Dies*, pp. 2–3.

⁴⁸¹ The practice of 're-using' a matrix is attested elsewhere; for example the archdeacon Fulk's now-lost ivory matrix, see Heslop, 'English Seals', p. 8.

⁴⁸² It should be noted that seals are not mentioned in any surviving wills or bequests in the pre-Conquest period.

⁴⁸³ None of these seal impressions can be closely dated; see Heslop, 'English Seals', pp. 7–9.

⁴⁸⁴ The other legends are transcribed in *Ibid.*, p. 7, n. 42.

evidence that churches may have created and owned seals to be held in collective ownership within the community, possibly in the period before c. 1066.⁴⁸⁵

4.2.3. Concluding Observations

This analysis has demonstrated that a lively, diverse and sophisticated sigillographic culture extended across élite social strata (at least by the tenth and eleventh centuries) in England and involved not just kings but high-ranking laymen, aristocratic women, ecclesiasts and nuns as commissioners and owners of seal matrices. Moreover, none of these matrices were ‘anonymous’ in the sense that they all displayed clear Latin inscriptions expressing ownership, as well as carefully-executed portraits that embodied changing iconographic norms, linking them to a plethora of other inscribed and decorated objects and written texts. Indeed, whilst numismatic and scribal parallels can provide useful (although impressionistic) guides to dating, they also reveal how sigillographic, numismatic and scribal cultures were in close dialogue with regards to the representation of authority. Seal matrices and their impressions could thus respond to and shape the ‘horizon of expectations’ established by other media; perhaps most importantly the world of coins which communicated changing representations of royal authority to wide and varied audiences. Particularly striking in this regard is the relative dimensional uniformity of the above-discussed ‘non-royal’ matrices (c. 35–45 mm in diameter), which contrasts with the size of the impressions of the Confessor’s ‘second’ seal (each between c. 75–78 mm in diameter). This may have constituted an attempt to produce a hierarchy of matrices reflecting the paramount position of royal authority and the subordinate, delegated authority of thegns and other high-ranking power brokers of the English kingdom.⁴⁸⁶

⁴⁸⁵ It should be noted, in this connection, that Archbishops of Canterbury and York (and one bishop of London) were named on coins between the eighth and early tenth century, employing similar graphic programmes to the numismatic designs of royal coinages (with a *signum crucis* followed by an abbreviated form of *archiepiscopus* or *pontifex*); see Naismith, *Medieval European Coinage*, p. 374. That certain religious houses may have similarly sought to create sphragistic devices for their own purposes and to reflect their communal identities in the pre-Conquest period would hardly be surprising.

⁴⁸⁶ The smaller size of the non-royal seals may also have been a function of practical considerations, since larger impressions may have been more likely to break; for this question in

In the matrices dating to the late tenth and eleventh centuries, a number of further consistencies and shared features can be observed. In the overall conception of their design, all employ round seals with often highly ornate and figurative tabs, which may have been intended to form part of any wax impressions made. Openwork handles, as well as signs of former hinges/pins and intersecting bored holes have also been noted and reveal something of the setting-in-life of these objects as closely-guarded, deeply personal items of high value, which were at the same time conspicuous and visible to discerning viewers.⁴⁸⁷ Their perceived value is reflected also in the use of Greek vocabulary and graphic signs which no doubt elevated the appearance and tone of the Latin legends themselves when seen, read or spoken aloud. And whilst it has been shown that acanthus motifs (and the ‘Winchester’ style more broadly) was more socially and geographically diffuse than previously thought, the high-level of artistic skill demonstrated by the intaglios on the reverse of the Ælfric [I] and [II] matrices (and the handles of the Edith, Wulfric and Ælfric [II] seals) would have brought these matrices, in the eyes of educated viewers, into the sublime and exalted world of benedictionals, psalters, and other *de luxe* illuminated manuscripts patronised by the late Anglo-Saxon ruling class.⁴⁸⁸

The nature of this small body of evidence has meant contending with a number of lacunae and ‘known unknowns’. Firstly, we can be certain that the surviving corpus of matrices represents a very small sample of what may have been a popular class of objects amongst the tenth and eleventh-century aristocracy and ecclesiastical élite. It has been suggested that the strength and popularity of sphragistic culture at the eve of the Conquest may explain why Norman rulers were encouraged to slowly but surely incorporate seals into their own socio-political and literate practices after 1066, in a

relation to later medieval English and Welsh sigillographic culture, see McEwan, ‘Does Size Matter?’, p. 114.

⁴⁸⁷ This is also reflected in the use of fire gilding on the Ælfric [II] matrix to create a golden veneer; it may have been commonplace for such objects to be gilded or otherwise painted to enhance the matrix visually. Elisabeth Okasha has suggested that the gilding would have made any resulting impression ‘less than clear’ and that this matrix may thus have functioned primarily as an object of status rather than a practical seal-die; see her ‘Fourth Supplement’, pp. 372–3, no. 249.

⁴⁸⁸ See, for example, the decorated bone spoon with zoomorphic and foliate acanthus motifs found in Winchester, indicating that the style would also have been seen in more everyday, domestic settings or during feasting; Backhouse, *Golden Age*, p. 129, no. 134.

fashion analogous to Norman Italy or the Latin East (in the context of the adoption of Byzantine bullae).⁴⁸⁹ Indeed, it is possible to view the silhouette, so-to-speak, of the existence of further late Anglo-Saxon aristocratic seals in other sources. A twelfth-century record deriving from Waltham Abbey, Essex, of a list of relics kept there describes how they were stored ‘sub sigillo Lefwi ducis minisi’ (‘under the seal of Leofwine *minisi*’) and Simon Keynes has posited that, given the use of that term in Godwine’s seal legend, the record may have been created by a scribe transcribing a matrix or impression with the hypothetical inscription: ‘+ SIGILLVM LEOFWINI MINIS[TR]I’.⁴⁹⁰ The record thus points to a now-lost original seal of Earl Harold’s brother, Earl Leofwine, presumably commissioned by him in the 1050s while he was still a thegn, which had come to be invested, perhaps with symbolic and protective powers, in the context of a twelfth-century reliquary. Further evidence for the resilience of practices that may have developed (at least partially) before the Conquest is the survival of the early-twelfth-century seal of Thor Longus (fl. c. 1113–1124), an Anglo-Saxon layman and émigré to Scotland.⁴⁹¹ His vesica-shaped seal impression is bordered by the inscription: ‘THOR ME MITTIT AMICO’ (‘Thor sends me to a friend’) with a full-length portrait of Thor seated, holding a sheathed sword obliquely across his chest, which is clasped with his left hand. The overall posture of the full-length rendering of the layman has strong affinities to royal seals such as Edward’s ‘second’ seal and the authentic seals of William I and II, but without the royal/imperial elements of orb, sceptre and crown.⁴⁹² Such affinities point to the continued influence of royal sealing practices (and, to a certain degree, iconography) on lay subordinates.

Particularly striking also in terms of the contours of the corpus of late Anglo-Saxon seal matrices is the southern-English orientation of the findspots, which are confined within the ancestral kingdoms of Kent and Wessex. The contrasting appearance

⁴⁸⁹ Nieuws, ‘Early Aristocratic Seals’, p. 108.

⁴⁹⁰ British Library, Harley 3776, 33r. See Rogers, ‘Waltham Abbey’; and for discussion, see Keynes, ‘Earl Harold’, pp. 86–7; and *idem*, ‘Use of Seals’, p. 75.

⁴⁹¹ The impression is attached to a charter of Thor Longus in which the layman petitions Earl David to confirm his grant of Ednam, Roxburghshire to the monks of St Cuthbert, Durham; see Lawrie, *Scottish Charters*, pp. 25–6, 274–5. For discussion, see Heslop, ‘English Seals’, pp. 15–16; and Nieuws, ‘Early Aristocratic Seals’, p. 108.

⁴⁹² The inscription lacks a *signum crucis*; for further discussion of the iconography of the Thor Longus seal, see Holton, ‘Masculine Identity’, pp. 95–6.

of the earlier conical matrix of Bishop Æthelwald of Dunwich with its zoomorphic arcading must partially be a product of its East Anglian cultural milieu, and future sphragistic finds from northern and eastern England will no doubt similarly reflect their respective cultural and regional settings. To my mind it is also reasonable to posit that sigillographic culture would have been embraced by other social groups not represented in the extant corpus of material finds: secular aristocratic and royal women who are known to have issued writs and letters seem particularly likely to have participated in this culture, including issuers of surviving writs such as Queens Ælfthryth, Ælfifu and Edith (see Appendix I, Figure 5.2.). It is more difficult to judge just how far down society this culture penetrated: eleventh-century English peasants may not have owned their own seals, but may have been able to discern and thus acknowledge the delegated authority of a local lord or thegn through the combination of visual portrait and inscribed legend on an impression, and by the overall similarity of these aforementioned elements to coins, which undoubtedly had a much wider social circulation.⁴⁹³ We should also consider the popularity of quasi-seals and seal-like devices and objects such as brooches with self-referential inscriptions and so-called ‘unidentified socketed objects’ like the Minster Lovell Jewell, which may have served some of the functions of the matrices analysed above: as possible tokens of credence, personal signifiers of identity or delegated authority, and so on.⁴⁹⁴

4.3. *Sphragistic Culture in the Tenth and Eleventh Centuries: Textual Evidence*

We may now turn to the body of textual evidence (chiefly documentary and literary texts) which can provide further answers to how the above-discussed body of matrices and impressions may have functioned in contemporary society, and to what social, political and legal purposes they may have been put. It is possible to discuss this evidence through the lens of a number of typological categories, introduced below, classifying references to *inseg(e)l* and related collocations. These categories both draw on, and offer a rejoinder to, Jane Roberts’ analysis of the semantic field of *insegel*, which identified four conceptual

⁴⁹³ It is not until *c.* 1200 that seals appear to have been adopted by peasants as part of low-level economic and legal transactions; see Schofield, ‘Seals and the Peasant Economy’, p. 347.

⁴⁹⁴ See Orton, *Writing*; Lerer, *Literacy*, pp. 84–7; and Keynes, ‘Use of Seals’, p. 74.

branches and a number of further sub-categories of linguistic usages, based on analysis of their contextual environments.⁴⁹⁵ As Roberts stressed, any attempt to impose order on this diverse body of textual evidence is replete with difficulty, since *insegel* itself is a ‘slippery’ word, ‘huge in extension’ and often intersecting with other terms and concepts in its meaning.⁴⁹⁶ Nevertheless, this evidence allows us to discern a range of pre-Conquest seal functions inferred from their textual settings, albeit with blurred and overlapping edges.

4.3.1. *Seals as Proxies for Orders and Instructions*

A number of literary and documentary texts make clear that seals functioned as proxies for orders or instructions, imbued with the delegated authority of the sender, which could be the king or a non-royal agency.⁴⁹⁷ This function is apparent in the aforementioned segment of King Alfred’s translation of Augustine’s *Soliloquies*, in which Reason implies that seeing ‘ðines hlaforðes ærendgewrit and hys insegel’ would allow one to discern that lord’s identity as well as ‘hys willan’ (‘his will/bidding’).⁴⁹⁸ This passage also highlights a problem running through much of this material, namely the unclear nature of the relationship between seal and written text; in this instance the position of ‘hys’ implying physical as well as conceptual separation.⁴⁹⁹ A capitulary of Charlemagne from 809 provides a telling analogy: we are told that, in order for oaths to be performed at the royal palace, sworn persons should be compelled to travel there ‘cum indiculo aut sigillo’ (‘with a signed order or with a seal’).⁵⁰⁰ The implication here (of the

⁴⁹⁵ Roberts, ‘Anglo-Saxon Seals’, pp. 153–7. These are: (i) A seal, adjoined in some way to a document as evidence of authenticity/used to authenticate that what is sealed has remained sealed; (ii) An engraved stamp of hard material to make an impression upon wax; (iii) Ambiguous between i and ii; (iv) A seal that protects, sign, token; seals in glosses.

⁴⁹⁶ Namely words such as *lock*, *bolt* and *bar*; see Roberts, ‘Anglo-Saxon Seals’, p. 153–4. *Insegel* is defined as ‘a seal attached to a document as evidence of authenticity’ and ‘a seal placed on a lock [or] receptacle so that an opening cannot be effected without breaking it’ in Bosworth and Toller, *Supplement*, p. 594; see also entries for *inseg(e)l* in the University of Toronto’s *Dictionary and Web Corpus*. *Insegel* was provided as a gloss by contemporaries for the Latin term *sigillum*, *insigillare* (‘little sign, figure; seal, token’), itself a diminutive of the Latin *signum* (‘sign, emblem’); see Keynes, ‘Use of Seals’, p. 75.

⁴⁹⁷ See also Chapter One, sections 1.1., 1.3.–4., above.

⁴⁹⁸ *King Alfred’s Version of St Augustine’s Soliloquies* (ed. Carnicelli, p. 62).

⁴⁹⁹ Keynes, *Diplomas*, pp. 136–7.

⁵⁰⁰ *Capitulare Aquisgranense* §14 (ed. Pertz, p. 156).

syntactic position of *aut*) is that seals functioned in Charlemagne's realm as an alternative to written texts to communicate instructions and mandates from the royal centre. Genevra Kornbluth has used the term *simplex sigillum* to describe such apparent phenomena, arguing persuasively that quasi-seals such as the ninth-century Remiremont agate (which featured an unreversed inscription) functioned as practical, 'loose' tokens of identification and communication for Carolingian kings as well as non-royal élites.⁵⁰¹

Two documents, discussed in detail in Chapter One (section 1.3.) refer to King Æthelred II's deployment of an 'insegl' (S 1454, *CantCC* 133) and a 'geprit 7 his insegl' (S 1456, *Roch* 37) in the context of late-tenth-century shire-court adjudication, instituting and publicizing the need for public litigation. Both texts identify the delegated authority (Abbot Ælfhere [of Bath] and Archbishop Ælfric respectively), and use similar verbs to articulate the transfer of vertical authority fostered by possession of the *insegl/gewrit* 7 *insegl*, namely: 'beodan' or 'beodan 7 hatan' ('to command', 'to order and command'). Both accounts also frame these commands with a similar sense of moral imperative; that the litigation should occur in a way that is conducive to a just ('onriht'/'rihtlice') outcome. Again it is unclear whether the *insegl* in the Cuckhamsley chirograph should be understood as a *simplex sigillum* or as an abbreviation for the 'writ and seal' collocation.⁵⁰² Indeed, it may be that this collocation underwent a process of 'semantic bleaching' already discussed in relation to word-pairs such as *að and wedd* ('oath and pledge'), in which the constituent elements became less significant, and with the overall meaning discernable from its context.⁵⁰³

4.3.2. Seals as Evidentiary Signs

The rôle of seal matrices and impressions as evidentiary signs, i.e. submitted as a form of evidence or proof (typically to some higher authority) is an attested function from the early tenth century to the close of our period. This has already been discussed in relation to the episode embedded within the Fonthill letter (S 1445, *CantCC* 104), in

⁵⁰¹ For discussion and further later evidence, see Kornbluth, *Engraved Gems*, pp. 77–84; for the Remiremont agate, which may have belonged to a merchant or landowner, see *eadem*, 'Token of Reginboldus'; and for the use of gems alongside seals in the Carolingian chancery, see Garipzanov, *Symbolic Language*, pp. 217–23.

⁵⁰² Keynes, 'Cuckhamsley Chirograph', pp. 203–4.

⁵⁰³ See above, Chapter Three, section 3.3.1.

which Helmstan retrieves an ‘insigle’ at King Alfred’s grave, which is later submitted to Edward the Elder (mediated through the writer), eventually leading to Helmstan’s pardon. The account is careful in describing the precise pattern of possession and transfer of the ‘insigle’ between persons; Helmstan ‘brohte insigle to me [...] Ða ageaf ic ða insigle ðe’ (‘brought the seal to me [...] Then I gave the seal to you’). Whilst the ‘insigle’ of this episode may also have been invested with a range of other functions (e.g. symbolic of personal penance and apotropaic/protective given its source), it clearly operated within the Fonthill dispute as a powerful physical sign with evidentiary value, analogous to the legal rôle played by written evidence elsewhere in the letter’s narrative.⁵⁰⁴

That seals functioned both as evidentiary signs and as proxies for delegated higher authority (thus combining the discrete functions discussed here and in the previous section) is evinced by a clause within a letter of Pope John XV delineating the peace established between King Æthelred II and Richard I of Normandy at Rouen in 991, preserved in the so-called Canterbury Letter Book.⁵⁰⁵ His letter ends: ‘de hominibus regis vel inimicis suis, nullum Ricardus recipiat, nec rex de suis sine sigillo eorum’, stipulating that royal or ducal *homines* may only be received within their counterpart’s court if they carry their lord’s seal with them (referring here perhaps to the use of loose seals or *simplex sigilla*).⁵⁰⁶ The clause thus alludes to, and re-affirms, a technique within contemporary interregional diplomacy, as important to this peace agreement as its concurrent insistence upon respecting compensation and oaths. It also points to the centralising practices that so often characterized the later tenth century, in which the hand of royal authority extended down and outwards into the affairs of non-royal actors; in this case to ensure stable and uncorrupted discourse between courts, and attempt to avoid deception and espionage.⁵⁰⁷

⁵⁰⁴ See above, Chapter One, section 1.4.

⁵⁰⁵ British Library, Cotton Tiberius A XV, 172v–173r.

⁵⁰⁶ ‘Richard is to receive none of the king’s men, nor of his enemies, nor the king any of his, without their seal.’ (ed. Whitelock, *Councils & Synods*, pp. 177–9).

⁵⁰⁷ As Keynes observes, the passage also implies that Anglo-Norman relations may have been strained or manipulated by people passing themselves off as legitimate representatives in bad faith; for discussion, see his ‘Use of Seals’, p. 76; and *idem*, *Diplomas*, pp. 139–40.

Later evidence that seals were used (or re-used) as evidentiary devices is found in the Peterborough Chronicle for 1051, in which Sparrowhawk shows ‘þæs cynges gewrite 7 insegle’ declaring his appointment to the bishopric of London, and uses it in an attempt to protect his position and gain the support of Robert of Jumièges, which is then overruled.⁵⁰⁸ The account highlights the usefulness of writs and seals to their respective ‘beneficiaries’, in the event that their ecclesiastical authority or jurisdiction came to be contested, for example amid accusations of simony. Having functioned originally as a straightforward administrative royal pronouncement of a church appointment, writs and seals of this nature had the potential to be re-used and re-performed in other settings in order to defend the positions, rights, and privileges of an individual or community. It is also worth noting in connection with this function a post-Conquest vernacular usage of ‘insigeles’ within a diploma of William I issued in 1081 and preserved at Bury St Edmunds, with the clause: ‘7 we gefæstnodan eac þas kartan mid uran agenum hand gewrite 7 mid ures insigeles onðryste to þam þat þara foresprecenan stowe freedom on ecnyse þurhwunie.’⁵⁰⁹ The section describes the community’s re-use of a charter and seal (most likely an associated or attached impression), which provides an evidentiary basis for the continuation of their ‘freedom’. The verb ‘onðryste’ is a *hapax legomenon* but is probably related to later ‘thrust’ forms, giving a sense of legal contestation and the energetic defence made by the community of its immunities.⁵¹⁰ The seal in this instance no doubt functioned, at the same time, as an authenticating device for the original charter, in a similar way to the ‘gewrite 7 insegle’ within the Peterborough Chronicle entry.

4.3.3. Seals as Authenticating Devices for Written Documents

Aside from the diplomatic evidence discussed in Chapter Two of this thesis, and the use of *ærendgewrit/gewrit and insegel* as a collocation, a number of further textual references also point to a contemporary understanding of the function of seals as ‘authenticating’ devices for written documents. In *Vercelli Homily X*, written towards the

⁵⁰⁸ ASC E 1048 (=1051) (ed. Irvine, p. 80).

⁵⁰⁹ ‘And we also confirmed the charter with our own writing and with the impression (‘thrust’) of our seal, so that the aforementioned foundation’s immunity may continue in perpetuity.’ (ed. Douglas, p. 53, no. 7).

⁵¹⁰ Roberts, ‘Anglo-Saxon Seals’, p. 145.

latter half of the tenth century, the narrator draws on sphragistic and diplomatic images to frame their homiletic argument. In the text, God reprimands a wealthy man, asking him why he hoarded wealth for his own household and describes such hoarding in terms of securing and protecting the land ‘with seals’: ‘Unyðe þe wæs þæt ðu hit eal ne meahtest gefæstnigan, ne mid insigelum eal beclysian.’⁵¹¹ Later in the same homily, more precise vocabulary from the arena of diplomatic is used, with specific reference to the concept of *bocland* where *land* would surely have been a sufficient rendering of its putative Latin source (*terra*): ‘Gif ðu wene þæt hit þin bocland sie 7 on agene æht geseald, hit þonne wæron mine wæter þa ðe on heofonum wæron, þanon ic mine gife dæle eorðwærum.’⁵¹² The writer thus takes their audience into the world of contemporary land tenure, with ‘insigelum eal beclysian’ a probable allusion to the use of seals as authenticating devices for writs announcing grants of land, and thus kept and re-deployed by their beneficiaries as proof of possession.

A rather more ambiguous earlier example can be found in the use of terminology employed by Bishop Wærferth in his West Saxon translation of Gregory the Great’s *Dialogi*, using the phrase ‘*boc mid seofon inseglum geinseglode*’ (‘a *boc* sealed with seven seals’) to describe the scroll with seven seals in Revelation (V. 1).⁵¹³ The use of the word *boc* here may be significant, since this term had a broad semantic field, permitting

⁵¹¹ ‘You found it hard that you could not secure and protect it all with seals.’ (ed. Scragg, pp. 205–6.)

⁵¹² ‘If you think that it is your *bocland* and moved into your own possession, then they were my showers of water in the heavens, from where I dispense gifts to the peoples of earth.’ (ed. Scragg, pp. 205–6). For detailed discussion of these passages and their source/s, see Roberts, ‘Anglo-Saxon Seals’, pp. 137–43; and for the homilies in context, see Zacher, *Preaching*, pp. 3–29.

⁵¹³ ‘7 eac Iohannes stefn heþwæreþ þam ylcan andgyte in þam ilcan wene, se sæde, þæt he gesawe boc mid seofon inseglum geinseglode, 7 þæt nænig man wære gemeted wyrðe ne on heofonum ne on eorðan ne under eorðan, þe þa boc moste untynan 7 hire inseglu tobrecean þa boc swa þehhweþre Iohannes sæde, þæt heo wære æfter þon untyned þurh þone leon of Iudan cynne.’ (‘And also the testimony of John accords with the same understanding in the same expectation, who said that he saw a book sealed with seven seals, and that no man of sufficient worth might be found in heaven nor earth nor under earth of sufficient worth who could open the book and break its seals asunder. Nevertheless, John said that the book would therefore be opened through the lion of the race of Judah.’) (ed. Hecht, p. 332). For further discussion, see Roberts, ‘Anglo-Saxon Seals’, pp. 143–4.

his audience space for visualising a sealed book or charter in lieu of a scroll—images perhaps more relatable for Wærferth’s contemporary audience.⁵¹⁴

4.3.4. *Seals as Marking or Closing Devices*

That seal impressions could have also been used in pre-Conquest society to mark or ‘close’ objects other than documentation is reflected in a number of references found in both literary and normative legal texts. The function is captured in several references in the anonymous Old English *Legend of the Seven Sleepers*, a late-tenth- or early-eleventh-century vernacular rendering of a popular late antique Latin tale, which has recently been fruitfully scrutinised as a window onto contemporary English political, legal and urban culture thanks to the subtle creativity of its retelling.⁵¹⁵ A key symbolic object within the narrative is the box or casket containing the written account of the martyrdom as written by the courtiers Theodorus and Rufinus, which is concealed within the cave with the seven martyred men and sealed with two silver seals: ‘[...] and hi ðæt gewrit mid twam sylfrenan in seglum on anre teage geinsegledon.’⁵¹⁶ The sealed box is later found and similarly described as ‘ane teage, seo wæs geinsægled mid twam sylfrenan insægla’, closely following the imagery of its Latin exemplar: ‘loculum sigillatum duobus sigillis argenteis.’⁵¹⁷ Later in the tale, as the bishop and townspeople venture into the cave to meet the sleepers, the narrator reminds us that the seals functioned both to mark the closed chest and indicate its contents: ‘[...] þæt þa insægla wæron eft to swutelunge hwæt man þærinne funde, þonne se tima gewurðe eall swa God wolde þæt þa gewurðan sceolde.’⁵¹⁸ And finally, in a dramatic performative act, the reeve took the casket ‘on gewitnysse ealles folces’ (‘in the witness of all the people’), ‘hi un-insæglode’ (‘unsealed it’) and read it aloud with careful emphasis, thus vindicating Malchus’ original disputed claim (*talū*): ‘þa hi openlice rædde; þa com he to þære stæf-

⁵¹⁴ Earlier in the *Dialogues*, in Wærferth’s treatment of the death of the nun Romula, the phrase ‘þonne we sceawiað þa in seglu 7 onlicnessa’ (‘as we observe the impression and likeness’, ed. Hecht, p. 283) is used to render ‘sculpta sigilla’ within a metaphor highlighting the inherent imperfections of human corporeality.

⁵¹⁵ See Cubitt, “As the Lawbook Teaches”; and Atherton, ‘Coins’, p. 70.

⁵¹⁶ ‘and they sealed the document in a casket with two silver seals.’ (ed. Magennis, p. 43).

⁵¹⁷ ‘a casket, which was sealed with two silver seals.’ (ed. Magennis, p. 55).

⁵¹⁸ ‘that the seals were there as a declaration of what should be found inside, when the time should come just as God wished it.’ (ed. Magennis, p. 55).

ræwe þær he þæt word funde awriten and he hit þa rædde eall swa.⁵¹⁹ As recent critics have noted, the language employed by the narrator throughout the *Seven Sleepers* draws strongly on the nomenclature of concurrent vernacular dispute settlements and other documents recounting legal performance (using terms such as *talū*, *swutelung*, *sprecan for*, etc.), rooting a story concerned with abstract doctrinal themes such as corporeal resurrection in the lived experiences of the later tenth-century English aristocracy.⁵²⁰ That the translator may have been drawing on their contemporary audience's familiarity with the function of seals in late pre-Conquest society as both marking devices and outward signs of authority and identity is reflected in both the slightly stronger emphasis placed upon the seals themselves in the Old English version compared to its exemplar, as well as their rôle in revealing/declaring ('to swutelunge') what would be found inside.⁵²¹

In the anonymous legal text *Ordal*, thought to be roughly contemporary with the reign of King Æthelstan and describing the legal-proof procedure of 'trial by ordeal', the process of covering and closing a proband's wound after the application of the hot iron or boiling water employs the language of sealing: '7 in seglige man þa hand, 7 sece man ofer þæne þriddan dæg, swa hwæðer swa heo beo ful swa clæne binnan þam in segle.'⁵²² The 'in segle' here may be interpreted variously as merely referring to the bandages used to seal the wound for three days and then be inspected (thus extending the field of reference of 'in segle' towards a more figurative referentiality); or that an actual seal impression was prescribed to be utilized to seal the proband's wound for the length of the ordeal. This latter reading would fit the highly ritualized setting of the ordeal procedure as delineated in the text, taking place according to 'Godes bebodum 7 þæs arcebiscepes 7 ealra biscopa' ('the commands of God and the archbishop and all the bishops'), within a

⁵¹⁹ 'Then he openly read it; then he came to the row of letters where he found the words written, and he read it all thus.' (ed. Magennis, p. 55).

⁵²⁰ Cubitt, "As the Lawbook Teaches", p. 1030; Atherton, 'Coins', pp. 69–70.

⁵²¹ Cf., for example, the description of the sealed *gewrit* with its two silver seals to the initial description in the Latin version: 'scribentes litteras, et sigillantes deposuerunt secrete.' ('They wrote the document and sealed it, and deposited it securely.') (ed. Magennis, p. 80–1). For further discussion, see Roberts, 'Anglo-Saxon Seals', p. 149; and Atherton, 'Coins', p. 69.

⁵²² 'And the hand is to be sealed, and after the third day it should be known whether it is festering or clean under the seal.' *Ordal* (ed. Liebermann I, p. 387). For the ordeal and its social setting, see Bartlett, *Trial by Fire*, pp. 34–69; Wormald, 'Papers Preparatory', pp. 72–90; Keefer, 'Lay Ordeal'; and Lambert, *Law*, pp. 254–7.

church building and observing fasting, the use of holy water, and the invocation of the cross.⁵²³

Further references in other texts employ the language of seals and sealing in the context of marking some sort of *loc* ('a lock, bolt, bar, that by which anything is closed').⁵²⁴ An 'insegl' is used by St Benedict in Wærferth's translation of Gregory's *Dialogi*, functioning to enhance the security of a 'loc' closing a wine-store: '7 þa þa he geseah, þæt þa þearfan genoh hæfdon, he het þone cniht stigan of þære wintreddan 7 beleac þæt winern 7 asette his agen insegl on þæt loc. He forlet hit swa belocen 7 sona him hecyrde eft to cyrcan.'⁵²⁵ This passage can be juxtaposed with Wærferth's exemplar, in which the phrase: 'atque inpresso sigillo proprio munitam reliquit' ('and left it protected with the impression of his own seal') is used, thus indicating that, for Wærferth and his contemporary audience, the semantic range of 'insegl' included seal impressions as well as matrices.⁵²⁶ A similar set of references can be found in the eleventh-century Old English version of the fourth-century Greek *Gospel of Nicodemus*, clustered around the description of the imprisonment and release of Joseph of Arimathea. In the series of interrogations put by the soldiers to Joseph's captors, asking how he had vanished despite being locked securely, we see again the use of 'insegle' to describe the securing of the *loc*: 'ge hyne on fæstre clusan beclysdon and þæt loc myd insegle geinseglodon.'⁵²⁷ A similar marking or demarcating function can also be found in Ælfric's description of the closing and 'sealing' of Christ's tomb: 'Ge habbað weardas farað to 7 healdað; hi ða ferdon to: 7 mearcodon ða þruh mid insegle 7 besæton þa birgine.'⁵²⁸ As Jane Roberts has noted, this marking of the tomb with a seal recalls biblical descriptions, namely the

⁵²³ For the ordeal and appurtenant rites, see Foxhall Forbes, *Heaven and Earth*, pp. 159–72.

⁵²⁴ For *loc*, see Bosworth and Toller, *Supplement*, p. 619.

⁵²⁵ 'And when he saw that the poor had had enough, he ordered the boy to come out of the wine press and closed the wine-cellar and placed his own seal on the lock. He left it closed in this way and straightaway returned to the church.' (ed. Hecht, p. 59).

⁵²⁶ *Dialogi* (ed. De Vogüé, pp. 41–4).

⁵²⁷ 'You locked him up in a very secure prison and sealed the lock with a seal.' (ed. Cross, pp. 174–5). This can be compared to the other witness to the Old English *Nicodemus*, which uses the phrase: '7 þæt loc myd insægle macodon' ('And made the closure with a seal'), laying slightly more emphasis upon the use of the 'insægle' as a locking or closing device. See Hulme, 'Gospel of Nicodemus', p. 487.

⁵²⁸ 'Then they went to their positions, and marked the tomb with a seal and guarded the grave.' (ed. Clemons, p. 299).

signing of the stone in Matthew, and the king's marking of the stone closing the lions' den in the Book of Daniel.⁵²⁹

4.3.5. *Seals as Protective/Apotropaic Devices or as Signs of the Cross*

A number of hagiographical references point to a recognition of the protective and apotropaic qualities of seals in the contemporary imagination. This is perhaps unsurprising, given the aforementioned rôle of seals in biblical texts as well as the well-established early Christian usage of seals and quasi-seals as apotropaic signs, intended to invoke spiritual protection and avert evil or bad luck.⁵³⁰ In the tenth-century Old English prose version of Felix's *Vita sancti Guthlaci*, we are told that a heavenly sign ('tacn of heofenum') appeared at the time of the Mercian saint's birth, marking out the child with an 'inseglum' as one of God's elect.⁵³¹ Later in the same text, the term 'insegl Cristes rode' is employed to describe the culmination of the process of gesturing or invoking the sign of the cross: 'Mid þy þære nihte þystro gewiton, and hit dæg wæs, þa aras he and hine sylfne getacnode insegle Cristes rode.'⁵³² A very similar usage can be found in the early-eleventh-century Old English *Life of St Machutus*, in which the saint is described figuratively 'sealing' himself with the 'insegle' of the holy cross: 'Þa se halga machu hine geinseglade mid insegle þære halgan rode.'⁵³³ It is noteworthy that the vernacular translator uses 'geinseglade mid insegle' here to render their Latin exemplar ('Tunc Sanctus machu signaculo Sancte crucis signauit se'), thus insisting upon an explicit vocabulary of sealing rather than using *tacn* ('sign, token') employed elsewhere in the

⁵²⁹ Matt. XXVII. 66 and Dan. VI. 17. For discussion, see Roberts, 'Anglo-Saxon Seals', p. 146.

⁵³⁰ For the representation of seals in the Bible and the use of seals in Judean society, see Gorelick and Williams-Forte, *Ancient Seals*; and Friedenberg, 'Evolution'; and for seals as protective signs within late antique Christian communities on the continent, see Garipzanov, *Graphic Signs*, pp. 35–41, 221, 289–90.

⁵³¹ 'Ða se tima com, þæt heo þæt bearn cennan scolde, þa sæmninga com tacn of heofenum, and þæt tacn swytelice mid inseglum beclysde.' 'Then the time came when she would give birth to a child, and suddenly a heavenly sign came and marked out the child with a seal.' *Life of Guthlac* (ed. Gonser, p. 104). For further discussion, see Roberts, 'Guthlac', pp. 117–18; and *eadem*, 'Miraculous Hand'.

⁵³² 'When the dark clouds of the night dispersed and it was day, he arose and signed himself with the seal of Christ's cross.' *Life of Guthlac* (ed. Gonser, p. 110).

⁵³³ 'Then the holy Machutus sealed himself with the seal of the holy cross.' *Life of Machutus* (ed. Yerkes, pp. 40–1).

prose *vita* to describe signs and acts of God.⁵³⁴ For Jane Roberts, this reveals the figurative extension of the vocabulary of sealing, but to my mind it may also point to the apotropaic associations of seals themselves as symbolic objects within society.⁵³⁵ This is reflected not just in the iconography of the seal matrices with their consistent use of cross *signa*, as discussed in the first section of this chapter, but may have been a function of seals such as the Fonthill letter ‘insigle’ (S 1445), an object retrieved at Alfred’s tomb which clearly bore protective, redemptive or penitential qualities and associations given its narratological rôle.

4.3.6. *Seals in Glosses*

Sphragistic vocabulary occasionally appears in a number of pre-Conquest glossaries, where ‘insegel’ is typically provided as a gloss for ‘sigillum’ or ‘sigillum ꝛ bulla’.⁵³⁶ The form ‘insiglae’ appears as a gloss for ‘signacula’ in a section on the book of the Apocalypse and its seals in the tenth-century Durham Collectar.⁵³⁷ The unusual spelling of ‘insiglae’ may be the result of the scribe working closely with their Latin exemplar and thus declining the word as if it were Latin, introducing an intra-word code-switch.

4.4. *Concluding Observations*

The above textual analysis has identified a number of typological categories to demonstrate conclusively that seals (and any associated writs or documentation) had a wide range of social and legal functions alongside documentary authentication. These categories are not intended to be understood as a hierarchy but rather as typologies with relatively broad definitions and intersecting edges, reflecting the multiple and interrelated functions of seals in later Anglo-Saxon England. An ambiguity permeating much of this material is the social function of a seal matrix versus the more damage-prone seal

⁵³⁴ ‘Then St Machutus signed himself with the seal of the holy cross.’ *Ibid.* (ed. Yerkes, p. 40).

⁵³⁵ Roberts, ‘Guthlac’, pp. 117–18.

⁵³⁶ See for example: British Library, Additional MS 32246. (Porter, ed., *Antwerp-London Glossaries*, p. 63). *Mercel/mercelse* (‘sign’, ‘mark’, ‘token’) also appears twice as a gloss for *signaculo* alongside *insegle*; for a tabulation of references, see Roberts, ‘Anglo-Saxon Seals’, pp. 156–7; and for further discussion, see Heslop, ‘English Seals’, p. 3.

⁵³⁷ Durham Cathedral Library MS.A.IV.19, 14v. *Rituale ecclesiae Dunelmensis* (ed. Corrêa, p. 159). See also Meritt, *Hardest Glosses*, p. 107.

impressions, only extant from archival settings. In many of the textual references, it is unclear whether a matrix or impression was intended by the writer; but possession of an original matrix must have been closely guarded and the more vulnerable impressions may have provided useful but somewhat temporary tokens, associating their possessor with the original matrix and its owner. This may have hypothetically been the case, for example, in the reference to the ‘sigillo’ within the missive of Pope John XV, which implies a network of individuals who may have required multiple impressions from the royal/ducal matrix to validate their presence at their counterparts’ court at any one time.

Both halves of this chapter have highlighted the rôle of non-royal individuals as commissioners of their own seal matrices, as well as active participants in royal sphragistic practices (acting as messengers or carriers of seals in different contexts), and crucially also as audiences for these enacted ‘performances’ at courts or in other settings. It is difficult to tell whether royal or non-royal sealing practices developed first, and whether we should understand this as a ‘top-down’ model of élite emulation as a result of exposure to royal sealing practices. It is perhaps more fruitful to understand sphragistic practices in late Anglo-Saxon England through the lens of the idea of ongoing *Königsnähe* (nearness or proximity to the king/royal authority), since the iconographic parallels observable for example between royal coinage and non-royal seals were dynamic and clearly shaped by ever-changing conceptions of how best to represent authority through visual forms and signs.⁵³⁸ The use of such graphic signs and motifs by both the king and the aristocracy may have been self-reinforcing, highlighting both the special, paramount nature of royal authority and the participation of lay and ecclesiastical élites in this elevated culture. This is reflected, for example, by the use of Greek vocabulary/graphic *signa* in Edward the Confessor’s seal as well as the Edith and Ælfric [I] seals. This chapter has also highlighted that the corpus of non-royal seals share a number of consistent features, no doubt reflecting a desire to represent the social rank of their commissioner with shared imagery that would be widely understood. At the same time, the material evidence has shown that sphragistic craftsmen were capable of highly imaginative and meaningful work, perhaps most powerfully encapsulated in the form of the relief handle of the Godwine/Godgyth matrix.

⁵³⁸ For *Königsnähe*, see Wickham, *Medieval Rome*, p. 184.

In his treatment of Carolingian seals and bulls, Ildar Garipzanov notes that the portrait images on such objects ‘had a different function and addressed different audiences than images on coinage. The sphragistic images were intended for a limited social group: the receivers of royal *diplomata*, that is, Carolingian lay aristocracy and the upper clergy.’⁵³⁹ Whilst seal matrices were clearly less commonplace than coins, this chapter has also shown that the audiences for both royal and lay aristocratic seals was rather broader in the case of late Anglo-Saxon England than Garipzanov’s conceptualisation, since they would have been seen and observed by attendees of shire and other local courts in the tenth and eleventh centuries. In turn, the highly ornate (and sometimes gilded golden) surfaces of thegny seal matrices would have appeared alluring and conspicuous to their own lay subordinates, connecting them to a wider network of comital power, and to royal authority itself.

Where does the question of performativity sit in relation to the above-described typological functions? It is perhaps most fitting to understand the ‘performativity’ of seals as a thread running through much of this material. The deployment of seals as evidence in disputes, as devices to authenticate written documents, as proxies for royal and other orders: many of these settings would have demanded a degree of demonstrative behaviour on the part of their bearer to persuade their audience of the validity of their assertions in a world of contested truth claims, disputes over *bocland* and the possession of privileges and immunities, and much else.

Finally, it is clear that both the Old English *inseg(e)l* and Latin *sigillum* also had a figurative sphere of referentiality in literary and legal texts, as terms to express marking, closing or bandaging, and as proxies for more abstract signs of the cross and other religious gestures. In turn, however, such figurative uses reflect the symbolic value of the seal matrices and impressions as objects, which appear to have been consistently inscribed with cross *signa* and other overtly Christian imagery and graphic signs with apotropaic, salvific and protective connotations for their contemporary audiences.

⁵³⁹ Garipzanov, *Symbolic Language*, pp. 216–17.

CHAPTER FIVE: ANGLO-SAXON WRITS AS LEGAL DISCOURSE

5.1. Introduction

The preceding analysis has situated pre-Conquest writs within their wider palaeographic, codicological, diplomatic and sphragistic contexts and demonstrated that these texts occupied a unique space in tenth and eleventh-century documentary culture, using a range of techniques to connect central rulers and royal courts to local and regional communities and political fora. Yet the question of the precise meaning and functions of the constellations of legal and fiscal rights (also termed privileges) conferred by both royal and ‘non-royal’ writs remains, and these issues form the focus of this chapter. Section 5.2. provides an analysis of the privileges granted in writs, which Florence Harmer termed ‘judicial and financial rights’ and understood (with the exception of *toll*) as ‘profits of justice which might be granted away by the king to a subject.’⁵⁴⁰ Since the nineteenth century, legal and medieval historians have scrutinized the nature and extent of such rights and revenues, and their interpretations have shaped contemporary understandings of the reach of late pre-Conquest kingship and the state, and the comparative power and agency enjoyed by aristocratic élites.⁵⁴¹ Moreover, a number of highly significant interventions have been made in this field since the publication of Harmer’s 1952 edition, which must inform our conceptualization of writs as legal discourse.⁵⁴²

Where Chapter Four explored the participation of both lay and ecclesiastical non-royal figures in sphragistic culture, the final section of this chapter interrogates the nature of the involvement of individuals other than kings in writ-diplomatic practices. Could non-royal writs confer the same or similar legal rights and privileges as their royal counterparts? And, as with the non-royal seal matrices, to what extent do the non-royal writs reveal mimicry of aspects of royal government and its apparatus? In his study of the

⁵⁴⁰ *Writs*, pp. 73–85. For problematisation of the legal terms employed in this chapter, see Lambert, ‘Jurisdiction’, pp. 116–17; and Colman, ‘Hamsocn’, p. 95.

⁵⁴¹ Adams, ‘Anglo-Saxon Courts’; Maitland, *Domesday Book*, pp. 307–45; Goebel, *Felony*, pp. 336–440; Stenton, *Anglo-Saxon England*, pp. 494–502; Hurnard, ‘Franchises.’

⁵⁴² Namely: Cam, ‘Evolution’; Wormald, ‘Lordship and Justice’; Hudson, *Oxford History*, pp. 56–62; Lambert, ‘Royal Protections’; and *idem*, *Law*, pp. 294–348; and for their application in the wider context of aristocratic and state power, see Cross, *Aristocracy*, pp. 271–309.

political survival of the House of Leofwine in the later tenth and eleventh centuries, Stephen Baxter remarked that ‘intense competition for control of formal and informal power structures in the localities ensured that earls engaged with the minutiae of royal government.’⁵⁴³ This final segment seeks to provide a contribution to this theme, by considering the hitherto comparatively neglected group of non-royal writs synoptically, and in the context of other typologies of non-royal (or ‘private’) diplomatic output.

5.2. *The Legal Register of Anglo-Saxon Writs*

As outlined in Chapter Three, the constellations of privileges under discussion here are situated within the writ main announcement clauses, where they are often accompanied by formulaic word-pairs and other devices framing the grant in spatial terms (see Appendix I, Figure 3.3.). In writs conferring or delineating multiple privileges, this created coordinated noun phrases within the main announcement clauses, strongly marked by their rhyme, rhythm and alliteration. The frequency and archival distribution of the individual rights are tabulated in Appendix I, Figure 5.1. In cases where more than one right is delineated, the rights are provided in sequences that tend towards sequential stability, both across archives and across time: *sake and soke* and *toll and team* typically take first and second position respectively, with just two exceptions.⁵⁴⁴ More variability can be observed in the sequential stability of any additional rights granted, but the ‘typical’ order is: *infangenþeof*, followed by the group of rights variously termed the ‘reserved pleas’ or (to use the argot of contemporary sources) the *geriht*: *hamsoen*, *griðbryce/mundbryce*, *forsteal*; and *fihtwite*, *fyrðwite* and/or *flymenafyrmp*.⁵⁴⁵

What, then, did a grant of one or more of these strings of legal terms mean in pre-Conquest legal culture? The earliest work on late Anglo-Saxon legal rights stressed their ‘jurisdictional’ nature, conceiving that the privileges allowed their recipients to preside

⁵⁴³ Baxter, *Earls*, p. 118.

⁵⁴⁴ *Toll and team* is found in final position amongst the privilege sequences in: S 1091 (*CantStA* 35) and S 1162 (*Writs*, Add. Bromfield). In both these texts, the right is qualified by the spatial formula *on strand and in stream*, which may have been an attempt by the writ draftsmen to reflect the local conditions at Canterbury and Bromfield with their access to riverine trade routes.

⁵⁴⁵ Excluded from this discussion are the problematic, most likely post-Conquest terms *miskennig*, *sceawing*, *blodwite*, *weardwite* and *morthslecht*, for which, see *Writs*, pp. 82–5. For the continued use of these coordinated noun phrases in William I’s writs, see Timofeeva, ‘Cum Saca Et Soca’.

over both the proceedings and profits of ‘private courts’, thereby tangibly eroding the king’s rôle in legal affairs in addition to his sources of income. Frederic Maitland, in his analysis of the legal rights conveyed specifically in writs, observed at the turn of the twentieth century that the Confessor (and, to a lesser degree, Cnut) ‘dealt out jurisdictional rights with a lavish hand’, and that these ‘reserved pleas of the crown’ were delegated with profligate ‘reckless liberality’, leading to the inexorable rise of Anglo-Norman ‘seignorial justice’.⁵⁴⁶ In 1949, Naomi Hurnard pared back Maitland’s interpretation, concluding that sake and soke, *griðbryce*, *forsteal* and *hamsocn* conveyed only a ‘modest type of criminal jurisdiction’.⁵⁴⁷ Using evidence furnished by Cnut’s royal legislation (namely *I–II Cn*), Hurnard narrowed Maitland’s conception of the scope of ‘franchisal jurisdiction’ but maintained that a grant of sake and soke represented ‘a grant of actual jurisdiction, as well as the profits’.⁵⁴⁸ It was not until 1995 that this orthodoxy was seriously questioned; in his study of the bishop of Worcester’s ‘liberty’ for the triple-hundred of Oswaldslow, Patrick Wormald concluded that property owned by non-royal landlords was ‘not in its own right a basis for the exercise of judicial power in early England,’ pointing out the fundamental dearth of positive evidence for ‘private courts’ in pre-Conquest society, at least in the way they were conceived by earlier critics.⁵⁴⁹

This coincided with an important turn in scholarship on Merovingian and Carolingian legal and fiscal exemptions and immunities. The paradigm shift was neatly summarized by Barbara Rosenwein who argued that various typologies of Frankish immunity may have been granted ‘from a position of strength’, and that rather than revealing weakness or imbalance at the centre of a (proto-) state, immunities and exemptions should be seen as ‘flexible tools’ which enabled kings to assume their rôle as

⁵⁴⁶ Maitland, *Domesday Book*, pp. 307–45, at pp. 308, 333. A summary of Maitland’s contribution is provided in Joy, ‘Sokeland’, pp. 1–29.

⁵⁴⁷ Hurnard, ‘Franchises’, p. 322. See also Stenton, *Anglo-Saxon England*, pp. 494–502, who understood sake and soke to mean the right of a landlord to hold a court, with his tenants obliged to attend.

⁵⁴⁸ Hurnard, ‘Franchises’, p. 292; cf. the work of Julius Goebel, *Felony*, pp. 336–440, who had argued that grants of ‘private jurisdiction’ had an even more limited scope.

⁵⁴⁹ Wormald, ‘Lordship and Justice’, p. 332; *idem*, *Papers Preparatory*, pp. 202–11; cf. the important nuance added by Lambert, *Law*, pp. 303–4, that local assemblies seem to have been essentially ‘communal’ throughout the pre-Conquest period (i.e. underpinned by the authority of the decision reached by the assembled power brokers over the individual), and that a meaningful distinction can be made between a local assembly presided over by a royal agent (a ‘royal court’), and one in which a privileged lord or non-royal reeve held that rôle (a ‘private court’).

‘privotal and central figures in the lives of key families, friends, warriors and religious figures.’⁵⁵⁰ Similarly, George Molyneaux later suggested in an Anglo-Saxon context that permitting powerful local élites to take a share of the fines paid by law-breakers may have allowed rulers to regulate lawlessness more effectively, since it would have acted as a powerful incentive for local magnates to detect, pursue and enforce the law in their districts on the king’s behalf.⁵⁵¹

Just as fundamentally, Tom Lambert’s recent work on late Anglo-Saxon rights and revenues developed the thesis that ‘there is no reason to think that [a] royal monopoly of important legal rights ever existed in a meaningful form.’⁵⁵² He posited instead a model in which kings continually asserted and re-asserted their right to receive punitive legal revenues, having attempted to lay claim to them since the seventh century through delegated royal agents and, later, reeves. In this model, however, the rights themselves were crucially not rights to perform legal functions, but rather ‘rights to receive payments.’⁵⁵³ Moreover, Lambert identified the decades around c. 1000 as a period of structural change, with societal conflict over the legitimate possession of such legal revenues leading to an increased concern to define with ever-greater precision the configurations of rights and privileges held by eleventh-century lords.⁵⁵⁴ The following sub-sections will re-approach the various components of the writ legal register in light of these recent contributions, with a view to reassessing the function of writs as grants of legal, social and economic advantage. As such it will focus on the origin and emergence of the various terms in the writ ‘legal register’ within other genres of text; attempting to understand what they may have meant to contemporaries, as well as their dynamism and elasticity as legal concepts prone to negotiation and change.

⁵⁵⁰ Rosenwein, *Negotiating Space*, pp. 3–9; see also Murray, ‘Immunity’; and Davies and Fouracre, ‘Introduction’, p. 15, positing that ‘exemption means closeness to the centre, not distance from it.’

⁵⁵¹ Molyneaux, *Formation*, p. 169.

⁵⁵² Lambert, *Law*, pp. 125–6, 298; see also comments in Wickham, *Framing*, p. 315, n. 30.

⁵⁵³ Lambert, *Law*, p. 305.

⁵⁵⁴ *Ibid.*, pp. 307–10.

5.2.1. Sake and soke

Sake and soke is the most commonly granted privilege in Anglo-Saxon writs, conveyed in a total of 67 non-spurious writs (across 19 different archives). In 25 writs (spread over nine archives), sake and soke is the only privilege granted, giving the impression that it was perceived as a ‘standard’ or ‘core’ right upon which additional rights could be granted or accumulate. It is rare for surviving authentic writs to grant any of these ‘additional’ rights without a concurrent grant of sake and soke.⁵⁵⁵ Etymologically, the term comprises the discrete elements *sacu* and *socn*. *Sacu* (an abstract noun related to the verb *sacan* ‘to fight’, ‘to contend’) had a fairly broad sphere of referentiality; typically meaning ‘cause’ or ‘dispute’ it was used to describe both military and legal conflict in texts spanning the pre-Conquest period.⁵⁵⁶ It appears in diplomatic usage in this latter context of legal dispute, for example within early-eleventh-century dispute memoranda such as S 1460 (*Charters* 83): ‘Spæcon ða Leofrices freond 7 Wulfstanes freond þæt hit betere wære þæt heora seht togæd[dre dy]de þonne hy ænige [sa]ce hym betweenan heoldan.’⁵⁵⁷ The second component of the sake and soke formula, *socn*, is also an abstract noun related to the very common verb *secan* (‘to seek’, ‘to look for’). It was employed in a range of literary and legal contexts, often forming compounds to describe different forms of ‘seeking’—sometimes with the hostile meaning of ‘attack’ (visible in the compound *hamsocn*, ‘attack on a house’, discussed below); it could also mean ‘to seek for protection/sanctuary’ (for example *ciricsocn*, ‘church-seeking’); to describe the process of commendation (visible in the term *hlafordsocne*, ‘to seek a lord’); as well as the more neutral ‘to seek for information/enquiry.’⁵⁵⁸

⁵⁵⁵ The Ely writ S 1100 (*Writs* 47), granting a sequence of rights without reference to sake and soke, is an exception here. However, it is unlikely that the abbacy of Ely would have held these other rights without sake and soke; in this case Ely may have already been granted that right in a separate, now lost writ; for this theory, see *Writs*, pp. 223–4.

⁵⁵⁶ In *Beowulf*, for example, we see ‘*sacu*’ used to describe tribal warfare: ‘Hafast þu gefered þæt þam folcum sceal, Geata leodum ond Gar-Denum, sib gemæn[e] ond *sacu* restan’ (‘You have brought a mutual friendship to our peoples, the Geats and the Spear-Danes, conflicts ceased.’) *Beowulf* 1855–7 (ed. Jack, p. 136). *Sacu* also appears in prose texts of diverse genre as well as law-codes from the seventh century down to the eleventh: for further references, see Joy, ‘Sokeright’, pp. 29–34.

⁵⁵⁷ ‘Then both the friends of Leofric and the friends of Wulfstan said that it would be better for them to come to an agreement than to keep up any *sace* (legal quarrel) between them.’

⁵⁵⁸ For the semantic field of *socn*, see Joy, ‘Sokeright’, pp. 34–62.

In what contexts, then, might these two noun-forms have come together as a formulaic pair, and at what point is this form recognizable as the privilege under discussion here? In royal legislation from the earlier tenth century onwards, the individual terms appear (in one instance in close proximity) in a number of constructions marked by repetition and parallelism. In Æthelstan's Thunderfield code, we see the two terms aligned in a clause on the sanctuary of thieves in exile: '⁊ sece swylce socne swylce he sece, þæt he ne sy his feores wyrðe, butan swa feola nihta swa we her beufan cwædon.'⁵⁵⁹ Later, in two different codes of Edgar we see the repetitive use of *secan* in the similar constructions: '⁊ gesece se æbæra ðeof ðæt þæt he gesece' and '⁊ þæs ne sy nan forgifnes, gesecean þæt hi gesecean.'⁵⁶⁰ Strictly speaking, however, the word-pair does not appear in extant royal legislation, but these examples give us a sense of the contexts in which the two broad concepts of 'a cause/dispute' and 'seeking' may have come together in the minds of contemporaries to denote a broad legal category.

The precise formula *sake* and *soke* emerged in the written record for the first time within a vernacular introduction to a boundary clause of a royal diploma of Eadwig in 956 (S 659, *North* 2), a grant of the Southwell estate in Nottinghamshire to Archbishop Oscytel. It is stated that Oscytel should hold *sake* and *soke* over a cluster of identified dependencies of this 'multiple estate': 'Ðis sint ðam tunes ðe birað into Sudpellan mid sacce ⁊ mid sacne'—which are then listed.⁵⁶¹ David Woodman has proposed the hypothesis that the emergence of *sake* and *soke* should be connected to the agency of the recipient Oscytel, who may have innovated the formula in an attempt to define precisely the terms of the archbishopric's possession of the estate and its dependencies in an area historically dominated by Scandinavians.⁵⁶² Indeed, Oscytel's assertive rôle as an extractor of legal revenues is illustrated by a line in a later memorandum by Archbishop Oswald (S 1453, *North* 6), which describes how Oscytel obtained confiscated properties through the implementation of some sort of ecclesiastical law in the zone of his influence: 'Þis syndan þa land þe Oscytel yrcebiscop begeat on Norphymbralande mid his feo and

⁵⁵⁹ 'And let him seek whatever sanctuary he may, his life will be spared only for as many days as we have said above.' *IV As* 6:4 (ed. Liebermann I, p. 171).

⁵⁶⁰ 'And no matter what refuge the proved thief may reach' *III Eg* 7:3 (ed. Liebermann I, p. 204); 'And no matter what refuge they reach' *IV Eg* 9 (ed. Liebermann I, p. 212).

⁵⁶¹ 'These are the villas which belong to Southwell with *sake* and with *soke* [...].'

⁵⁶² *North*, p. 104.

him mon geald for unrihtan hæmede.’⁵⁶³ Seeing the formula as a late-tenth-century innovation certainly accords with our model for ‘spatial’ formulae developed in Chapter Three, which argued that the appearance and persistence of certain alliterative word-pairs likely reflected their performative function, creating a consistent, repetitive and unambiguous symbolic language that could be communicated in the dynamic environment of local courts and assemblies.

Three years after the issuing of the Southwell diploma, *sake and soke* appears again in the introduction to the bounds of a royal diploma, in which King Edgar grants land at Howden and Old Drax, Yorkshire (with various listed dependencies) to Quen, a married/widowed woman or ‘matrona’ (S 681, *Pet* 14).⁵⁶⁴ This diploma may represent an early work by the draftsman ‘Edgar A’, and if so, it would mean that the formula was very soon adopted at the highest level of diplomatic practice by scribes working in permanent attendance with the king.⁵⁶⁵ These diplomas also reveal that early recipients of *sake and soke* included a priest and (probably) an aristocratic woman; indeed, as the writ corpus shows, beneficiaries of *sake and soke* throughout our period included monastic communities as well as (individual and collective) bishops, priests, the London gild of English *cnihtas*.⁵⁶⁶ It was thus enjoyed (from at least the mid-tenth century on) by a relatively wide social spectrum of landowning élites.

But what did possession of *sake and soke* actually mean in material terms in the late tenth and eleventh centuries? Scholarly understanding of the formula has been transformed over the course of the last seventy years.⁵⁶⁷ The most recent thinking has

⁵⁶³ ‘These are the lands that Archbishop Oscytel obtained in Northumbria with his money, and which were given to him in compensation for illegal marriage.’

⁵⁶⁴ ‘Ða sind ða hærað to heafoddene mid sace 7 mid socne [...]’ (‘These are the dwellings which belong to Hoveden with *sake* and with *soke* [...]'). For discussion of these bounds, see Abrams, ‘Edgar’, pp. 187–8.

⁵⁶⁵ Keynes, *Diplomas*, pp. 75–6; and for the contested identity of ‘Edgar A’ see Snook, *Chancery*, pp. 159–88. It should also be noted that the Southwell diploma is classified as a ‘mainstream’ diploma of Eadwig; see *idem*, *Chancery*, p. 133, Table 20.

⁵⁶⁶ See, for example: SS 1102, 1111, 1103, cf. Appendix I, Figure 1.1., for other ‘recipients’ of writ privileges.

⁵⁶⁷ Harmer understood *sake and soke* as amounting to ‘the right to hold a private court to deal with offences committed by persons to whom the grant relates’ as well as ‘right to receive profits of justice’, *Writs*, p. 74; later, arguing that the term was indicative of tenure by *boc*: Roffe, ‘Thegnage to Barony’, p. 157; Reynolds, ‘Bookland’, p. 219; and *eadem*, *Fiefs*, p. 338; and, later, emphasizing the primacy of the economic dimension of the privilege: Baxter, ‘Lordship’, p. 384

emphasized its economic dimension, seeing it as a hypernym for a set of essentially fiscal privileges including the right to receive fines (*witu*) and *wergild* forfeitures paid by offenders living in a delimited area, as well as rights to receive food renders and labour services.⁵⁶⁸ Part of its function thus mirrors a phenomenon described in law-codes, which occasionally mapped the circumstances in which non-royal lords were entitled to the share of certain *witu* and compensation payments.⁵⁶⁹ Most of these references derive from legislation dating to the mid-tenth century and later. However, earlier laws also imply that judicial profits were claimed by (or diverted to) lords throughout the pre-Conquest period. Two clauses in the laws of Ine, for example, state that outlaws are to pay 60 shillings to their *hlaforð* if they are discovered; and that lords would no longer be entitled to receive *witu* from members of their household if they had previously failed to restrain them from law-breaking.⁵⁷⁰ Recent scholarship has thus stressed a strong degree of continuity: rather than conveying a new right and marking a point of legal departure, sake and soke therefore looks more like the ‘direct successor’ to a changing package of fiscal rights conveyed by the king to his aristocratic power brokers since the seventh century.⁵⁷¹ It is important to emphasize, however, that the precise set of rights conferred by soke and soke was doubtless subject to regional variation and change over the course of the later tenth and eleventh century.⁵⁷² It must have also been contingent on the specific relationship between the king (or non-royal lord) and the beneficiary/beneficiaries at any given point in time.

(critiquing at pp. 239–40 the possible connection between rights of sake and soke and tenure of *bocland*); Lambert, *Law*, p. 323; and Purkiss, ‘Early Royal Rights’, pp. 157–62.

⁵⁶⁸ Lambert, *Law*, p. 134.

⁵⁶⁹ See for example: *Hu* 2.1, 3 stipulating that (in the context of compensation for theft) the value of the stolen cattle is to be given to the owner, and the rest divided between the hundred and the *hlaforð*; for an exhaustive list of such clauses from the later tenth century onwards, see Molyneaux, *Formation*, p. 176, n. 269.

⁵⁷⁰ *Ine* 39, 50 (ed. Liebermann I, pp. 106, 111–12). For other examples, see: *Wi* 5, 9, 10. Later in *II As* 1:5, the clause ‘swa þam cyninge swa ðam ðe hit mid ryhte togebyrige’ (‘whether to the king or to him to whom it rightly belongs’) implies that non-royal figures were legitimate recipients of a *wergild* payment made on behalf of an accused thief (ed. Liebermann I, p. 150).

⁵⁷¹ Lambert, *Law*, p. 325.

⁵⁷² Lambert, ‘Jurisdiction’, p. 141. It should also be noted that *socn* or soke was used (later in the eleventh century and certainly by the time of Domesday Book) as a term to denote a territorial unit or a type of land/land-tenure, and as a social rank within the peasantry (*sochemanni* or ‘sokemen’). See Hadley, *Northern Danelaw*, pp. 166–77; and Day, ‘Sokemen’, pp. 1–22.

Further evidence for the meaning and functions of sake and soke can be inferred from sources immediately before the Conquest and in the decades after.⁵⁷³ A key piece of evidence is located in part of a pocket-sized manuscript of Cnut's laws (labelled 'G' in Felix Liebermann's *Gesetze*), dated *c.* 1066.⁵⁷⁴ Around this time, additions were made in three passages within *II Cn*: the first adds 'þe his socne ahe' ('he who owns soke') to the list of recipients ('þam cingce oððe landrican' or 'the king and land-lord') of compensation for the act of false witness.⁵⁷⁵ In another passage, the phrase 'oððe wið þone þe his socne age' ('or to him who owns soke') is introduced, again to a statement about the king as recipient of compensation for *reafþlac* (robbery).⁵⁷⁶ And in a third, the line 'þe he his socne geunnen hæbbe' ('to him who has soke') is added to a clause stating that the king should be paid *wergild* in the context of a widow unlawfully re-marrying before a twelve month period has elapsed.⁵⁷⁷ Since these offences appear to have been innovations within Cnut's legislation, it is clear that the manuscript's reviser was keen to bring their profits within the scope of the lords who held sake and soke. Similarly, in the early-twelfth-century *Leges Henrici Primi*, the impression that sake and soke involved the right to receive fines and forfeitures in a given area is re-enforced by the tract 'De libertate uauasorum' (i.e. 'vavassors' who had been granted land indirectly by non-royal lords rather than the king), stating that vavassors should rightfully have the pleas ('placita') in cases where punishment involves payments of *wite* or *wergild*.⁵⁷⁸

5.2.2. *Toll and team*

The right of *toll and team* is conveyed in a total of 39 non-spurious pre-Conquest writs (spanning 15 archives), making it the second most frequent and broadly distributed

⁵⁷³ The functions of sake and soke in Domesday Book are outside the scope of this thesis, but for discussion and relevant entries, see Baxter, *Earls*, p. 211.

⁵⁷⁴ British Library, Cotton MS Nero A I, 16r–41r. For discussion, see Goebel, *Felony*, pp. 371–2; Wormald, *Making*, pp. 224–8; and Lambert, 'Protection', pp. 127–8.

⁵⁷⁵ *II Cn* 37, 'G' only (ed. Liebermann I, p. 338).

⁵⁷⁶ *II Cn* 63, 'G' only (ed. Liebermann I, p. 352).

⁵⁷⁷ *II Cn* 73:1, 'G' only (ed. Liebermann I, p. 360).

⁵⁷⁸ 'Habeant autem uauasores qui liberas terras tenent placita que ad witam uel weram pertinent super suos homines et in suo, et super aliorum homines si in forisfaciendo retenti uel grauati fuerint.' ('Vavassors who hold free lands shall have the pleas where the punishment is payment of *witu* or *wergild* with regards to their own men and their own land, and with regard to the men under other lords if they are seized committing the offence and charged with it.') *Hn* 27 (ed. Downer, p. 128). For discussion, see Lambert, 'Protection', p. 126–7; and *idem*, *Law*, p. 323.

privilege granted after sake and soke. The privilege refers to two distinct rights that appear to have become paired as a formula in the late tenth or early eleventh century. The earliest surviving authentic reference to the word-pair is found within a chirographic Worcester lease (S 1423, *Charters* 81), dated 1016 × 1023. The document describes the terms of Abbot Ælfweard's lease to Æthelmær, who must continue to render appropriate church dues and tithes to the Evesham community as well as 'toll 7 team' which 'sy agifen into þam mynstre butan he hit geearnian mæge to þam ðe þæn ah mynstres gewæld.'⁵⁷⁹ The privilege thus appears as a lucrative but flexible right that Ælfweard was keen to retain for the Evesham community over the course of the lease, but which could be negotiated and transferred to Æthelmær at a future date. *Toll and team* appears for the first time within the writ corpus in an announcement of King Cnut's grant for St Paul's (S 992, *LondStP* 27) dated 1033 × 1035, where it is conferred to the minster alongside sake and soke; the privilege continues to be granted throughout the reign of the Confessor and is conferred also on the eve of the Conquest in King Harold's writ for Giso (S 1163, *Wells* 41).⁵⁸⁰

Turning to the discrete elements of the privilege, it is clear that the right of *toll* had a deeper antiquity in Anglo-Saxon England and refers to the right to receive tolls associated with commercial trade, exacted at markets and other mercantile sites as well as at toll stations.⁵⁸¹ Prior to the emergence of the *toll and team* formula, evidence for the exaction of tolls in the pre-Conquest period is more or less confined to a group of early-to-mid eighth-century Latin charters, in which contemporary Mercian (and later eighth-to mid-ninth-century Kentish and Mercian) kings granted (or renewed) remission of the payment of tolls on ships owned by ecclesiastics and religious communities, thus

⁵⁷⁹ 'Toll and team [which] must be rendered to the monastery, unless he can acquire them from whoever is in control of the monastery at the time.'

⁵⁸⁰ It should be noted, however, that the earliest authentic writ of Cnut (S 986) contains no reference to *toll and team*; nor do the problematic writs of Æthelred II (SS 945 and 956).

⁵⁸¹ There is evidence to suggest that such toll stations, established at 'choke points' such as fords, passes and channels for commercial traffic (including maritime and riverine traffic), were ubiquitous in England from at least the eighth century; for discussion, see Maddicott, 'London and Droitwich', pp. 49–50; cf. Kelly, 'Trading Privileges', pp. 18–19, who suggests that *toll* was probably only collected at major markets and a small number of key locations such as the Wantsum Channel in this earlier period.

conferring them with a lucrative economic immunity.⁵⁸² In these ‘toll-remission’ or ‘ship’ charters, there was no consistent single word or formula to describe the tolls for which remission was being given, with the draftsmen of the slightly later privileges employing the double phrase *vectigal atque tributum* (‘tax/revenue and tribute’) to describe the tolls (see: SS 1788, 91, 29, 1612).⁵⁸³ It seems likely that this represented a Latin rendering of an eighth-century vernacular phrase used to denote the tolls and employed by those delegated authorities (local noblemen, officials and other agents) responsible for extracting them on behalf of the king or other recipients. Later evidence for pre-Conquest tolls can be found in a Worcester charter of 889 (S 346, BCS 561), in which King Alfred and Ealdorman Æthelred concede to that episcopal church the rights to half a toll/tax termed ‘thelon’ apparently paid to the king on commercial transactions taking place ‘in strata publica’ (‘in the street’) and ‘in ripa emtorali’ (‘on the trading waterfront’) in London.⁵⁸⁴ As Susan Kelly notes, the word *thelon* here most likely derives from *teloneum*, the term used in Frankish privileges to denote tolls and toll-collection and its adoption as a technical term within late-ninth-century West Saxon diplomatic betrays Carolingian influence.⁵⁸⁵ The appearance of *thelon* at the turn of the tenth century leaves an interval of over a hundred years until the re-emergence of *toll* as a paired privilege with *team* in our above-discussed chirographic lease (S 1423). The discrete privilege of *toll* continued to be granted or otherwise obtained in the eleventh century, as evinced for example in an extraordinary reference to Abbot Ælfstan’s procurement of the third penny of the toll at Sandwich by secretly bribing Steorra, the king’s *rædesmann* (‘master of the king’s household’) within an account of Harold Harefoot’s restoration of Sandwich to

⁵⁸² These are: SS 86, 88, 87, (Add) 103a, 1788, 98, 91, 143, 29, and 1612, conceded in favour of Minster-in-Thanet, St Paul’s London, Worcester, Rochester, and Reculver. For discussion, see Brooks, ‘Church, State and Access’, pp. 11–13; McCormick, *Origins*, pp. 579–80; Kelly, ‘Trading Privileges’; Maddicott, ‘London and Droitwich’, pp. 21–4, 49–51; and Naismith, *Citadel*, pp. 95–8.

⁵⁸³ For the operative wording of the ten texts, see Kelly, ‘Trading Privileges’, pp. 19–20; and for *vectigal* and *tributum* see *ibid.*, p. 21.

⁵⁸⁴ This Latin phrase is strikingly similar to the vernacular formula *on strand and in stream* and may represent a rendering of that (or a similar) Old English expression.

⁵⁸⁵ Kelly, ‘Trading Privileges’, p. 22; for the antecedent Frankish toll system, likely an inheritance from the state apparatus of the late Roman Empire, see Ganshof, ‘Tonlieu sous les Mérovingiens’; and *idem*, ‘Tonlieu à l’époque carolingienne’.

Christ Church (S 1467, *CantCC* 164).⁵⁸⁶ This account again reinforces our impression of the lucrative nature of *toll* and the social dynamics that may have lain behind its acquisition.

Meanwhile, the right of *team* appears to have conferred upon its owner the right to take the profits associated with the procedure known to legal historians as ‘vouching to warranty’: the process by which an individual suspected of possessing stolen goods could clear their name by swearing that they had bought them legally from a third party, thus ‘vouching’ this latter party ‘to warranty’.⁵⁸⁷ This shifted the burden of the accusation onto the seller who then had to provide proof of ownership of the goods or vouch another party to warranty, with the stipulated fines being paid once the process had reached an agreed conclusion. Tom Lambert has suggested that the *team* procedure was probably commonplace in theft cases, and that the revenues conveyed by the right would have been significant.⁵⁸⁸ This is reflected by the insistence within pre-Conquest legislation that transactions take place in front of witnesses, which emerges as a prescribed social practice at London in the seventh-century laws of Hlothre and Eadric alongside a description of ‘geteme to cynges sele’ (‘to *team* at the king’s hall’).⁵⁸⁹ By the later Anglo-Saxon period, we see an intensification of the witnessing-procedure and the social structures around it, first under Edward the Elder, and later Edmund and Edgar, where *byrg*, hundreds and wapentakes are defined as legitimate fora for witnessing, as well as *ports*.⁵⁹⁰ It is unsurprising that this creeping intensification of royal oversight of

⁵⁸⁶ ‘siþan siðe pearð Ælfstan abbod æt sancte A. 7 begeat mid his smehprencan 7 mid his golde 7 seolfre eall dyrnunga æt Steorran þe þa pæs pæs kings rædesmann þæt him gepearð se þrida penig of þære tolne on Sandpic.’ (‘[...] after these times, Ælfstan was abbot of St Augustine’s and through his deceits and with his gold and silver, he obtained the third penny of the toll at Sandwich entirely in secret from Steorra, who was the master of the king’s household.’)

⁵⁸⁷ Hudson, *Oxford History*, pp. 155–60; Lambert, *Law*, pp. 270–3, 326.

⁵⁸⁸ This impression is reinforced by Edgar’s *Wihthordestan* legislation which imposes punishments for violations of witnessing procedure and insists that the hundred court be informed of transactions taking place elsewhere, thus (amongst other measures) highlighting contemporary anxieties. See *IV Eg* 3:1–6:2, 7–10 (ed. Liebermann I, pp. 206–12); and for more discussion, Lambert, *Law*, pp. 272–3, 326.

⁵⁸⁹ *HI* 7, 16–16:3. (ed. Liebermann I, p. 10). Ine’s laws prescribe witnesses for merchants entering Wessex to trade: *Ine* 25–25:1, 75.

⁵⁹⁰ *I Ew* 1, *III Em* 5; *IV Eg* 3:1–6:2, 10. See Molyneaux, *Formation*, pp. 108, 153; Lambert, *Law*, pp. 271–2.

witnessing procedure should coincide with the emergence of *toll and team* as a significant privilege.

This analysis has highlighted the distinct nature of *toll* and *team* as legal rights, and prompts us to ask why this particular legal collocation developed and why neither *toll* nor *team* are ever granted in writs independently of one another. In addition to their natural alliteration, the two terms were likely linked by their legal setting-in-life: since chains of vouching to warranty in which different parties drew upon witnesses in order to trace transactions would likely have involved contexts in which tolls were paid, and toll-exactors may have been called upon to act as important witnesses in the vouching process.⁵⁹¹ To my mind, it also seems likely that the word-pair was in diplomatic usage for some time prior to its appearance in the Worcester lease (S 1423); but if it was innovated in the elevated context of a royal diploma (following the same theory as the above-discussed model for the innovation of the sake and soke formula), no such diploma survives.

In addition to *toll*, the right to a third part of the ‘semtolne’ (*seamtoll* or ‘toll on the horse-load’) and ‘chyp tolne’ (*ceaptoll* or ‘toll on trading’) are granted (independently of any other privilege) in a Worcester writ of the Confessor to Bishop Wulfstan and St Mary’s minster (S 1158, *Writs* 117) c. 1062.⁵⁹² These rights, otherwise unattested in Old English, probably reflect legal particularism at Worcester and may represent a mid-eleventh-century iteration of the earlier rights of ‘seampending’ and ‘wægnscilling’ described in a vernacular charter of Æthelred I and Æthelflæd to the ecclesiastical community at Worcester issued c. 884 × 899 (S 223, *SEHD* 13).⁵⁹³ Both these texts reflect a phenomenon visible elsewhere in diplomatic from the late ninth century onwards in which a very particular share of sources of royal income was redirected to other power brokers (typically royal agents and quasi state-actors), presumably as a payment for their

⁵⁹¹ Stenton, *Anglo-Saxon England*, p. 498; his position more recently restated by Lambert, *Law*, pp. 328–9, who posits that the *team* procedure would have drawn claimants and warrantors into urban or commercial centres, where they would have encountered *burh*- and *port*-reeves tasked with exacting *toll*.

⁵⁹² *Writs*, pp. 409–10; Baxter, *Earls*, p. 90.

⁵⁹³ The rights of ‘seampending’ and ‘wægnscilling’ are to go to the king as they had always done (‘gonge to ðæs cyninges handa swa he ealning dyde’), indicating that they were an important source of income for Mercian rulers.

function as local administrators and law-enforcers.⁵⁹⁴ It also provides a further example of earlier revenues or rights possibly crystallizing to form something ‘new’ (or at least re-named) by the eleventh century.

5.2.3. *Infangenþeof*

The right to *infangenþeof* (literally ‘in-seized-thief’ or ‘thief captured within’) is granted in a total of 29 non-spurious writs, distributed across ten archives. Within the sequence of privileges, it typically follows sake and soke and *toll and team*, with the exception of seven writs.⁵⁹⁵ In contrast to the witnessing procedures discussed above, the compound noun relates to thieves seized in a situation where their culpability was irrefutable: it conveys the sense of being caught in the act. Florence Harmer defined the nature of the privilege conveyed by *infangenþeof* as ‘the right to try a thief taken on the property and to take the profits.’⁵⁹⁶ Julius Goebel and Tom Lambert have since revised this definition, on the basis that it is fundamentally at odds with all extant pre-Conquest legislation, which, time after time, encourage (through incentive and coercion) that thieves caught in the act be executed immediately.⁵⁹⁷ Pre-Conquest rulers held no such monopoly on the right to accuse and kill thieves (and thus the idea of a privilege granting that right away is nonsensical); rather, *infangenþeof* very likely amounted to the right for its holders to receive the forfeited possessions and wealth of any ‘in-seized’ thieves caught within their lands. This social practice is visible elsewhere in the instructions and provisions given in tenth and eleventh-century law-codes for how, and to whom, the

⁵⁹⁴ See also: S 779 (*Charters* 48), a grant of King Edgar to Ely Abbey including ‘þone feorðan pening on folcliecre steore into Grantanbricge’ (‘the fourth penny of the public penalties paid at Cambridge’) and the aforementioned S 1467 (*CantCC* 164) dated *c.* 1038 × 1040, in which the third penny of the toll at Sandwich was obtained in an act of bribery. For discussion, see Baxter, *Earls*, p. 90.

⁵⁹⁵ Namely: in the Christ Church writs SS 986, 1086 and 1088; and in the Bromfield writ S 1162, *infangenþeof* takes penultimate position within the sequence. In the Old Minster, Winchester writs SS 1151 and 1152 it takes fourth position; in the St Augustine’s writ S 1091 it takes antepenultimate position within the sequence. The sequence order of the remaining rights was more variable and probably subject to the discretion of writ draftsmen/scribes.

⁵⁹⁶ *Writs*, p. 78; a similar definition was provided by Hudson, *Oxford History*, p. 59; and in Bosworth and Toller, *Dictionary*, p. 591: ‘the right to judge one’s own thief when taken within the jurisdiction, and the [consequent privilege].’

⁵⁹⁷ Goebel, *Felony*, pp. 367–8; Lambert, *Law*, pp. 329–32.

goods of thieves should be transferred after their execution.⁵⁹⁸ However, the term *infangenþeof* is rarely encountered outside the writ corpus and is not a term referred to in legislation: it appears for the first time in a writ of Cnut dated 1020 × 1035; is granted throughout Edward's reign, and appears also in King Harold's writ issued in 1066 where it is granted alongside *sake and soke*, *toll and team*.⁵⁹⁹ Juxtaposing the proliferation of grants of *infangenþeof* with the legal framework of the *Hundred Ordinance* produced during the reign of King Edmund, Lambert argued that the privilege marked an intrusion into the tenth and earlier eleventh-century status quo, according to which the king had no right to receive the forfeitures of goods of thieves unless he was the owner of the land in which the offence took place.⁶⁰⁰ In this reading, *infangenþeof* thus allowed Cnut and his successors to assert both their right to possess goods forfeited by executed thieves, and to gift that right away to favoured individuals and communities, thus bestowing them with a tangible fiscal advantage (particularly given the societal prevalence of theft). Recipients of the privilege within the extant writ corpus include diverse ranks of churchmen from archbishops, bishops, and abbots to a priest and a church-wright; it was also conferred on the religious communities of Bromfield, Chertsey, St. Augustine's Canterbury, and Westminster.⁶⁰¹ But there seems no reason to doubt that secular lords would also have been granted *infangenþeof* in writs that have not chanced to survive within 'institutional' archives. The related term *æbæreþeof* ('manifest thief') appears in two Bury St Edmunds writs (SS 1078 and 1084) where one would expect *infangenþeof* (within a sequence alongside other privileges); the two terms were probably synonymous.⁶⁰²

⁵⁹⁸ See, for example: *Hu* 2:1; *II As* 20:4; *III Eg* 7:1; and *II Cn* 25:1. For discussion, see Lambert, *Law*, p. 330.

⁵⁹⁹ The earliest surviving grant of *infangenþeof* is within S 986 (*CantCC* 150A), alongside other privileges conferred to Archbishop Æthelnoth.

⁶⁰⁰ '7 sylle mon þæt ceapgyld ðam ðe þæt yrfe age; 7 dæle man þæt oðer on twa: healf ðam hundred, healf ðam hlaforde – butan mannum [...]' ('And the value of the stolen goods is to be given to the owner of the cattle; and the rest divided in two: half to the hundred, half to the lord – except the men [...]'). *Hu* 2:1 (ed. Liebermann I, p. 192). See Lambert, *Law*, pp. 330–2; cf. Goebel, *Felony*, p. 368, n. 108.

⁶⁰¹ Archbishops: SS 986, 1086, 1088; bishops: SS 1163, 1151, 1152; abbots: SS 1065, 1095, 1100; priest: S 1097; church-wright: S 1131; and for religious communities see, for example: SS 1091, 1135, 1136, 1148, 1162.

⁶⁰² See the forthcoming commentaries in Foot and Lowe, *BuryStE* 22 and 24. The term *æbære* is used to describe thieves in *III Eg* 7:3 and *II Cn* 26, denoting (like *infangen-*) their undeniable culpability.

5.2.4. *The Gerihta or ‘Reserved Pleas’ and other Additional Rights: Hamsocn, Griðbryce, Mundbryce, Forsteal, Fihtwite, Fyrdwite and Flymenafyrmþ*

As Appendix I, Figure 5.1. illustrates, the three main so-called ‘royal protections’ (*hamsocn*, *mundbryce/griðbryce*, *forsteal*) are amongst the most commonly conferred of the further privileges granted in our writ sequences, collectively termed *gerihta* (corresponding to Maitland’s ‘reserved pleas of the crown’).⁶⁰³ This label derives from their description in Cnut’s Winchester code (*II Cn* 12–14), which identifies certain exclusive but flexible rights possessed by the king in Wessex and Mercia, which he can confer on chosen beneficiaries: ‘Ðis syndon þa gerihta, þe se cingc ah ofer ealle men on Wessexan: þæt is mundbryce 7 hamsocne, forsteal 7 flymenafyrmðe 7 fyrdwite, butan he hwæne ðe furðor gemæðrian wylle 7 he him ðæs weorðscipes geunne.’⁶⁰⁴ In a further clause (*II Cn* 15), the king also asserts his possession in the Danelaw of the (similarly apparently exclusive but transferrable) rights of: ‘fihtewita 7 fyrdwita, gryðbryce 7 hamsocne, butan he hwæne ðe furðor gemæðrian wylle.’⁶⁰⁵ These clauses should be read as powerful, normative statements asserting Cnut’s access to the revenues related to a string of specific offences.

Perhaps the most well defined, thanks to Rebecca Colman’s detailed study, is the offence of *hamsocn*: forcible entry or attack on a person in their homestead (the *invasio domus* of Latin texts).⁶⁰⁶ Anxiety over breaking into homesteads and transgressing boundaries demarcating property is visible across a wide span of pre-Conquest legislation, with *eordorbryce* (‘enclosure-breaking’) punished in Æthelberht’s code with hefty fines, similar references to fines for staining the homestead with blood in the code of Hlothere and Eadric, and protections for the sanctuary rights of private homesteads in Alfred’s legislation.⁶⁰⁷ The emergence of the new term may represent a crystallization of

⁶⁰³ Maitland, *Domesday Book*, p. 283.

⁶⁰⁴ ‘These are the *gerihta* (rights) that the king possesses over all men in Wessex, namely *mundbryce* and *hamsocn*, *forsteal* and *flymenafyrmþ* and *fyrdwite*, unless he wishes to honour someone further and he grants him this privilege.’ (ed. Liebermann I, p. 316). For general discussion of the *gerihta* see *Writs*, pp. 79–82; Wormald, *Papers Preparatory*, pp. 202–4; Lambert, ‘Royal Protections’; and *idem*, *Law*, pp. 183–90, 332–6.

⁶⁰⁵ ‘[And in the Danelaw he has] *fihtwite* and *fyrdwite*, *griðbryce* and *hamsocne*, unless he wishes to honour someone further.’ (ed. Liebermann I, p. 318).

⁶⁰⁶ Colman, ‘Hamsocn’; cf. the related term *husbryce*, discussed at p. 96.

⁶⁰⁷ *Abt* 17, 27, 29; and later *Hl* 11–14; and *Af* 39, 42–42:1.

these related antecedent offences. The term *hamsocn* itself appears for the first time in the reign of Edmund in the king's bloodfeud laws (*II Em*) of 939 × 946, stating that the crime demanded that the offender forfeit all their belongings, with their life subject to the discretion of the ruler: 'Eac we cwædon be mundbrice 7 be hamsocnum: se ðe hit ofer ðis do, ðæt he þolige ealles ðæs he age, 7 si on cyninges dome, hwæðer he lif age.'⁶⁰⁸ The clause does not specify, however, who should receive the forfeited belongings, and this ambiguity probably reflects a complex social reality in which claims may have been contested and negotiated by different parties (including the king and non-royal lords). Cnut's legislation thus represented a royal intervention in this status quo.

Similarly, *mundbryce* ('breach of protection') appears in its first extant usage in the same clause in *II Em*, ostensibly an innovative label for a set of pre-existing offences relating to the breaking of the king's (or delegated lord's) special protection, which had been previously safeguarded by the *mundbyrd* ('protection value') and related *witu* since (at least) the reign of Alfred.⁶⁰⁹ In the later tenth and eleventh century, the Scandinavian term *grið* ('protection', 'peace') replaced *mund* within the construction, and writs tend to employ the term *griðbryce* in lieu of *mundbryce* with just three exceptions.⁶¹⁰ Nine writs that do not explicitly confer the privilege of *mundbryce* or *griðbryce* feature variations of the prohibition clause: '7 ic nelle geðafian þæt heom ænig man ænig poh beode' ('And I will not permit that any man do them any wrong'). Contemporary audiences and users of writs may have understood this as an expression conferring a grant of royal protection; perhaps as a somewhat more colloquial expression of the standard grant of *griðbryce* in an emphatically first-person voice of the king.⁶¹¹

The right of *forsteal*, similarly claimed by Cnut within Wessex and Mercia (*II Cn* 12–14) and granted as a privilege in a total of 19 writs across eight archives from the reign of Cnut to the Conquest, was defined by Harmer as 'obstruction, waylaying, ambush', but may more accurately be described as the offence of 'attacking a person on a

⁶⁰⁸ 'We have also declared regarding *mundbryce* and *hamsocn*: that anyone who commits it is to forfeit all that he owns, and it is for the king to decide whether he should live.' *II Em* 6 (ed. Liebermann I, p. 188).

⁶⁰⁹ See *Af* 3, which stipulates five pounds compensation for violation of the king's surety or 'cyninges borg' (ed. Liebermann I, p. 50).

⁶¹⁰ These are: SS 1148, 1151 and 1152.

⁶¹¹ S 1071, *BuryStE* 12. See also: SS 1072, 987, 1099, 1103, 1104, 1163, 1131, 1155 spread across seven archives.

royal road.⁶¹² Evidence for *forsteal* is restricted to the eleventh century, although earlier law-codes express a creeping sense of the importance of highways and roads as protected zones for travellers, traders, and royal agents.⁶¹³ The elusive nature of pre-Conquest *forsteal* is fleshed out in more detail in the *Leges Henrici Primi* (referring to *forestel* or *forestal*), which prescribes a hundred shilling (i.e. five pound) penalty payable to the ruler if an assault is made on the king's road: 'Si in uia regia fiat assultus super aliquem, forestel est et c solidis emendetur regi [...]'.⁶¹⁴ The situation described by the *Leges* may be traceable back to the pre-Conquest period, since IV Æthelred penalizes 'aliquem innocentem affliget in uia regia' with a five pound penalty; clearly a reference to *forsteal* without explicit use of the term.⁶¹⁵

The terms *fihtwite* ('fight-fine') and *fyrdwite* ('fyrd-fine' or fine for neglect of military service) appear in a small number of writs preserved at Bury St Edmunds and Ely, including a Bury single sheet (S 1084, *BuryStE* 24). Both terms have a deep history traceable in early Anglo-Saxon legal culture: *fyrdwite* or 'fierdwite' is prescribed as a 120 shilling fine and land forfeit for *landhlafordas* alongside lesser penalties for non-landlords and *ceorls* in the laws of Ine.⁶¹⁶ *Fihtwite*, an attempt to regulate disorderly or violent social conduct, is also described in detail in Ine's code, with gradations of *witu* and forfeitures depending upon the social and spatial contexts in which the proscribed behaviour occurred (i.e. near the king, in a minster, at the house of an ealdorman or councillor, etc).⁶¹⁷ By the early eleventh century, as aforementioned, the king's exclusive right to access (and then confer) the revenues acquired by payments of *fihtwite* and *fyrdwite* in Wessex and Mercia is asserted by Cnut in his Winchester code (*II Cn* 12).

⁶¹² The earliest writ conferring *forsteal* is S 986 dated 1020 × 1035, probably c. 1020. For discussion of the right, see *Writs*, p. 81; and cf. the more recent study by Cooper, 'Rise and Fall', pp. 54–5.

⁶¹³ *Wi* 28; *Ine* 20; *VI As* 1:5. The evolution of legislation concerning the royal/public 'highway' is discussed in Cooper, 'Rise and Fall', pp. 39–53.

⁶¹⁴ 'If an assault is made on anyone on the king's road, this is *forsteal*, and compensation of a hundred shillings is to be paid to the king [...]' *Hn* 80:2 (ed. Downer, p. 248). This sum was equivalent to five pounds; see Lambert, *Law*, p. 187.

⁶¹⁵ 'attacking someone on the king's road' *IV Atr* 4 (ed. Liebermann I, p. 234).

⁶¹⁶ 'Gif gesiðcund mon landagende forsitte fied [...]' or 'If a *gesith*-born man, who owns land, neglects military service [...]' *Ine* 51 (ed. Liebermann I, p. 112).

⁶¹⁷ *Ine* 6–6:4; for the tenth century, see: *II Em* 3; and in the post-Conquest period, *Hn* 23:1, 70:4, 80:6–80:6a, 94–94:1b, 94:2d. For discussion, see Lambert, *Law*, pp. 90–4.

The legal concept of *flymenafyrmb* ('harbouring of fugitives'), conferred in 18 writs across five archives, also appears to have been a pervasive offence across the span of pre-Conquest legislation. Like *fihtwite* and *fyrdwite* it emerges in detail in Ine's late-seventh-century code which allowed those accused of the offence to clear their name with an oath equivalent to their own *wergild*, and if not, to pay their *wergild*: 'Gif mon cierliscne monnan fliemanfeorme teo, be his agnum were geladige he hine; gif he ne mæge, gielde hine his agne were [...].'⁶¹⁸ Similar penalties are prescribed in law-codes throughout the tenth century; although the recipient/s of the *wergild* are not specified, again no doubt reflecting a complex social reality in which these revenues were contested between various parties.⁶¹⁹ We meet the offence again in the aforementioned clauses of Cnut concerning the *geriht* (*II Cn* 13–13:2), which brings the offences associated with *flymenafyrmb* squarely under royal supervision, prescribing a five pound *wite* to the king: 'And lochwa þone flyman fede oððe feormie, gylde V pund þam cingce, butan he hine geladige, þæt he hine fleame nyste.'⁶²⁰ The clauses also stipulate that the king alone may grant the outlaw their *frið* ('freedom'), and that any *bocland* forfeited by an outlaw should go straight into the king's hand.

5.2.5. Concluding observations

This chapter has synthesized a number of important contributions which have collectively transformed our understanding of the legal register of pre-Conquest writs and the constellations of rights and privileges embedded in their main announcement clauses. In doing so, the analysis has highlighted the way in which these sets of privileges were themselves an amalgam of well-established legal terms (appealing therefore to established legal 'tradition'), alongside several tenth and eleventh-century innovations. Sake and soke and *toll and team* in particular appear as innovative labels for sets of

⁶¹⁸ 'If a ceorl is accused of *flymenafyrmb* (fugitive-harbouring), he is to exculpate himself by an oath of the amount of his own *wergild*; and if he cannot, he is to pay for it with his own *wergild* [and the *gesiðmon* similarly by his *wergild*.] *Ine* 30 (ed. Liebermann I, p. 102).

⁶¹⁹ *II As* 2–2:2; *II Ew* 4. For other references to fugitives in tenth-century law, see Lambert, *Law*, pp. 334–5.

⁶²⁰ 'And whoever provides food to or harbours the fugitive, is to pay five pounds to the king, unless he can clear his name, that he did not know he was a fugitive.' *II Cn* 13:2 (ed. Liebermann I, p. 316).

privileges that no doubt had their origins in much earlier polities and antecedent social, legal and economic practices.

This complements, in turn, the analysis in Chapter Three, which discussed the deliberate use of other alliterative, spatial word-pairs to frame grants of land and privilege. The crystallization of several of these specifically legal and economic rights into stable, alliterative word-pairs may have served a similar performative rôle in shire-court (and other local) contexts: allowing individuals to memorize and rehearse the terms on which they held their land as well as the concurrent rights and revenues enjoyed. At the same time, it is important to stress the normative (rather than descriptive) nature not just of the law-codes and legislation discussed above, but also of charters and writs more specifically.⁶²¹ In conveying these above-discussed rights, writs served as statements of how things *should* be, rather than how things *are*: the transfer of any land, rights and revenues announced had to be recognised and acknowledged by the shire-court suitors (and shrieval audiences) and by neighbouring landlords in the locality. This in turn most likely explains the tendency in a sizeable minority of writs for careful itemization of the ‘additional’ rights, discussed above in section 5.2.4.⁶²²

5.3. *Writs issued by individuals other than kings: ‘Non-royal’ writs*

The above analysis has highlighted the position of non-royal landlords as addressees and as recipients of writs and their concurrent grants of rights and privileges; but there is considerable evidence to suggest that individuals other than kings issued documents in their own name that merit categorization as writs alongside the more numerous royal texts.⁶²³ A total of nine authentic writs survive issued by or at the behest of individuals other than kings, spanning the period from c. 995 to the Conquest and beyond.⁶²⁴ The corpus is tabulated in Appendix I, Figure 5.2., and reflects tenth and eleventh-century

⁶²¹ For the normative quality of legal texts, see Wickham, *Framing*, p. 384.

⁶²² Further discussion of this culture of ‘insecurity and competition’ over legal revenues can be found in Cross, *Aristocracy*, p. 305.

⁶²³ The term ‘non-royal’ is preferred to ‘private’ in this analysis (although the two terms are often used interchangeably in scholarship), since many of these texts were clearly intended to be performed in public and aulic settings, and should not be understood solely in the context of ‘private’ correspondence.

⁶²⁴ The non-royal writ/letter of Eadwine ‘child-master’ (S 1428) has been excluded from this study; for discussion of this later twelfth-century forgery, see *WinchNM*, pp. 164–7.

élite social strata, comprising queens/royal women, an archbishop, bishops, an abbot and a high-ranking layman.⁶²⁵ These nine documents form one of a number of strands of evidence that reveal non-royal lay and ecclesiastical participation in writ-documentary practices: this thesis has already surveyed the evidence of non-royal sphragistic devices (which may have played a rôle in documentary authentication); the participation of non-royal individuals in wider diplomatic and epistolary culture (including the court functions of Regenbald *regis sigillarius/cancellarius* and others in the Confessor's reign); and contemporary references to writs and seals that imply that non-royal lords issued this type of document.⁶²⁶ In this latter category, we can place the much-discussed reference to 'ðines hlaforðes ærendgewrit and hys inſegel' in the later ninth-century vernacular version of St Augustine's *Soliloquies*; and as noted in Chapter Four, although *gewrit* and *inſegel* often appears in the context of royal writs and seals in extant sources, there is nothing inherently 'royal' about either of the component elements or the collocation itself.⁶²⁷ The remaining sub-sections of this chapter provide an analysis of the three surviving typologies of non-royal writ, namely: episcopal writs, writs of queens and royal women, and the only extant writ issued by a layman. The analysis will focus on their diplomatic formulation and use of language, contemporaneous function/s, and relevant inter-textual relationships with other royal and non-royal documents.

5.3.1. *Episcopal Writs*

The writs analyzed in this section form a small but important sub-typology of the wider corpus of documents issued in the name of ecclesiasts in the pre-Conquest period, which included grants, leases, wills, agreements, records, and all manner of other

⁶²⁵ For Harmer's treatment of writs of 'non-royal persons', see *Writs*, pp. 19–24.

⁶²⁶ See above, Chapter Four, section 4.2.; Chapter One, section 1.4.; Chapter Two, section 2.2.9.; and for tenth and eleventh-century non-royal diplomatic in the round, see the *Languages of Anglo-Saxon Charters Database* and search by 'issuing authority'. 'Non-royal' or 'private' grants are grouped together in Sawyer's catalogue running from SS 1164–1539.

⁶²⁷ 'Your lord's writ and seal' *Soliloquies* (ed. Carnicelli, p. 62); for discussion see Chapter One, section 1.1. Harmer also cites the use of the phrase 'cum meo breui atque sigillo' ('with my letter and seal') in Bishop Lyfing's confirmation of Leofric's grant to Evesham (S 1398, KCD 941) as evidence of non-royal sphragistic/epistolary practice, but this text is probably spurious; see *Writs*, p. 20; cf. Wormald, 'Lordship and Justice', p. 123.

documents.⁶²⁸ Of the four surviving episcopal writs (all issued in the period *c.* 1002 to the Conquest), the writs of Bishop Æthelric (S 1383, *Sherb* 13) and Archbishop Wulfstan of York (S 1386, *CantCC* 150) have been discussed above (Chapter Two, section 2.3.) in the context of their preservation, analyzing the possible motivations of their contemporary or near-contemporary copyists and arguing that separate, now-lost written documents most likely lay behind them (rather than representing *post factum* records of oral proclamations). The analysis also highlighted the heterogeneous functions of these texts. Æthelric's writ constituted a statement of legal appeal: first, the bishop complained that he has not received the expected or customary contributions towards 'scypgesceote' ('ship-scot') from a string of delineated estates, amounting to 'þreo 7 þritig hida of ðam þrim hund hidun þe oðre bisceopas ær hæfdon into hyra scyre.'⁶²⁹ Then, after appealing to the authority of the ealdorman (presumably as the agency able to adjust and enforce the requisite contributions), Æthelric described a threat to the community's ownership of the Holcombe Rogus estate, combining his calculation of 'ship-scot' contributions to produce a sum total of 'tpa 7 feopertig hida', i.e. forty-two hides owing to the bishopric.

Archbishop Wulfstan's writ is similarly a unique survival of its typological function: Wulfstan states that he has done 'spa spa us sputelung fram eop com' ('as the declaration came from you to us') and consecrated Æthelnoth to the see of Canterbury; and requests now that Æthelnoth be entitled to the same 'rihta 7 gerysna' ('rights and dignities') as his predecessors. Wulfstan's audience in this announcement was King Cnut and Queen Ælfgifu (Emma), i.e. the royal court rather than the shire, and this probably explains the use of the modifier 'eadmodlice' ('humbly'), also used in Ælfthryth's carefully constructed Ruishton letter (discussed in the next section below). Whilst the audiences of Wulfstan and Æthelric's writ were very different, both took the form of urgent appeals to established authorities, requesting their intercession. In the case of

⁶²⁸ Episcopal grants are listed in Sawyer: SS 1244–1428; and for 'episcopal' diplomatic, see the above-mentioned *Languages of Anglo-Saxon Charters Database*, with a search function for ranks of ecclesiastical authority. For general comments, see Barrow, 'From the Lease to the Certificate'; Keynes, 'Church Councils', pp. 97, 135–7; for more specific genres of episcopal diplomatic, see for example: episcopal leases in Gallagher and Tinti, 'Latin, Old English', pp. 279–86; the six extant episcopal bequests in Tollerton, *Wills*, pp. 112–27.

⁶²⁹ 'thirty-three hides which are lacking from the three hundred hides that other bishops had for their diocese.' *Sherb* 13. For 'ship-scot', see *Writs*, pp. 266–70, 483; Taylor, 'Endowment', p. 300; Giandrea, *Episcopal Culture*, p. 187; Keynes and Love, 'Godwine's Ship', p. 189.

Wulfstan's writ, it appears that this request was granted with the issue of S 986 (*CantCC* 150A), a writ declaring a grant to Archbishop Æthelnoth of a total of six of the above-discussed legal and fiscal rights over his own men and over Christ Church. The writ thus functioned as an unambiguous statement to the Kentish shire authorities that Æthelnoth was entitled to the legal revenues and profits described, and the obvious synergy of this episcopal and royal writ hints at the effective functioning of a system of legal petition and royal patronage by the early eleventh century, underpinned by the use of writs.

The next writ in our episcopal corpus, issued by Bishop Siward of St Martin's in Canterbury in the mid-eleventh century (S 1404, *Abing* 143), survives only in Latin translation but undoubtedly represents a later rendering of a genuine Old English exemplar addressed to Godwine, Bishop Hereman of Ramsbury, the reeve Kineward and the thegns of Berkshire. The protocol is followed by a main announcement containing Siward's testimony concerning the leasing arrangements of Leckhampstead in Berkshire, one of Abingdon's estates.⁶³⁰ Siward's central claim is that a certain Brihtwine was unjustly claiming possession of Leckhampstead by hereditary right, when in fact (according to Siward) it had been leased to him after the death of his father Brihtnoth, as witnessed in an earlier public agreement. The writ thus represents a vigorous defence of Abingdon's landed interests, hinged around Siward's unambiguous verdict on Brihtwine's behaviour: 'Sed iniuste id agit', a Latin translation of a no doubt equally forthright Old English clause.⁶³¹ This is combined with an appeal to the communal authority of the witnesses who had approved the leasing agreement on the day of Brihtnoth's death and burial at Abingdon: 'Quod conuentione dispositum est illustrium uirorum plurimorum presentia eo die quo Brihtnodus eius frater defunctus Abbendonie sepultus fuit.'⁶³²

The final document in our episcopal corpus, the writ of Abbot Wulfwold (S 1427, *Bath* 25) was probably issued *c.* 1066 since it addresses Tofig the Sheriff (in office until

⁶³⁰ The need to deploy a writ to the Berkshire shire court rather than appear there in person to testify about the estate may be explained in the context of Siward's new episcopal obligations in Canterbury; see *Abing*, pp. 558–9.

⁶³¹ 'But he had done this unjustly.' *Abing* 143.

⁶³² 'This was arranged at a meeting in the presence of all the great men, on that day in which Brihtnoth died, and was buried at Abingdon.' For further context to the disputed leases, which are also described in the Abingdon Chronicle, see *Abing*, pp. cxlix–l, 157, 558–9.

1068), and does not refer to an earl or Norman lord in its protocol.⁶³³ The writ functions as a declaration that King Edward had given him the land at Evesty that belonged to his father (‘þæt min fæder ahte’), as well as four homesteads at Ashwick and appurtenant meadowland; now, Wulfwold declares in addition that he has given that land to St Peter’s monastery at Bath, framed in pious terms: ‘þam munecan to scrud fultume 7 to foðan, eall spa full 7 spa forð spa þe cinge hit me geuðe on eallan þingan.’⁶³⁴ This is followed by a blessing and anathema (see Appendix I, Figure 3.6.).

Two aspects of its diplomatic formulation are especially worthy of discussion here. Firstly, the writ makes extensive use of (a total of five) spatial formulae (see Appendix I, Figure 3.3.): to emphasise possession of the meadowland belonging to the Ashwick homesteads and the pasture they provided for cattle; to emphasise the freedoms that had been concurrently granted by Edward (with freedom for Wulfwold to alienate as he pleased); and finally to emphasise the fullness of the grant to St Peter’s minster, which was to enjoy the land as fully and as completely as the king had previously granted it to Wulfwold. To the ears of the shire-court suitors, this announcement of an episcopal grant was thus interwoven with the spatial, symbolic language of authority familiar from dispositive royal announcements of land and privilege. The effect, strengthening the legitimacy and authority of Wulfwold’s announcement, was undoubtedly deliberate. The second noteworthy aspect of the text’s diplomatic formulation is the similarity of its blessing and anathema to an earlier grant of King Edward to Wulfwold: a royal diploma formulated by Bishop Giso in 1061 (S 1034, *Bath* 22), which immediately precedes the writ in the cartulary.⁶³⁵ The diploma granted an unspecified amount of land at Ashwick to Wulfwold, seemingly in a personal capacity rather than explicitly as abbot of Bath.⁶³⁶ The use of the combined blessing and anathema is unusual in writ diplomatic: as Appendix I, Figure 3.6. demonstrates, blessings are exceptionally rare in writs (the only other explicit blessing being within an Edwardian writ for Westminster: S 1145). Rather,

⁶³³ See *Bath*, pp. 152–3; the writ may have been issued when there was no earl with authority over Somerset, i.e. during Harold’s reign or immediately after his death, see *Writs*, pp. 48, 430.

⁶³⁴ ‘in order to provide clothing and food for the monks, all as fully and as completely as the king gave it to me in all things.’ *Bath* 25.

⁶³⁵ Keynes, ‘Giso’, pp. 231–2, 256; cf. *Writs*, pp. 39, n. 3, 430.

⁶³⁶ S 1034 in turn drew on a diploma of Edward the Elder (issued c. 899 × 909) granting land at Wellington and Lydeard, Somerset, to Asser, bishop of Sherborne (S 380, *Wells* 28) for its opening diplomatic formulation.

Wulfwold no doubt looked back to his diploma (functioning as the title-deed) for his Ashwick lands in formulating his announcement, creating a complementarity between royal diploma and writ. If the title-deed for Ashwick was read or held aloft at the Somerset shire court, its language would thus have symbolically dovetailed the corresponding vernacular section in Wulfwold's writ-form announcement, enhancing the legitimacy of the latter.

5.3.2. *Writs issued by queens and royal women*

Four extant writs were issued by royal women, spanning the period *c.* 995 down to the Conquest. These women can be identified as Ælfthryth, queen-mother of King Æthelred II (previously queen and wife of King Edgar) who issued a writ (the so-called 'Ruishton letter') toward the end of her life *c.* 995 × 1002, in which she was simply styled 'Alfðryð'; Queen Ælfgifu (Emma), mother of Harthacnut who issued a joint writ with that king *c.* 1040 × 1042 (styled 'mater eiusdem regina' in the writ, extant only in Latin translation); and Queen Edith, who issued a writ as Lady Edith ('se hlauedige', i.e. *hlæfdige*) *c.* 1061 × 1066, and later as Lady Edith, widow of King Edward ('se hlaedi Eadwardes kynges lefe'), *c.* 1066 × 1074. Even in this small sample, writs issued by such women had diverse social and legal functions: consisting of a testimony concerning a disputed estate; joint announcements of grants of land and privileges; and in the case of Edith's writs, combinations of declarations of grants and specific legal interventions.

Ælfthryth's writ (S 1242, *Writs* 108), addressed to Archbishop Ælfric and Earl Æthelweard and most likely intended to be read at the Somerset shire court, describes her participation in a dispute over an estate at Ruishton some twenty-five years prior, which hinges around a denial that she and her ally Bishop Æthelwold had conducted themselves improperly or with undue force at that time: 'Nu ne eom ic nanre neade gecnewe þe libbe, þe ma þe he wolde þeah he lyfode.'⁶³⁷ Ælfthryth recalls her partial account of the dispute, which can be reconstructed as follows: between *c.* 965 and 975, the Winchester bishopric requested that King Edgar return a cluster of Taunton estates that he had previously appropriated; Ælfthryth intervened on Winchester's behalf at the request of

⁶³⁷ 'Now I, being alive, am not aware of any [undue] force any more than he would be, if he were still living.' *Writs* 108.

Æthelwold. Edgar then granted the request, resulting in royal tenants ('his þegna' or '[the king's] thegns') of the affected Taunton estates needing to renegotiate their leases with Winchester or relinquish their property. In the resulting disruption, a certain Leofric refused to accept these new terms; his wife, Wulfgyth, a relation of Ælfthryth, petitioned the then queen to intervene on their behalf; and Ælfthryth thus obtained from Æthelwold that: 'hi moston brucan þes landes hyra deg, 7 efter hyra dege eode þet lond into Tantune mid mete 7 mid mannum eal swa hit stode.'⁶³⁸ Now, some decades later, Ælfthryth and Æthelwold faced accusations (possibly from Leofric's kin) that they had used undue pressure to obtain the title-deeds ('þa boc') from him; an accusation that Ælfthryth strenuously denies. Andrew Rabin recently placed the document within a set of important wider contexts, principally Ælfthryth's rôle as *forespeca* ('fore-speaker' or advocate) on behalf of women monastics (evinced in her participation in seven lawsuits and as an advocate in three further land transactions). This changing socio-political identity in turn reflected the ideology of the Benedictine reform and Queen Ælfthryth's rôle as 'impauidi...custodis' ('fearless sentinel') of female monastic communities, as prescribed in the *Regularis Concordia*.⁶³⁹ For Rabin, the Ruishton letter's measured use of language and its stress on domestic and familial bonds, thereby subtly transforming 'domestic authority into legal influence', represented Ælfthryth's response to the challenges of articulating this elevated, Marian conception of queenship in the real world.⁶⁴⁰ At the same time, however, Ælfthryth's writ clearly intersected with several of the above-

⁶³⁸ 'that they might retain the land for their lifetime, and after their death the land should revert to Taunton, with produce and men, just as it stood.' *Writs* 108. Note the use of the spatial formula here in the writ's reported speech, associated in other vernacular documents with land tenure and associated obligations, and thus giving an aura of authenticity to Ælfthryth's description of Leofric's loan-land.

⁶³⁹ Rabin, 'Female Advocacy', see p. 264, n. 12 for a full-list of Ælfthryth's attestations and other appearances in tenth-century diplomatic; for the initial transaction, see S 806 (*Charters* 45); for the relationship between Ælfthryth and Æthelwold, see Yorke, 'Æthelwold', pp. 81–7; for the concept and functions of *forespeca*, see Rabin, 'Old English *Forespeca*'. In the passage cited above, the *Regularis Concordia* frames Ælfthryth's rôle as protector of female monastic communities in unambiguous language, comparing it to the homosocial bonds of men: '[...] coniugique suae Ælfthrythae sanctimonialium mandras ut impauidi more custodis defenderet cautissime praecepit; ut uidelicet mas maribus, femina feminis, sine ullo suspicionis scrupulo subueniret' ('[Edgar] wisely commanded that his wife, Ælfthryth, should defend the communities of nuns like a fearless sentinel, so that a man might aid men and a woman might aid women, naturally, without any scandal.') (ed. Symons, p. 2).

⁶⁴⁰ Rabin, 'Female Advocacy', p. 284.

discussed episcopal documents in terms of its overarching function, namely the writs of Æthelric and Siward (grouped together in Appendix I, Figure 1.3.). All three documents reveal similar strategies in constructing their own coherent version of the disputed events, from their own particular vantage points, using the written word in combination with writ diplomatic-forms to create powerful appeals to appropriate legal authorities. Ælfthryth's writ also invites comparison with the later statement by Queen Ælfgifu-Emma (S 1229, *CantCC* 175), which survives as a memorandum copied into the Æthelstan Gospels. The statement may have constituted a similar response, produced several years later, to a dispute over Newington, Oxfordshire, probably connected to the previous forfeiture of that land by the thegn Ælfric. Brooks and Kelly note that 'there is a slight possibility' that the memorandum was an abbreviation of a separate document, and to my mind this separate document could very plausibly have been a writ-form text, with the extant memorandum representing its main announcement clause.⁶⁴¹

The writ of King Harthacnut and his mother Queen Ælfgifu-Emma (S 997, *Writs* 57) announcing that they have given to the church of Ramsey the 'terram orientalem de Hemmingeforde' ('the east land at Hemingford'), is the only extant writ issued jointly; but its survival hints at the possible wider practice of writs being issued occasionally by kings alongside their queens, mothers and other royal women (a practice mirrored in other forms of diplomatic output).⁶⁴² In this instance, the writ takes the form of a straightforward announcement of a land grant with a formulaic protocol, main announcement, anathema, and statement of religious motive. Although extant only in Latin translation for insertion into the Ramsey Chronicle, the joint writ does not deviate either linguistically or diplomatically from writs of the same function issued solely by kings. No other joint-charter of Queen Ælfgifu and Harthacnut survives, but Ælfgifu issued several charters independently including the above-mentioned memorandum regarding Newington drawn up c. 1042 × 1052; and her grant of land and relics at Newington and Britwell Prior to Christ Church (S 1638, *CantCC* 175A).

⁶⁴¹ *CantCC*, p. 1185.

⁶⁴² Other typologies of charter (most commonly royal diplomas, wills and bequests) were occasionally issued jointly in this way and the appearance of queens as joint donors reflects their ideological rôle as joint rulers of monasteries in certain phases of pre-Conquest history; see Hollis, *Anglo-Saxon Women*, pp. 212–14; and for Ælfgifu-Emma's rôle at Harthacnut's court, see Tyler, 'Talking About History', pp. 359–62.

The final two writs in this sub-group were issued by Queen Edith towards the end of Edward's reign and, latterly, after his death. In the first (S 1240, *Wells* 39), the queen announced to her 'broðar' Earl Harold (stressing, like Ælfthryth, her kin-based links), Tofig and the thegns of the Somerset shire court that Bishop Giso is to have the land at Milverton 'spo full 7 spo forð spo hit me selfen æn honde stod' ('as fully and completely as I possessed it myself'), in the familiar phraseology of royal writ diplomatic. The final clause of the writ, however, takes the form of a more unusual statement: '7 gyf þær hpa ænig land habbe hut biridan oððe geboht of þan þe þar mid richte into gehyrað, ic pylle þat man hyt læte in ongear cuman, 7 spece se mann pið þone mann þe him er land sealde.'⁶⁴³ Edith thus alludes to a pre-existing dispute over all or part of the Milverton estate, calling for its restitution and for the affronted party to bring a suit or seek compensation from the person who had granted or sold it to them.⁶⁴⁴

The second writ of Edith (S 1241, *Wells* 42) similarly functioned as a dual declaration of dispositive action and statement of legal intent. The only extant writ addressed to a hundred court (directed to 'al þat hundred at Wedmore' or 'all the Wedmore hundred'), Edith states that she has given to Bishop Giso the land at Mark and all things legally pertaining to it, with sake and soke, as fully and completely as she possessed it. Its address to the Wedmore hundred rather than the Somerset shire court is explicable in the context of the location of Mark, which formed a constituent part of the manor of Wedmore, part of the royal manor of Cheddar. The final clause takes the form of an additional request regarding the need for a rightful judgement concerning a certain Wudumann: 'And ic bidde eop þat ge deme me richtne dom of Ðudemann þe ic min hors bitachte 7 mi gauel haueð ofhealden six gear eiðer ge hunig 7 eac feoch.'⁶⁴⁵ Keynes has suggested the possibility that the grant to Giso and the request for legal action on Wudumann may be linked; Edith may have previously promised the land to Giso, leaving Wudumann as a sitting tenant—his subsequent evasion of rent payments may thus have

⁶⁴³ 'And if anyone there has seized or purchased any of the land that belongs lawfully to the estate, I will that it be restored; and let the man aggrieved bring a suit against ['speak with'] the man who gave him the land.' *Wells* 39.

⁶⁴⁴ For further context, see *Wells*, p. 237; Kennedy, 'Law and Litigation', p. 156, n. 99.

⁶⁴⁵ 'And I pray that you will pronounce for me a just judgement concerning Wudumann, to whom I entrusted my horses and who has withheld my rent for six years, both honey and money also.' *Wells* 42.

prompted her to hand over the estate sooner than intended.⁶⁴⁶ Alternatively, the statement may be understood as a very personal intervention by Edith requesting that action be taken by the hundred court against one of her own tenants: read in combination with the analogous final clause in S 1240, the clauses highlight the flexibility of the writ form and continued assertive use of legal interventions by women of royal and élite status into the post-Conquest period.

5.3.3. *Gospatric's writ*

The writ of Gospatric is the only surviving non-royal writ issued by or at the behest of a lay male figure. The text's diplomatic structure, use of language and spatial formulae, target audience (addressing specific local ethno-political communities) and the nature of the rights/privileges granted clearly mark it out as an eleventh-century writ (rather than a vernacular grant or a *sui generis* document), but with several idiosyncratic features. Discovered by F. W. Ragg in October 1902 whilst working on documents from the Lowther Archive for the Victoria County History project, the writ survives as a non-contemporary wide-rectangle format single sheet, which can only be broadly dated to between the thirteenth and seventeenth centuries.⁶⁴⁷

Most critical discussion of the document has centred on the question of the identity of 'Gospatrik' who is not accorded a social rank in the protocol. Three individuals known as Gospatric are known to have flourished in the north of England in the eleventh century, all members of the House of Bamburgh—an important earldom and epicentre of Northumbrian culture following that kingdom's disintegration in the later ninth century. The adoption of the Cumbric personal name Gospatric by this dynasty has been discussed in detail by Fiona Edmonds, and linked to the political and cultural interaction between the earls of Northumbria and the kingdom of Strathclyde.⁶⁴⁸ It

⁶⁴⁶ Keynes, 'Giso', pp. 238–9.

⁶⁴⁷ Ragg, 'Charter', p. 244; and for his early edition of the text, see *idem*, 'Gospatrik's charter', pp. 71–84. For discussion of dating, see *idem*, 'Gospatrik's charter', p. 80; Harmer, *Writs*, p. 421, positing that the 254 × 95.25 mm single sheet represents a thirteenth-century transcription of an eleventh-century original; cf. Woodman, *North*, pp. 363–6, 372, arguing that the scribe displays errors of execution and comprehension of thirteenth-century script, and that the writ could have been copied 'at any point' between the thirteenth and seventeenth centuries.

⁶⁴⁸ Edmonds, 'Personal Names', pp. 44–6; *eadem*, 'Emergence'; and *eadem*, 'Expansion', pp. 50–66.

represents a fusion of the Gaelic saint's name and the prefixed Brittonic element *gwas*—meaning 'servant'; hence the bearer is a 'servant of Patrick.' It is evident from the protocol's phraseology that this Gospatric exercised significant power at a time when the Cumbrian region was no longer ruled by a 'native' Cumbrian political élite; Gospatric greets those dwelling in 'þam landann þeo peoron Cōmbres.'⁶⁴⁹ In doing so, the writ alludes to the mid-eleventh-century encroachment by Siward, earl of the Northumbrians, over lands around Carlisle and the southern tranche of Cumbrian territory, which was most likely accompanied by a general Northumbrian overlordship over the rest of the kingdom, and places itself firmly after these developments.⁶⁵⁰ Critics have thus focused on two possibilities for the identity of the writ: the thegn Gospatric (d. 1064), son of Earl Uhtred (d. 1016) and Uhtred's second wife, Sigen; and Gospatric, Earl of Northumbria (1067–8 and 1070–2), son of Maldred. He was the grandson of Earl Uhtred and thus the nephew of the thegn Gospatric, and is known (somewhat misleadingly) to scholarship as Gospatric I, thanks to his status as earl of Northumbria and ancestor of the earls of Dunbar.⁶⁵¹

The thegn Gospatric was a powerful Northumbrian lord, although he did not attain the status of earl, unlike his contemporaries Earl Siward of York and the two eldest sons of Uhtred, the earls Ealdred and Eadwulf. Earl Siward married Gospatric's niece Ælffled, which Edmonds has suggested can be interpreted as an attempt by Earl Siward to appease the House of Bamburgh with a marriage-alliance that would have conferred high status upon Ælffled and her kin.⁶⁵² The thegn Gospatric was also most likely the individual recorded as having accompanied Earl Tostig of Northumbria in the 1061 embassy to Rome, and who comes to prominence in the narrative account of the *Vita Ædwardi Regis* after being attacked by a company of Italian bandits on the return journey. According to the *Vita*, Gospatric (referred to as 'de eiusdem Ædwardi genere' or 'a kinsman of Edward') was mistaken for an earl due to his elaborate outfit: 'Nam cum iret aptatoribus indumentis ornatus, ut eum pro nobilitate decebat, in ipsa peregrinantium

⁶⁴⁹ 'The lands that were Cumbrian.'

⁶⁵⁰ Clarkson, *Men of the North*, p. 191; Charles-Edwards, *Wales*, p. 575.

⁶⁵¹ For a genealogy of the earls of Northumbria, see Charles-Edwards, *Wales*, p. 576, Figure 17.5.

⁶⁵² Edmonds, 'Personal Names', p. 52.

fronte, interrogatur a latronibus quis eorum esset comes Tostinus.⁶⁵³ He was taken as a captive, and later freed, but the narrative is emphatic that this was a man whose image and dress reflected a high social standing: ‘Creditur pro ornatu uestium et situ corporis ut erat egregii, et sic cum reliqua preda abducitur spe satis inani.’⁶⁵⁴ According to Robin Fleming, the adoption by thegns and earls of a more elaborate way of dressing was a widespread phenomenon in the later tenth and eleventh century, and this passage exposes these high aspirations and competitive socio-cultural practices at the heart of the 1061 embassy.⁶⁵⁵

For the most part, it is the identification with the former Gospatric (the thegn) that has held sway in discussions of the writ.⁶⁵⁶ The identification was accepted by Stenton, and rather more tentatively by Harmer, but was later challenged by Anderson and Phythian-Adams who re-approached Gospatric’s writ in the context of the broader history of eleventh-century Cumbria and its interaction with neighbouring polities.⁶⁵⁷ Phythian-Adams doubted whether the terms of the writ can be taken to prove that Earl Siward was alive at the moment of its issuing, on which the association with Gospatric, son of Uhtred, ultimately hinges. The terms in which Gospatric and Siward guaranteed the *grið* might not, according to Phythian-Adams, necessitate Siward being alive at the time, since the wording could imply that Siward formerly, and Gospatric now, successively granted the same *grið* to the same territorial extent.⁶⁵⁸ This argument is furthered with reference

⁶⁵³ ‘Because as he rode dressed in garments suited to his noble rank in the van of the pilgrims, he was asked by the robbers which of them was Earl Tostig.’ *Vita Ædwardi Regis* i.5 (ed. Barlow, pp. 54–5).

⁶⁵⁴ ‘He was believed [to be the earl] because of the ostentatiousness of his clothes and his physical appearance, which was distinguished, and so he was taken away with the rest of the plunder.’ (*Ibid.*, pp. 56–7).

⁶⁵⁵ Fleming, ‘The New Wealth’, p. 10.

⁶⁵⁶ See Davis, ‘Cumberland’, pp. 62–4, positing that the writ’s language (namely the reference to the ‘gyrth’ (i.e. *grið* or ‘peace’) in the prohibition clause that Earl Siward and Gospatric had granted either contemporaneously or in the recent past) strongly implies that the Earl Siward mentioned in the writ is alive at the time of the document’s promulgation. Since Siward received the earldom of Northumbria in 1041 following the murder of Earl Eadwulf, and died in 1055 according to the *Anglo-Saxon Chronicle*, Davis places the creation of the writ within this neat chronological bracket, with the death of Siward providing a *terminus ante quem* for the creation of Gospatric’s writ.

⁶⁵⁷ See Stenton and Stenton, ed., *Preparatory*, p. 217; *Writs*, p. 423; cf. Anderson, *Early Sources* II, p. 37; and Phythian-Adams, *Cumbrians*, pp. 174–5.

⁶⁵⁸ Phythian-Adams, *Cumbrians*, p. 175.

to the foundation charter of Wetheral Priory, with the suggestion that the men listed in Gospatric's writ, or their descendants, attest the Wetheral text dated *c.* 1092 × 1112.⁶⁵⁹ The overall effect of these arguments is the pushing back of the writ's date of issue to fit with the later eleventh century, and thus the agency of Gospatric, son of Maldred, rather than the son of Uhtred. Although the argument is elegant, both Edmonds and Woodman have urged caution in the use of the Wetheral foundation charter since, as Phythian-Adams himself notes, its dating is not secure and the original priory register has not been critically edited.⁶⁶⁰ Hence, the competing identifications of Gospatric depend almost entirely on our interpretation of Earl Siward's rôle in the text; and to my mind any interpretation of the writ must take into account both competing identifications, since neither can be conclusively proven.

We may turn now to the writ's diplomatic structure and the nature of the rights and privileges announced. In Chapter Three, the protocol of Gospatric's writ was discussed in the context of the heterogeneous Group C clauses (section 3.3.2. and Appendix I, Figure 3.1.), which employ the *gret...freondlice* formula to address a range of different political fora. It was also noted that the protocol has been constructed in a politically sensitive manner, targeting the Cumbric (and wider 'Brittonic'), as well as 'Norse' and 'English' socio-ethnic communities of the region. These groups were presumably conceived as the appropriate audience for a grant to an individual such as Thorfynn mac Thore, whose own name comprises two Scandinavian elements fused together with the Gaelic *mac* ('son').⁶⁶¹ Such culturally sensitive labels, connecting the terms of the grants with its audience, no doubt helped to make Gospatric's announcement *landeskundig*, to apply Peter Johanek's useful term once again.⁶⁶² The writ is also imbued with the first-person voice of the issuer, with a total of fourteen first-person personal and possessive pronouns in the text.

The writ then grants a number of rights/privileges framed around a *sui generis* prohibition clause (see Appendix I, Figure 3.5., Group 8) which forbids anyone to 'brech seo gyrrh' ('break the peace') granted by Earl Siward and Gospatric. The rights of the

⁶⁵⁹ Prescott, ed., *Register*, pp. 1–5.

⁶⁶⁰ Edmonds, 'Personal names', p. 55; North, p. 364; Phythian-Adams, *Cumbrians*, p. 177.

⁶⁶¹ Charles-Edwards, *Wales*, pp. 576–8; Breeze, 'Old English *wassenas*', pp. 272–5

⁶⁶² Johanek, 'Funktion', p. 132; and above, Chapter One, section 1.1.

grant are introduced with the ‘7 ic cyðe eop þæt’ construction typical of writ main announcement clauses, and the phrase ‘myne mynna is 7 full leof þæt [...]’ (‘my consent and full permission that [...]’) is very similar to the Edwardian writ preserved at Beverley (See Appendix I, Figure 3.2., Group 5.ii).⁶⁶³ This opens up two possibilities: that Gospatric’s writ drew on formulaic phrasing employed in royal writ diplomatic to introduce the grants, or that both the Edwardian writ and Gospatric’s writ employed similar stock diplomatic phrasing that may have been deemed appropriate for usage in both royal and non-royal writs, and likely frequently heard pronounced in regional court settings.

The first of the four clauses specifying granted rights declares that Thorfynn mac Thore be ‘spa freo’ (‘as free’) with regards to all things that are Gospatric’s in Allerdale; this freedom is spatially defined: ‘on peald, on freyð, on heyninga, 7 æt ællun ðyngan þeo byn eorðe bœnand 7 ðeoronðer, to Shauk, to Þafyr, to poll Þaðœn, to bek Troyte 7 þeo peald æt Caldebek.’⁶⁶⁴ The spatial triplet ‘in forest, heathland and enclosed arable’ invokes a conceptual totality in a similar manner to the *on wudan and on feldan* formula familiar from royal writ diplomatic. A similar spatial and conceptual totality is invoked in the complementary phrase beginning: ‘7 æt ællun ðyngan [...]’ (‘all things above the earth and under it’). The list of topographical features rounding off the announcement of the grant of freedom, meanwhile, is more reminiscent of the vernacular boundary clauses typically embedded in royal diplomas. The appearance of these terms in the writ prompts the question whether there may have ever been a concurrent (and now-lost) document issued by Gospatric to Thorfynn, in the form of a non-royal grant. Grants by individuals other than kings emerged in the extant written record in the second half of the seventh century (c. 670) and continued down to the Conquest, constituting a corpus of some 65 documents with a good claim to authenticity or an authentic basis.⁶⁶⁵ Drawn up variously

⁶⁶³ Edward’s Beverley writ (S 1067, *North* 13) similarly states: ‘7 ic cyðe eop þæt hit is min unna 7 min fulle leafe þæt [...]’ (‘And I inform you that I give my full consent and permission that [...]').

⁶⁶⁴ ‘in forest, in heathland, in enclosed arable, and in respect of all things that are above the earth and under it, as far as Chalk Beck, as the Waver, as the Wampool, as Wiza Beck, and the plain at Caldbeck.’ (S 1243, *North* 21).

⁶⁶⁵ Lay grants made by individuals other than kings (including grants of royal women) are listed in Sawyer: SS 1164–1243. Of these, some 65 are non-spurious, including 15 which survive as contemporary single sheets: SS 1171, 1184, 1188, 1194, 1195, 1196, 1197, 1199, 1200, 1203,

in Latin and Old English, these surviving non-royal lay grants were typically issued by lay ealdormen and other aristocratic landowning élites (and in the earlier period, frequently *subreguli*, *duces* and members of royal households) to ecclesiasts and religious communities. However, texts such as the grant of Godwine to Leofwine the Red of swine-pasture at Southernden, Kent (S 1220, *CantCC* 148) indicate that the written word was also used for grants and sales between laymen; and these kinds of documents were much less likely to be preserved, given the lack of any surviving ‘lay archive’ from our period.⁶⁶⁶ If no such formal grant of Gospatric was ever created, the extra topographical detail provided by in the writ may have been an attempt to plug this perceived ‘gap’.

In the next clause, Gospatric declares that the men dwelling with Thorfynn mac Thore at Cardew and Cumdivock shall be free as Melmor, Thore and Sigulf were in the days of Eadread. This is followed by the prohibition clause, which employs another conceptual totality in its framing of the grant of freedoms, granted to Thorfynn ‘se frelycc spa’ (‘as freely as’) to ‘ænig mann leofand þeo pelkynn ðeoronðer.’⁶⁶⁷ The formula *spa...spa* appears four times in Gospatric’s writ (expressing the extent of the granted freedoms and exemptions), and again this formula draws us into the world of royal writ diplomatic surveyed in Chapter Three, namely the *spa full and spa forð spa* formula typically used to describe the temporal aspect of the grant. Again, if Gospatric or his writ-draftsman was consciously emulating language and forms otherwise associated with the staged royal announcements of shire-court assemblies, the subtle modification from ‘as fully and completely as’ typical of royal writs to ‘as freely as’ may have had helped to imbue Gospatric’s grant with a sense of authority and legitimacy in the minds of its audience.

1204, 1211, 1215, 1220, 1225. Synoptic treatment of these pre-Conquest lay grants and charters remains a research desideratum, but for useful comments, see Snook, *Chancery*, p. 1, n. 3; for the five extant wills issued by ealdormen, see Tollerton, *Wills*, pp. 105–12; and for Carolingian legal culture, in which there was a more marked diplomatic and graphic distinction between charters of rulers and those of non-royal/‘private’ issuing authorities, see Mersiowsky, ‘Actes Royaux’.

⁶⁶⁶ Godwine’s grant (c. 1013 × 1020) survives as the upper part of a chirograph and was probably preserved due to Christ Church’s interest in the lands described. For discussion, see *BAFacs* 19; Lowe, ‘Lay Literacy’, p. 177; *CantCC*, pp. 1067–70; and for similar ‘private’ charters, see Naismith, ‘Payments’, pp. 313–15, 338.

⁶⁶⁷ ‘any man living under the sky’ (S 1243, *North* 21).

Following the prohibition, Gospatric grants an exemption from *geld* ('geyldfreo') to 'hpylkun byn <þe> þar' ('whoever there is that dwells there'), alongside a list of named individuals and Gospatric's kindred and *wassenas*. The exemption from *geld* here likely represents an exemption from the payment of the national land tax paid by *landhlafordas* to the king; similar exemptions are announced by King Edward in S 1075 (*BuryStE* 16), stating that Bury's demesne lands are to be 'scotfreo fram heregelde an fram eghpilc oðer gaful' ('free from *heregeld* and from every other tax'); and S 1131 (*Writs* 87), declaring that Teinfrith his 'church-wright' is to have his land at Shepperton 'scotfreo 7 gafulfreo on hundred 7 on scire' ('exempt from scot and tax in hundred and in shire').⁶⁶⁸

The final rights announced in the writ, again framed in the first person, are grants to Thorfyynn of sake and soke, toll and team 'ofer eallun þam landan on Carðeu 7 on Combedeyfoch þæt peoron gyfene Thore on Moryn dagan' ('over all the lands in Cardew and Cumdivock that were given to Thore in the days of Moryn'); and in the same area, an exemption from the obligations of providing (or with the right to claim) 'bode 7 pytnesmann' ('*bode* and witnessman').⁶⁶⁹ This latter word-pair is otherwise unattested in pre-Conquest legal culture, but appears in thirteenth-century records from Lancashire, Westmorland, Cumberland and Durham where the formula *et de Bode et de Wyttenesman* routinely appears amongst the services required of landowners.⁶⁷⁰ *Bode* (possibly related to Old Norse *boði* or Old English *boda*, 'messenger', 'announcer') in these later contexts refers to the obligation of acting as a messenger, and *witnessman* (literally 'witnessman', probably an Anglicised form of the synonymous Old Norse *vitnismaðr*) was the duty placed upon landowners to provide testimonies to assist the social and legal functions of serjeants as law-enforcers. It seems unlikely that the copyist would have had any reason to interpolate these terms into their exemplar, and reasonable to suggest that these terms were part of eleventh-century Cumbrian and Northumbrian legal particularism, probably

⁶⁶⁸ S 1075 was much copied and the earliest in a sequence of writs granted or otherwise obtained by Bury giving the abbey's demesne lands exemption from all scots and *geld*; see the forthcoming commentary in *BuryStE* 16; Sharpe, 'Use of Writs', p. 280; and Pratt, 'Charters and Exemption', p. 184.

⁶⁶⁹ Both Harmer and Woodman note that the clause is ambiguous and capable of the interpretations: 'free from the obligation of providing *bode* and witnessman' or 'freely, with the right to claim *bode* and witnessman.' See *Writs*, pp. 535–6; and *North*, pp. 374–5.

⁶⁷⁰ Stewart-Brown, *Serjeants*, pp. 82–5.

connected with the process of vouching to warranty and associated witnessing procedures.

Gospatric's writ thus appears to convey parts of the standard package of legal rights typically granted by kings to landlords outlined in section 5.2., with the addition of *geld* exemptions and the right to or exemption from *bode* and witnessman, which likely reflects the idiosyncratic regional setting of the announced grant. That a 'two-tier' system had emerged by the eleventh century, with certain rights and protections conveyed by the king on the one hand, and by non-royal lords or agents on the other, is apparent in Cnut's laws, which distinguish between protection granted by the king's own hand (*handgrið*), resulting in forfeiture of life and property to the king; and *mundbryce* and *griðbryce* more generally which came with a five pound compensatory fine.⁶⁷¹ Gospatric's writ thus reveals that written documents, including vernacular writs announcing their conveyance to the relevant locality and its power brokers, may have accompanied certain non-royal grants. It is more difficult to answer the question of how 'exceptional' Gospatric's writ was, and the extent to which it represented a break from established norms; certainly, if religious communities were routinely conferred grants of (for example), sake and soke and other rights by laymen, we might expect more to have survived as a result of the aforementioned process of *Empfängerüberlieferung* ('receiver transmission').

5.4. Concluding observations

The first part of this chapter (section 5.2.) provided a reassessment of the meanings of the legal rights and revenues conveyed by a sizeable proportion of writs to a diverse range of recipients. These clusters of rights expressed within coordinated noun phrases were, in a sense, at the 'core' of such writs in terms of their legal meaning, and their lucrative nature—now generally understood chiefly in economic and fiscal rather than jurisdictional terms—is reflected by their tendency to be preserved in greater number than writs pronouncing on more immediate (but fleeting) legal affairs. Writs of this nature are, however, better represented amongst the corpus of documents issued by individuals other than kings discussed in section 5.3. Indeed, the functions of the four

⁶⁷¹ *I* Cn 2:2, 2:5, 3:1; *II* Cn 12, 15. (ed. Liebermann I, pp. 280–2, 316–18.) For discussion, see Lambert, *Law*, p. 185.

extant episcopal writs reflected the complex social rôle and diverse responsibilities of eleventh-century churchmen, and the employment of the writ form not just by the highest-ranking archbishops, but also bishops and abbots. At the heart of these documents were the weighty issues of land and leasing arrangements, tax and its evasion, and the implementation of rights and privileges pertaining to episcopal appointments. Like Ælfthryth's writ, however, they tended to share the aura of witness statements, providing a partial statement of events and relying on the relevant shire-court authorities to investigate and implement the legal outcomes that they sought.

Whilst the non-royal writs reflect a fairly long span over the course of the eleventh century, it is important to note that the size of the corpus is small and we lack any surviving single-sheet original (which again would assist in determining the extent to which royal writs may have influenced their overall conception and form). However, to my mind it would also be uncontroversial to posit that these original single sheets would have been associated with (or physically attached to) their issuers' respective seal impressions/matrices, given the nature of the proliferation of seals amongst various societal ranks below (but close to) the king as discussed in Chapter Four.⁶⁷² Any such seals must have had an important rôle in identifying and authenticating the issuing authority of a writ intended to be used as *swutelunga* in court proceedings with the writer *in absentia*, in a situation where shared trust in the legitimacy of different forms of writing was a prevailing concern.

⁶⁷² Wells, pp. 236–7.

CHAPTER SIX: CONCLUSION

This thesis has employed an inter-disciplinary methodology to investigate the function that pre-Conquest writs served—both as written texts and as material objects—in contemporary political culture. In doing so, it has offered a long overdue synoptic reassessment of this genre of Anglo-Saxon diplomatic, providing a rejoinder to the ‘General Introduction’ of Harmer’s 1952 edition and a contribution to discussions of the setting-in-life of charters and seals in the tenth and eleventh centuries.

Chapter One located the origin and evolution of pre-Conquest writs at the intersection of converging epistolary, sphragistic, diplomatic and legislative traditions, which had longer, traceable histories in the earlier Anglo-Saxon kingdoms. It also placed the emergence of writs in the more specific mid-tenth-century socio-political context of systematic, statist reorganization and innovation, which increased central control and supervision of shire courts and other types of local assembly. Section 1.4. problematized the issue of documentary ‘function’ by discussing evidence for the re-use and re-performance of texts at different moments in their life-cycle, revealing the social and political utility of the written word to their respective beneficiaries. The chapter’s central contribution took the form of its discussion of Appendix I, Figures 1.1–3, which provided an up-to-date concordance of the writ corpus and a typological categorization of the ostensible functions of writs according to the nature of their main announcements. These tables revealed the contours of a corpus of documents highly diverse in function and preserved across some twenty-seven pre-Conquest institutional archives as contemporary, near-contemporary and later cartulary, antiquarian and other copies.

The palaeographic analysis in Chapter Two showed the comparative visual distinctiveness of the seven contemporary ‘original’ single-sheet writs (extant from the period *c.* 1044 × 1066) and associated royal seals. This distinctiveness would have marked them apart from many other forms of charter writing in the eyes of literate, semi-literate and non-literate viewers and regional court audiences. Situating the single-sheet writs in the broader context of pre-Conquest diplomatic, it argued that these documents would have had a functional legibility akin to Old English boundary clauses and endorsements most commonly encountered in (and on) Latin royal diplomas, and that all these forms of writing were generated specifically with wider lay audiences in mind.

Analysis of the scripts of the seven documents suggested that none could be confidently localized or accorded a ‘house-style’, keeping open the possibility that the single-sheet writs were drafted by a central agency. A second but no less important phase in the transmission of writs in the pre-Conquest period was represented by closely contemporary copies and additions entered into the MacDurnan Gospels and the Sherborne Pontifical in the period *c.* 1002 × 1061, reflecting a wider social practice of pre-Conquest record and memorial keeping which was institutional and communal in nature. The rôles of such proto-cartularies was shown to be diverse, with additions of texts of writs serving commemorative, symbolic, and evidentiary functions for members of religious communities at Canterbury and Sherborne.

Chapter Three provided a fresh analysis of the diplomatic structures of writs and the meanings, distribution and functions of their composite clauses. It provided a new typological categorization of writ protocols, and posited that the choice of certain formulations often reflected the overall intended function of individual writs. For example, it found that the B-type protocol was reserved for writs concerned with announcements of transfers of land, legal/fiscal privileges and episcopal or abbatial appointments, and may have been developed specifically for such purposes, thus demarcating important moments in the proceedings of shire courts. Discussion of the C-type protocol, which anticipated some of the analysis in Chapter Five, highlighted both the adaptability of the address clause, and illuminated the nature of shire and hundred courts as spaces of encounter, sociality and legal petition. The chapter also offered a rejoinder to Harmer’s observations regarding the function of spatial and temporal formulae within the writ main announcement clauses, and made the case that the rise and persistence of these formulae can be understood in the context of their performative function: framing the announcement of grants in unambiguous, stable and predictable symbolic language. This was supported by a series of tables (Appendix I, Figures 3.1–7), which provided a sense of the overall distribution and frequency of the forms, including the manifold additional clauses. These, too, had important functions and no doubt worked, to borrow Keller’s phrase again, ‘als symbolische Kennzeichnung’ (‘as symbolic markers’) for key moments in shrieval ceremonial.⁶⁷³

⁶⁷³ Keller, ‘Hülde durch Privilegien’, p. 314.

This interpretation of the performative and symbolic aspects of diplomatic language (and wider political communication) was carried over into Chapter Four. The chapter complemented the discussion of the Edwardian seal impressions in Chapter Two by discussing sphragistic practices in the tenth and eleventh centuries at all societal levels. Seals clearly functioned as authenticating devices for writs, as well as proxies for orders, evidentiary signs, marking or closing devices, whilst invested with a range of concurrent symbolic meanings. Like writs that were re-used and re-performed in different settings, seals also fulfilled various functions at particular points in the careers of their respective (and later) owners. Analysis of both surviving material and textual evidence suggested that non-royal individuals took an active rôle as commissioners of their own seal matrices, and as participants in sphragistic praxis. It was also posited that the consistency of certain non-royal seal features reflected a desire to represent and replicate a shared imagery of thegnly authority, distinct from but nonetheless influenced by changing contemporary royal representations.

The relationship between royal and non-royal modes of political communication also lay at the heart of Chapter Five, which provided a new synthesis of scholarship on the rights and revenues conveyed by royal writs to non-royal landlords both ecclesiastical and lay, followed by an analysis of the corpus of non-royal writs. The chapter as a whole showed that writs captured many different registers of legal and political performance: from the more ostensibly ‘rigid’ or ‘formal’ structure of writs announcing clusters of coordinated rights and tenorial privileges, to the witness statements and testimonies of Ælfthryth, Æthelric and Siward. The writs of Queen Edith, combining elements of these two registers, revealed the elasticity and flexibility of the overall form. Gospatric’s writ, the only extant non-royal writ issued by a layman, has received a relatively good amount of scholarly attention thanks to its idiosyncracies, but several of its features, including its embeddedness in culturally and regionally-specific audiences, showed that its promulgator shared similar concerns to the draftsmen of royal writs, in attempting to make their announcements clear, unambiguous and readily understood to their intended contemporary audiences.

Indeed, Chapters Two and Four both highlighted the ways in which writs, seal matrices and impressions formed part of a much wider pre-Conquest diplomatic and

graphic culture that conveyed changing conceptions of royal and aristocratic authority to a range of audiences. It was argued that these audiences were often more diverse (and indeed more local or parochial) than has been generally thought, allowing semi-literate onlookers to understand, for example, conceptions of thegnly identity and its concomitant symbols of authority. In doing so, these chapters also highlighted the way in which (to quote Roach, in turn drawing upon the work of Althoff), late pre-Conquest political culture was very much a ‘culture of signs and symbols’ revealing both links to, and points of divergence from, Carolingian and Ottonian visual culture.⁶⁷⁴ Indeed, a synoptic study of this system of graphic signs, along the lines of Ildar Garipzanov’s *Graphic Signs of Authority*, remains an important desideratum in the context of England in the tenth and eleventh centuries. Such a study would need to integrate sphragistic, numismatic, manuscript and other material evidence alongside analysis of single-sheet charters and their use of cross *signa*, pictorial invocations and graphic marks, to investigate more deeply this shared visual and symbolic language of authority.

The thesis has also demonstrated the value of databases such as the *Electronic Sawyer*, the Toronto *Web Corpus* and the *Languages of Anglo-Saxon Charters Database* in seeking to gain a sense of control over texts edited in hundreds of disparate volumes and editions, and to investigate the component elements of such texts across these, often highly arbitrary, boundaries of archive and genre. They are essential in studies of a diplomatic culture whose practitioners would undoubtedly have had a very different understanding of such textual and generic boundaries. At the same time, further and more specific research desiderata, namely the need for editions (with their own synthetic, cross-archival ‘general introductions’) of all the diverse genres of vernacular document included in Simon Keynes’ ‘Register of Vernacular Charters’ such as agreements, records of grants, outcomes of litigation and pre-Conquest surveys and inventories (as well as non-royal texts in both Latin and Old English) remains a high priority for future research in this field.

⁶⁷⁴ Roach, *Kingship*, pp. 209–10; cf. Althoff’s ‘Kultur der Zeichen und Symbole’ in his *Inszenierte Herrschaft*, pp. 274–97.

APPENDIX (I)

Figure 1.1. *Concordance Table: Anglo-Saxon writs.*⁶⁷⁵

<i>Writs</i>	<i>Sawyer</i>	<i>Archive</i>	<i>Date of writ</i>	<i>Content</i>
1	1063	Abbotsbury	1053 × 1058	King Edward for Urk, housecarl
2	1064	Abbotsbury	1058 × 1066	King Edward for Tole, Urk's widow
3	1404	<i>Abing</i> 143	1045 × 1048	Bishop Siward's writ
4	1065	<i>Abing</i> 148	1052 × 1066	King Edward for Abbot Ordric
5	1066	<i>Abing</i> 149	1053 × 1055 or 1058 × 1066	King Edward for Abbot Ordric and Abingdon minster [†]
6	1427	<i>Bath</i> 25	1061 × (1077 × 1078), perhaps 1066	Abbot Wulfwold's writ
7	1067	<i>North</i> 13 (Beverley)	1060 × 1065	King Edward for Archbishop Ealdred
8	1068	<i>BuryStE</i> 8	1042 × 1043	King Edward for Abbot Ufi [†]
9	1069	<i>BuryStE</i> 9	1043 × 1044	King Edward for Bury St Edmunds
10	1070	<i>BuryStE</i> 11	–	King Edward for Bury St Edmunds; A ghost writ [‡]
11	1071	<i>BuryStE</i> 12	1044 × 1065	King Edward for Abbot Leofstan
12	1072	<i>BuryStE</i> 13	1044 × 1065	King Edward for Abbot Leofstan
13	1073	<i>BuryStE</i> 14	1044 or 1045 × 1047	King Edward for Bury St Edmunds
14	1074	<i>BuryStE</i> 10	1044 × 1047	King Edward for Bury St Edmunds
15	1075	<i>BuryStE</i> 16	1051 × 1057	King Edward for Bury St Edmunds
16	1076	<i>BuryStE</i> 15	1051 × 1052	King Edward for Queen Ælfgifu
17	1077	<i>BuryStE</i> 21	1052	King Edward for Bury St Edmunds
18	1078	<i>BuryStE</i> 22	1052 or 1053 × 1057	King Edward for Bury St Edmunds
19	1079	<i>BuryStE</i> 17	1051 × 1057	King Edward for Bury St Edmunds
20	1080	<i>BuryStE</i> 18	1051 × 1057	King Edward for Bury St Edmunds
21	1081	<i>BuryStE</i> 19	1051 × 1052 or 1053 × 1057	King Edward for Ælfric Modercope
22	1082	<i>BuryStE</i> 20	1051 × 1057	King Edward for Bury St Edmunds
23	1083	<i>BuryStE</i> 23	1065 × 1066	King Edward for Abbot Baldwin
24	1084	<i>BuryStE</i> 24	1065 × 1066	King Edward for Bury St Edmunds and Abbot Baldwin
25	1085	<i>BuryStE</i> 25	1065 × 1066	King Edward for Abbot Baldwin

⁶⁷⁵ Wholly spurious writs (which typically take the form of post-Conquest fabrications) are indicated by a superscript double dagger following the summary of their contents (‡); they have also been left undated. Doubtful or problematic cases—for example, writs that have clearly been substantially altered in the course of their transmission—are indicated with a single superscript dagger (†). The remaining writs have a good claim to authenticity.

26	985	<i>CantCC</i> 145	1017 × 1020	King Cnut for Christ Church, Canterbury
27	1386	<i>CantCC</i> 150	1020	Archbishop Wulfstan's writ
28	986	<i>CantCC</i> 150A	1020 × 1035, probably 1020	King Cnut for Archbishop Æthelnoth
29	987	<i>CantCC</i> 156	1035	King Cnut for Archbishop Æthelnoth
30	988	<i>CantCC</i> 157	1035	King Cnut for Archbishop Æthelnoth
31	1086	<i>CantCC</i> 173	1042 × 1050	King Edward for Archbishop Eadsige [†]
32	1087	<i>CantCC</i> 174	–	King Edward for Archbishop Eadsige [‡]
33	1088	<i>CantCC</i> 179	1052 × 1066	King Edward for Archbishop Stigand [†]
34	1089	<i>CantCC</i> 180, 180A	–	King Edward for Archbishop Stigand [‡]
35	1090	<i>CantCC</i> 178, 178A	1053 × 1061	King Edward for Christ Church, Canterbury
36	989	<i>CantStA</i> 32	–	King Cnut for St Augustine's, Canterbury [†]
37	990	<i>CantStA</i> 33	–	King Cnut for St Augustine's, Canterbury [†]
38	1091	<i>CantStA</i> 35	1042 × 1050	King Edward for St Augustine's, Canterbury
39	1092	<i>CantStA</i> 39	1053 × 1066	King Edward for St Augustine's, Canterbury
40	1093	<i>Chert</i> 13	–	King Edward for Chertsey [†]
41	1094	<i>Chert</i> 15	–	King Edward for Chertsey [†]
42	1095	<i>Chert</i> 14	1058 × 1066	King Edward for Chertsey and Abbot Wulfwold [†]
43	1096	<i>Chert</i> 12	1058 × 1066	King Edward for Abbot Wulfwold
44	1097	Cirencester	1042 × 1066	King Edward for Regenbald, his priest
45	1098	Coventry	–	King Edward for Abbot Leofwine and Coventry [†]
46	1099	Coventry	1043 × 1053	King Edward for Abbot Leofwine
47	1100	Ely	1055 × 1066, possibly 1045 × 1066	King Edward for Abbot Wulfric
48	991	Evesham	1017 × 1030	King Cnut for Brihtwine and Evesham [†]
49	1101	Hereford	1057 × 1060	King Edward for Hereford
50	1102	Hereford	1061 × 1066, probably 1061	King Edward for Bishop Walter and Hereford
51	1103	<i>LondStP</i> 32	1042 × 1044	King Edward for the gild of the English <i>cnihtas</i>
52	945	<i>LondStP</i> 24	978 × 1016	King Æthelred for St Paul's [†]
53	992	<i>LondStP</i> 27	1033 × 1035	King Cnut for St Paul's [†]
54	1104	<i>LondStP</i> 28	1042 × 1066	King Edward for St Paul's [†]

55	1105	Saint-Denis, Paris	1053 × 1057	King Edward for Saint-Denis
56	996	Ramsey	1040 × 1042	King Harthacnut for Abbot Æthelstan
57	997	Ramsey	1040 × 1042	King Harthacnut and Queen Ælfgifu for Ramsey
58	1106	Ramsey	1043 × 1049	King Edward for Ramsey
59	1107	Ramsey	1050 × 1052	King Edward for Ramsey [†]
60	1108	Ramsey	1053 × 1057	King Edward for Ramsey
61	1109	Ramsey	–	King Edward for Ramsey [†]
62	1110	Ramsey	–	King Edward for Ramsey [†]
63	1383	<i>Sherb</i> 13	1002 × 1014	Bishop Æthelric's writ
64	1111	<i>Wells</i> 33	1060 × 1061	King Edward for Giso, his priest
65	1112	<i>Wells</i> 34	1061 × 1066	King Edward for Bishop Giso
66	1113	<i>Wells</i> 35	1061 × 1066	King Edward for Bishop Giso
67	1114	<i>Wells</i> 36	–	King Edward for Bishop Giso [†]
68	1115	<i>Wells</i> 37	1061 × 1066	King Edward for Bishop Giso
69	1116	<i>Wells</i> 38	1061 × 1066	King Edward for Bishop Giso
70	1240	<i>Wells</i> 39	1061 × 1066	Queen Edith for Bishop Giso
71	1163	<i>Wells</i> 41	1066	King Harold for Bishop Giso
72	1241	<i>Wells</i> 42	1066 × 1075	Queen Edith for Bishop Giso
73	1117	Westminster	1042 × 1044	King Edward for Westminster [†]
74	1118	Westminster	–	King Edward for Westminster [†]
75	1119	Westminster	1042 × 1044	King Edward for Westminster [†]
76	1120	Westminster	–	King Edward for Westminster [†]
77	1121	Westminster	1044 × 1051	King Edward for Westminster [†]
78	1122	Westminster	–	King Edward for Westminster [†]
79	1123	Westminster	1049	King Edward for Westminster [†]
80	1124	Westminster	–	King Edward for Westminster [†]
81	1125	Westminster	1049 × 1066	King Edward for Abbot Edwin
82	1126	Westminster	1042 × 1066	King Edward for Westminster [†]
83	1127	Westminster	1042 × 1066	King Edward for Westminster [†]
84	1128	Westminster	1052 × 1053	King Edward for Westminster [†]
85	1129	Westminster	1053 × 1066	King Edward for Westminster [†]
86	1130	Westminster	1051 × 1066, probably 1057 × 1066	King Edward for Westminster [†]
87	1131	Westminster	1049 × 1066, probably 1057 × 1066	King Edward for Teinfrith, his church-wright
88	1132	Westminster	1057 × 1066	King Edward for Westminster
89	1133	Westminster	–	King Edward for Westminster [†]
90	1134	Westminster	1053 × 1066, probably 1057 × 1066	King Edward for Westminster [†]

91	1135	Westminster	1053 × 1066, probably 1057 × 1066	King Edward for Westminster [†]
92	1136	Westminster	1057 × 1066	King Edward for Westminster [†]
93	1137	Westminster	–	King Edward for Westminster [†]
94	1138	Westminster	1053 × 1066	King Edward for Westminster [†]
95	1139	Westminster	1065 × 1066	King Edward for Westminster
96	1140	Westminster	1062 × 1066	King Edward for Westminster
97	1141	Westminster	1042 × 1066	King Edward for Westminster [†]
98	1142	Westminster	1053 × 1066	King Edward for Westminster [†]
99	1143	Westminster	1042 × 1066	King Edward for Westminster
100	1144	Westminster	–	King Edward for Westminster [†]
101	1145	Westminster	1042 × 1066	King Edward for Westminster [†]
102	1146	Westminster	1062 × 1066	King Edward for Westminster [†]
103	1147	Westminster	1065 × 1066	King Edward for Westminster [†]
104	1148	Westminster	1065 × 1066	King Edward for Westminster [†]
105	1149	Westminster	1051 × 1066	King Edward for Westminster [†]
106	1150	Westminster	1065 × 1066	King Edward for Westminster [†]
107	946	Old Minster, Winchester	984 × 1001	King Æthelred concerning land at Chilcomb [†]
108	1242	Old Minster, Winchester	995 × 1002	Ælfthryth's writ; The Ruishton Letter
109	1151	Old Minster, Winchester	1042 × 1047	King Edward for Bishop Ælfwine [†]
110	1152	Old Minster, Winchester	1042 × 1047	King Edward for Bishop Ælfwine [†]
111	1153	Old Minster, Winchester	1052 × 1053	King Edward for the Old Minster, Winchester [†]
112	1154	Old Minster, Winchester	1053 × 1066	King Edward for the Old Minster, Winchester [†]
113	1428	<i>Winch</i> NM 34	–	Letter of Eadwine, child-master [†]
114	1155	Wolverhampton	–	King Edward for Wolverhampton [†]
115	1156	Worcester	1062	King Edward for Wulfstan, monk
116	1157	Worcester	Probably 1062	King Edward for Ælfstan, monk
117	1158	Worcester	Probably 1062	King Edward for Bishop Wulfstan and Worcester
118	1159	<i>North</i> 9 (York)	1060 × 1066	King Edward for Archbishop Ealdred
119	1160	<i>North</i> 14 (York)	1060 × 1065	King Edward for Archbishop Ealdred
120	1161	<i>North</i> 10 (York)	1060 × 1066	King Edward for Archbishop Ealdred
121	1243	<i>North</i> 21 (Lowther)	1041 × 1064, possibly 1041 × 1055	Gospatric's writ

Figure 1.2. *Concordance Table: Additions to the corpus of Anglo-Saxon writs.*⁶⁷⁶

Harmer, <i>Writs</i>	Sawyer	Archive	Date	Summary of content
Additional	1162	Bromfield	1060 × 1061	King Edward for Bromfield
Additional	1099	Coventry	1043 × 1053	King Edward for Abbot Leofwine

⁶⁷⁶ These texts, originally published in Florence Harmer's essay 'A Bromfield and a Coventry Writ' in Peter Clemoes' *The Anglo-Saxons*, were reprinted and incorporated into the second edition of Harmer's *Anglo-Saxon Writs* in 1989.

Figure 1.3. *Writs grouped according to their intended function/type of announcement (excluding wholly spurious writs, with writs preserved as contemporary single sheets in bold).*

Function of writ/type of announcement	Total number of writs of this function	Harmer, <i>Writs</i>
King Edward declaring a grant of land alongside legal and fiscal privileges	39	1, 5, 8, 9, 13, 14, 16, 17, 18, 19, 20, 24 , 31, 35, 39, 42, 58, 59, 60, 65, 73, 75, 77, 79, 84, 85, 86, 87, 94, 95, 96 , 97, 98, 99, 101, 102, 103, 104, 120
King Edward declaring a grant of legal and fiscal privileges	21	4, 11 , 12, 33 , 38, 43, 44, 46, 49, 51, 54, 81 , 82, 83, 105, 106, 116, 118, 119, Add. Bromfield, Add. Coventry
King Edward announcing an episcopal appointment, with associated legal and fiscal privileges	5	50, 64, 109, 110, 115
King Edward giving permission for a charter to be created, concerning a specified grant of land and privileges	3	7, 55 , 68
Non-royal writ giving testimony regarding a dispute	3	3, 63, 108
King Cnut declaring a grant of property or land	2	30, 48
King Cnut declaring a grant of legal and fiscal privileges	2	28, 53
King Edward announcing an abbatial appointment, with associated legal and fiscal privileges	2	23, 47
King Edward declaring that a layman or lay individuals have legitimately granted land alongside legal and fiscal privileges	2	91, 92
King Edward declaring that a layman has legitimately granted land	2	88, 90
Queen Edith declaring that she has granted land and associated privileges, and requesting restitution or a legal judgement	2	70, 72
King Æthelred declaring a grant of legal and fiscal privileges	1	52
King Æthelred declaring that specified land is to be assessed for the discharge of certain obligations	1	107

King Cnut declaring that he has confirmed, at the request of Archbishop Lyfing, the liberties of Christ Church, Canterbury	1	26
Non-royal writ (of Archbishop Wulfstan) informing Cnut and Ælfifu of a consecration to Canterbury	1	27
King Cnut declaring that Archbishop Æthelnoth is to continue to discharge the obligations on the lands belonging to the archbishopric	1	29
King Harthacnut declaring that Abbot Æthelstan is to have his <i>mansus</i> in Thetford	1	56
King Harthacnut and Queen Ælfifu (his mother) jointly declaring a grant of land alongside legal and fiscal privileges	1	57
Non-royal writ (of Gospatric) declaring that he has granted various freedoms and jurisdictional rights	1	121
King Edward declaring an exemption from <i>heregeld</i> and other renders	1	15
King Edward declaring permission for the commendation of a layman	1	21
King Edward declaring that a layman has legitimately granted land after his death	1	22
King Edward declaring confirmation of his mother's bequest	1	111
King Edward declaring a permission to bequeath lands and possessions	1	2
King Edward declaring a legitimate sale of land, with privileges	1	69
King Edward declaring that Bishop Giso is to discharge obligations on his land	1	66
King Edward declaring that he has granted the third part of the <i>seamtoll</i> and of the <i>ceaptoll</i>	1	117
King Edward declaring the grant of a moneyer	1	25
King Harold declaring a grant of legal and fiscal privileges	1	71
Non-royal writ (of Abbot Wulfwold) declaring that he has granted land	1	6

Figure 2.1. *Concordance Table: Anglo-Saxon writs on contemporary single sheets.*

<i>Writs</i>	Bishop & Chaplais	Sawyer	Scragg, <i>Conspectus</i> Hand No.	Archive	Manuscript	Date
11	1	S 1071	410	<i>BuryStE</i> 12	London, British Library, Cotton Augustus ii. 80	1044 × 1065
24	2	S 1084	405	<i>BuryStE</i> 24	London, British Library, Cotton Augustus ii. 49	1065 × 1066
33	3	S 1088	78	<i>CantCC</i> 179	London, British Library, Campbell Charter xxi. 5	1052 × 1066
55	20	S 1105	975	Saint-Denis, Paris	Paris, Archives Nationales, Cartons de rois, K 19, no. 6	1053 × 1057
81	24	S 1125	796	Westminster	London, Westminster Abbey, W.A.M. XVIII	1049 × 1066
96	25	S 1140	793	Westminster	London, Westminster Abbey, W.A.M. XII	1062 × 1066
115	28	S 1156	386	Worcester	London, British Library, Add. Ch. 19802	1062

Figure 2.2. *Size and nature of folding of Anglo-Saxon writs on contemporary single sheets.*

Single-sheet writ	Dimensions of (flattened) single- sheet writ	Visible folds	Dimensions of folded packet
S 1071, <i>BuryStE</i> 12	20 × 253 mm	7 vertical folds; no horizontal folds visible.	23 × 32 mm
S 1084, <i>BuryStE</i> 24	67 × 228 mm	7 vertical folds; 3 horizontal folds.	17 × 57 mm
S 1088, <i>CantCC</i> 179	93 × 194 mm	3 vertical folds; 3 horizontal folds.	23 × 48 mm
S 1105, <i>Writs</i> 55 (Saint-Denis)	50 × 265 mm	7 vertical folds; no horizontal folds visible.	42 × 37 mm
S 1125, <i>Writs</i> 81 (Westminster)	45 × 151 mm	3 vertical folds; 1 horizontal fold.	22 × 37 mm
S 1140, <i>Writs</i> 96 (Westminster)	56 × 186 mm	3 vertical folds; 2 horizontal folds.	20 × 49 mm
S 1156, <i>Writs</i> 115 (Worcester)	45 × 188 mm	7 vertical folds; no horizontal folds visible.	35 × 23 mm

Figure 2.3. *Orthographic variation: Forms of ‘Edward’ in the contemporary single-sheet writs.*

Orthographic form	Writs
<i>Eadpeard</i>	S 1071 (<i>BuryStE</i> 12), S 1088 (<i>CantCC</i> 179), S 1140 (Westminster), S 1084 (<i>BuryStE</i> 24).
<i>Eadpard</i>	S 1125 (Westminster), S 1105 (Saint-Denis, Paris), S 1156 (Worcester).

Figure 2.4. *Concordance Table: Anglo-Saxon single-sheet writ endorsements.*

Single-sheet writ	Text of endorsement	Date of endorsement
<i>Bury StE</i> 12	1. <i>Quod Sanctus Ædmundus habet sacam et socam in ciuitate et extra.</i> 2. <i>Sancti Edwardi.</i>	1. Twelfth century. 2. Late fourteenth century.
<i>Bury StE</i> 24	No endorsement.	—
<i>CantCC</i> 179	1. <i>Carta Edwardi regis de saca 7 socne 7 libertatibus ecclesie Christi.</i> 2. <i>XLVIII.</i>	1. Twelfth century. 2. Fourteenth century.
Saint-Denis S 1105	No endorsement.	—
Westminster S 1125	1. <i>Libertates.</i> 2. <i>iiij. vij.</i>	1. Twelfth century. 2. Fourteenth century.
Westminster S 1140	<i>Pertuna.</i>	Twelfth century.
Worcester S 1156	<i>Edwardi regis</i>	Late twelfth century.

Figure 2.5. *Concordance Table: Anglo-Saxon writs entered into manuscripts in a contemporary or near-contemporary hand.*

<i>Writs</i>	<i>Sawyer</i>	<i>Scragg, Conspectus Hand No.</i>	<i>Archive</i>	<i>Date</i>	<i>Manuscript</i>	<i>Content</i>
26	S 985	445	<i>CantCC</i> 145	1017 × 1020, probably 1018 × 1020	Gospels of King Cnut, London, British Library, Royal I D. ix, 44v, s.xi ⁱⁿ	King Cnut for Christ Church Canterbury
27	S 1386	779	<i>CantCC</i> 150	1020	MacDurnan Gospels, London, Lambeth Palace Library, 1370, 69v, s. xi	Archbishop Wulfstan's writ
28	S 986	782	<i>CantCC</i> 150A	1020 × 1035, probably 1020	MacDurnan Gospels, London, Lambeth Palace Library, 1370, 114v, s. xi	King Cnut for Archbishop Æthelnoth
29	S 987	782	<i>CantCC</i> 156	1035	Manuscript D of the <i>Anglo-Saxon Chronicle</i> , London, British Library, Cotton Tiberius B. IV, 87v, s. xi (originally located in the MacDurnan Gospels, above)	King Cnut for Archbishop Æthelnoth
30	S 988	782	<i>CantCC</i> 157	1035	Manuscript D of the <i>Anglo-Saxon Chronicle</i> , London, British Library, Cotton Tiberius B. IV, 87r, s. xi (originally located in the MacDurnan Gospels, above)	King Cnut for Archbishop Æthelnoth
35	S 1090	446	<i>CantCC</i> 178	1053 × 1061	The Æthelstan or Coronation Gospels, London, British Library, Cotton Claudius A. iii, 5v, s.xi ^{med}	King Edward for Christ Church, Canterbury
63	S 1383	983	<i>Sherb</i> 13	1002 × 1014	The Sherborne Pontifical, Paris, Bibliothèque Nationale, lat. 943, 170v, s. xi ⁱⁿ	Bishop Æthelric's writ

Figure 3.1. *Nature and distribution of typologies of writ protocol (address clause), excluding wholly spurious writs, with contemporary single sheets in bold.*

Typology of writ protocol:	Harmer, <i>Writs</i> :	Total number of pre-Conquest writs within this grouping:	Number of archives represented:
Group A – Example structure: ‘Eadward kyng gret Heremann biscop 7 Harold eorl 7 ealle mine þegenas on Dorsætan freondlice’ (S 1064, <i>Writs</i> 2).	1, 2, 3, 5, 6, 7, 8, 9, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 , 25, 26, 29, 30, 35, 38, 39, 42, 43, 48, 49, 50, 51, 55 , 56, 57, 58, 59, 60, 64, 65, 66, 68, 69, 70, 71, 73, 75, 77, 79, 84, 85, 86, 88, 90, 91, 92, 94, 95, 96 , 98, 102, 103, 104, 105, 106, 107, 111, 115 , 116, 117, 119, 120, Add. Bromfield.	74	19
Group B - Example structure: ‘Eadweard cyngc gret mine bisceopas 7 mine eorlas 7 ealle mine þegnas on þam sciren þær Sce Eadmund hafað land inne freondlice’ (S 1071, <i>Writs</i> 11).	4, 11 , 12, 28, 31, 33 , 44, 46, 47, 52, 53, 54, 81 , 82, 83, 97, 99, 101, 109, 110, 118, Add. Coventry.	22	10
Group C - Example structure: ‘Ælföryð gret Ælfric arcebiscop 7 Epelwerd ealdarman eadmodlice’ (S 1242, <i>Writs</i> 108).	27, 63, 72, 87, 108, 121.	6	6

Figure 3.2. *Nature and distribution of typologies of main announcement clause, excluding wholly spurious writs, with contemporary single sheets in bold.*

Typologies (and sub-typologies) of main announcement:	Harmer, <i>Writs</i> :	Total number of pre-Conquest writs within this grouping:	Number of archives represented:
1. (i) ‘And I inform you that I have granted/have given [land/privilege/appointment/other], to <i>X</i> [...] as fully and as completely as [...].’ (ii) ‘And I inform you that <i>X</i> has sold/has given [...].’	4, 14, 23, 25, 30, 31, 42, 47, 48, 50, 55 , 57, 59, 64, 68, 72, 79, 81 , 82, 83, 86, 87, 94, 95, 96 , 97, 99, 101, 103, 104, 105, 106, 109, 110, 111, 115 , 116, 119, 120, Add. Bromfield. 69, 90.	42	15
2. (i) ‘And I inform you that my will is that <i>X</i> shall be worthy of (i.e. shall be entitled to/shall legally possess) [land/privilege/appointment/other] as fully and as completely as [...].’ (ii) ‘I inform that you that I have granted [him/them] that [him/they] be worthy of [privileges].’	8, 11 , 12, 16, 43, 44, 46, 51, 52, 53, 54, 65, 70, 71, 117, 118, Add. Coventry. 28, 33 , 38.	20	11
3. ‘And I inform you that my will is that the land/sokes at <i>X</i> shall belong to (<i>licgan in to</i>) [religious house/community] as fully and as completely as [...].’	9, 13, 17, 18, 19, 20, 24 , 35, 60, 73, 84.	11	4
4. ‘And I inform you that I will and I grant that [religious house/community/other] shall have <i>X</i> as fully and as completely as [...].’	49, 56, 58, 75, 77, 85, 91, 92, 98, 102.	10	3

<p>5. (i) ‘And I inform you that <i>X</i> is to have <i>Y</i> [...] by my full command.’</p> <p>(ii) ‘And I inform you that <i>X</i> has my consent and full permission [...].’ ‘And I inform you that I give my consent and full permission that [...].</p> <p>(iii) ‘And I inform you that <i>X</i> has my full permission to <i>Y</i> with my full consent.’ (Hybrid-type of (i) and (ii).)</p>	<p>1, 5, 15, 88.</p> <p>7, 121.</p> <p>2, 21.</p>	8	6
<p>6. ‘And I inform you that my will is that <i>X</i> shall now discharge the obligations on his land (<i>werige his land/landare</i>) at the same rate as [predecessor] did.’</p>	<p>29, 66, 107 (also in Group 8).</p>	3	3
<p>7. (i) ‘And I inform you that I bear witness that <i>X</i> has granted/assigned [...].’</p> <p>(ii) ‘And I inform you that I am aware that I granted [...].’</p>	<p>22, 108.</p> <p>39.</p>	3	3
<p>8. Wholly or predominantly narrative.</p>	<p>3, 6, 26, 27, 63, 107 (except <i>werige</i> clause in group 6, above).</p>	6	5

Figure 3.3. *Distribution of spatial formulae in writs: binnan burh ge butan, on wudan and on feldan, be strande ne be lande, spa full and spa forð spa, on dæge and after, inne tid and ut of tid.*

a. Royal writs (excluding spurious)

Issuer of writ and date-range of issue:	Number of writs extant:	Average number of spatial formulae per writ:
King Æthelred II (c. 978 × 1016)	2	1
King Cnut (c. 1017 × 1035)	6	2
King Harthacnut (c. 1040 × 1042)	1	1
King Edward the Confessor (c. 1042 × 1066)	83	2
King Harold (c. 1066)	1	2
King William I (c. 1066 × 1070)	32	2

b. Writs issued by individuals other than kings

Issuer of writ and date-range of issue:	Number (or average number) of spatial formulae per writ:
Queen Ælfhryth (c. 995 × 1002)	1
Bishop Æthelric (c. 1001 × 1012)	0
Archbishop Wulfstan (c. 1020)	0
King Harthacnut and his mother Queen Ælfgifu (c. 1040 × 1042)	1
Gospatric (c. 1041 × 1055)	3 (<i>sui generis</i>)
Bishop Siward (c. 1045 × 1048)	0
Queen Edith (c. 1061 × 1075)	1
Abbot Wulfwold (c. 1061 × 1066)	5

Figure 3.4. *Appearance of spatial formulae in other typologies of vernacular charter.*

Formula:	Found in:
<i>mid mete and mid manne</i>	Agreements: SS 1224, 1476, 1465, 1468, 1391, 1471. Records of grants: SS 1225, 1659, 1219; Wills: SS 1486, 1536, 1538; Outcomes of litigation: S 1474; Leases: SS 1422, 1426.
<i>on dæge and æfter dæge</i>	Grant of land: S 1220; Record of land purchase: S 1473; Outcome of litigation: S 1460; Record of marriage agreement: S 1459; Wills: S 1527.
<i>binnan burh ge butan</i>	Agreement: S 1471; Grants of land: SS 223, 1234; Record of grant: S 1400; Lease: S 1280.
<i>spa full and spa forð spa</i>	Agreement: S 1470; Wills: SS 1489, 1519, 1529; Leases: SS 1399, 1426; Record of a grant: S 1222; Statement of estate history: S 1467.

Figure 3.5. *Nature and distribution of typologies of prohibition clause, excluding wholly spurious writs, with contemporary single sheets in bold.*

Typologies of prohibition clause:	Harmer, <i>Writs</i> :	Total number of pre-Conquest writs within this grouping:	Number of archives:
1. 'Ic nelle gefafian þæt heom ænig man misbeode' ('I will not permit anyone to do them any wrong')/'mid ænigum þinge misbeode' ('any wrong in any matter')/'unlage beode' ('violation')/'woh beode' ('injustice')/'unriht beode' ('unlawful') etc.	11 , 12, 29, 51, 53, 54, 66, 71, 87, 115 , 116, Add. Coventry.	12	8
2. 'Ic nelle nanum men gefafian þæt him fram hande teo ænig þara þinga' ('I will not permit anyone to take away from him any thing')/'him to honde teo' ('take from himself')/'of handa ateo' ('take from him')/'him þær on ateo' ('take to himself')/' þær nan mann nan þing on ne teo butan he' ('so nobody shall take anything from it but he himself')/'aht þær on teo buton he and his wicneras' ('to take anything from there except himself and his officers') etc.	5, 7, 8, 23, 28, 31, 33 , 38, 43, 44, 47, 50, 64, 119, Add. Bromfield.	15	12
3. 'Ic nelle geðafian þæt heom ænig mann ætbrede ænig þara þinga þæs þe ic heom ær geuðe.' ('And I will not permit anyone to take away from them any of the things which I have already granted to them.')	9.	1	1
4. 'Ic nelle gefafian þæt þær geutige ænig þæra þinga' ('I will not permit anyone to alienate any of the things from it')/'geutige ænig þing' ('alienate any thing')	2, 13, 19, 39, 84, 96	6	4
5. 'For þan icc nelle nateswon gefafian þæt anig mann atbrede oððe geutige heora geofa' ('Therefore I will not on any consideration permit that anyone set aside or alienate their gift').	75, 77, 85, 91, 98, 102.	6	1
6. 'Ic nelle gefafian þæt ænig man ænigne onsting hæbbe ofer his land ne ofer his men [...] buton se abbod to þæs mynstres neode'. ('I will not permit that anyone have any authority over his land or his men [...] except the abbot for the monastery's needs.')	73, 75, 77, 81 , 82, 83, 85, 91, 92, 95, 97, 98, 99, 101, 102, 104, 105, 106.	18	1
7. 'Ic nelle nanum men gefafian þæt him ænig þæra þinga of anime' ('And I will not permit anyone to take away from him any of the things that I have granted to him')	4.	1	1
8. Other/uncertain cases.	46, 79, 121.	3	3

Figure 3.6. *Nature and distribution of: statements of religious motive, sanction or penal clause, valediction and miscellaneous other additional clauses, excluding wholly spurious writs, with contemporary single sheets in bold.*

Typologies (and sub-typologies) of additional clause:	Harmer, <i>Writs</i> :	Total number of pre-Conquest writs within this grouping:	Number of archives represented:
Sanction or penal clause:			
i) Loss of the king's friendship: 'abrece be minum freondscipe' ('on [pain of forfeiting] my friendship)	28, 33 , 38, Add. Bromfield	25	14
ii) '7 ich wille gewytan þaes mannes nama [...]' ('And I will know that man's name [...])	19		
iii) 'For love of me'/'For love of God and me'	23, 24, 49, 60, 71		
iv) Anathema	6, 7, 26, 31, 39, 48, 53, 55 , 57, 59, 68, 104, 105, 109, 110.		
Statements of religious motive:			
'for minre sawle hæle' ('for the salvation of my soul')	28, 31, 38, 55 , 57, 68, 72, 85, 109, 110, 120.	11	8

<p>Valedictions/blessings:</p> <p>i) ‘God eow (ealle) gehealde’ (‘God keep you (all)’).</p> <p>ii) ‘7 Godes bletsunga syo mid ælc þara manna þe seo hold into þam halgan mynstre.’ (‘And God’s blessing be with every man who is well-disposed toward the holy monastery.’)</p> <p>iii) ‘God seo eow alre freond’ (‘May God be the friend of you all’)</p> <p>iv) ‘And se ðe mine gyfe ge ece, þe ic habbe gyfen into sanctus Petres mynstre, ge ece God ælmihtig his life her on worulde [...]’ (‘And if anyone increases my gift, that I have given to St Peter’s minster, may God Almighty increase his life here in this world [...].’)</p>	<p>38, 47, 48, 51, 65, 72, 73, 75, 79, 81, 82, 83, 84, 86, 88, 90, 91, 92, 94, 95, 97, 98, 99, 102, 103, 104, 105, 106, Add. Bromfield</p> <p>101</p> <p>25</p> <p>6.</p>	<p>32</p>	<p>9</p>
<p>Restitution clause:</p> <p>‘Ic wylle þat man hyt læte in ongear cuman.’ (‘My will is that it be allowed to be restored’).</p>	<p>50, 64, 65, 69, 70.</p>	<p>5</p>	<p>2</p>

<p>Calls upon addressees to help the beneficiary/beneficiaries obtain rights:</p> <p>‘⁊ ic bidde eop eallan þæt ge beon Baldepine abbode on fultume þæt he mote beon ælc þæra gerihta purðe þæs þe he ah þær of rihtlice to habbene.’ (‘And I ask you that you be of assistance to Abbot Baldwin so that he may be entitled to each of these rights which he ought lawfully to have.’)</p>	23, 24 , 49, 60, 65, 71.	6	4
<p>Permission for a charter (<i>boc</i> or <i>priuilegium</i>) to be created:</p> <p>‘⁊ ic wille þæt se biscop dihte boc þær to be minan fullan geleafan.’ (‘And my will is that the bishop create a charter concerning it with my full permission.’)</p>	7, 55 , 68.	3	3
<p>Witness list:</p> <p>‘⁊ þyses is to gepitnesse [...]’ (‘And the witnesses of this are [...]').</p>	53.	1	1
Use of ‘Amen’	75, 77, 82, 83, 85, 91, 98, 102, 105, 106.	10	1

Figure 3.7. *Nature and distribution of writs lacking additional clauses, excluding wholly spurious writs, with contemporary single sheets in bold.*

Harmer, <i>Writs</i>:	Total number of pre-Conquest writs lacking additional clauses:	Number of archives represented:
1, 3, 14, 15, 16, 17, 18, 20, 21, 22, 27, 30, 35, 42, 52, 56, 58, 63, 107, 108, 111, 117, 118.	23	11

Figure 4.1. *Non-royal seal matrices from the late Anglo-Saxon period.*

Sigillant	Inscription	Museum/accession number
Ælfric [I]	+ <i>SIGILLVM ÆLFRICI AV</i> ⁶⁷⁷ (‘+ the seal of Ælfric’)	British Museum, 1832,0512.2
Godwine <i>minister</i> Godgyth <i>monacha</i> <i>Deo data</i>	+ <i>SIGILLVM : GODPINI MINISTRI</i> (‘+ the seal of Godwine, the thegn’) + <i>SIGILLVM GODGYÐE MONACHE DŌ DATE</i> (‘+ the seal of Godgyth, nun given to God’)	British Museum, 1881,0404.1
Wulfric	+ <i>SIGILLVM PVLFRICI</i> (‘+ the seal of Wulfric’)	British Museum, 2009,8032.1
Ælfric [II]	+ <i>SIGILLVM ÆLFRICVS</i> (‘+ the seal [of] Ælfric’)	Fitzwilliam Museum, Cambridge, CM.88-2013
Edith	+ <i>SIGILL EADGYÐE REGAL ADELPHÆ:</i> (‘+ the seal of Edith, royal sister’)	— ⁶⁷⁸

⁶⁷⁷ The last character of the inscription of Ælfric [I]’s matrix (an overlain A and V with single macron) has been interpreted as a monogram of alpha and omega (Aω); see Webster, ‘Metalwork’, p. 113.

⁶⁷⁸ The now-lost seal matrix of St Edith, abbess of Wilton (daughter of King Edgar and (St) Wulfthryth and half-sister of King Æthelred the Unready), is accessible from impressions and the drawing made soon after its discovery in Douce, ‘Some Remarks’, pp. 40–1; and re-printed in Keynes, ‘Use of Seals’, p. 74. The original seal matrix can be dated to *c.* 975 × 984–7, when Edith was sister to a king. The earliest surviving impression is attached to a charter of Matilda de la Mare, abbess of Wilton from 1252–71 (British Library, Harley Charter 45 A 36).

Figure 5.1. *Frequency and distribution of legal and fiscal privileges in non-spurious Anglo-Saxon writs, with contemporary single sheets in bold.*

Typology of privilege:	Harmer, <i>Writs</i> :	Total number of pre-Conquest writs conferring right:	Archives represented:
<i>Sake and soke</i>	4, 8, 9, 11 , 12, 17, 20, 22, 23, 28, 31, 33 , 35, 38, 42, 43, 44, 46, 49, 50, 51, 52, 53, 54, 55 , 57, 59, 64, 65, 68, 69, 71, 72, 73, 77, 79, 81 , 82, 83, 84, 85, 86, 87, 91, 92, 94, 95, 96 , 97, 98, 99, 101, 102, 103, 104, 105, 106, 109, 110, 115 , 116, 118, 119, 120, 121, Add. Bromfield, Add. Coventry.	67.	<i>Abing</i> , Bromfield, <i>BuryStE</i> , <i>CantCC</i> , <i>CantStA</i> , <i>Chert</i> , Cirencester, Coventry, Hereford, <i>LondStP</i> , Lowther, Paris Saint-Denis, Ramsey, Wells, Westminster, Winchester, Worcester, York. Total: 18.
<i>Toll and team</i>	4, 31, 33 , 38, 42, 44, 46, 47, 53, 71, 73, 77, 79, 81 , 82, 83, 84, 85, 91, 92, 94, 95, 97, 98, 99, 101, 102, 104, 105, 106, 109, 110, 115 , 116, 118, 119, 121, Add. Bromfield, Add. Coventry.	39.	<i>Abing</i> , <i>CantCC</i> , <i>CantStA</i> , <i>Chert</i> , Cirencester, Coventry, Ely, <i>LondStP</i> , Lowther, Wells, Westminster, Winchester, Worcester, York. Total: 15.
<i>Infangeneþeof</i>	4, 28, 31, 33 , 38, 42, 44, 47, 71, 73, 77, 79, 82, 83, 84, 85, 87, 91, 92, 95, 97, 98, 102, 104, 105, 106, 109, 110, Add. Bromfield.	29.	<i>Abing</i> , Bromfield, <i>CantCC</i> , <i>CantStA</i> , <i>Chert</i> , Cirencester, Ely, Wells, Westminster, Winchester. Total: 10.
<i>Æbæreþeof</i>	18, 24 .	2.	<i>BuryStE</i> . Total: 1.
<i>Hamsocn</i>	4, 18, 24 , 28, 31, 33 , 38, 42, 47, 81 , 82, 83, 98, 102, 104, 105, 106, 109, 110, Add. Bromfield.	20.	<i>Abing</i> , Bromfield, <i>BuryStE</i> , <i>CantCC</i> , <i>CantStA</i> , <i>Chert</i> , Ely, Westminster, Winchester. Total: 9.
<i>Griðbryce</i>	4, 18, 24 , 28, 31, 33 , 38, 42, 47, 81 , 82, 83, 98, 102, 104, 105, 106, Add. Bromfield.	18.	<i>Abing</i> , Bromfield, <i>BuryStE</i> , <i>CantCC</i> , <i>Chert</i> , Ely, Westminster. Total: 7.
<i>Mundbryce</i>	104, 109, 110.	3.	Westminster, Winchester. Total: 2.
<i>Forsteal</i>	4, 18, 24 , 28, 31, 33 , 38, 42, 81 , 82, 83, 98, 102, 104, 105, 106, 109, 110, Add. Bromfield.	19.	<i>Abing</i> , Bromfield, <i>BuryStE</i> , <i>CantCC</i> , <i>CantStA</i> , <i>Chert</i> , Westminster, Winchester. Total: 8.
<i>Fihtwite</i>	18, 24 , 47.	3.	<i>BuryStE</i> , Ely. Total: 2.
<i>Fyrdwite</i>	47, 24 .	2.	<i>BuryStE</i> , Ely. Total: 2.
<i>Flymenafyrmp</i>	28, 31, 33 , 38, 42, 77, 82, 83, 84, 85, 87, 91, 92, 98, 102, 105, 106, 110.	18.	<i>CantCC</i> , <i>CantStA</i> , <i>Chert</i> , Westminster, Winchester. Total: 5.

Figure 5.2. *Writs issued by individuals other than kings (arranged chronologically).*

Sawyer/edition	Contents	Date	Manuscript
S 1242 (<i>Writs</i> 108)	Writ of Ælfthryth (the Ruishton Letter); providing Archbishop Ælfric and Earl Æthelweard with a testimony regarding an estate at Ruishton.	995 × 1002	<i>Codex Wintoniensis</i> , London, British Library, Add. 15350, f. 26r–v: copy, s. xii ^{med}
S 1383 (<i>Sherb</i> 13)	Writ of Bishop Æthelric; informing Æthelmær of various lands which should have contributed to the ship-scot to be collected by the bishop, and describing a threat to the community’s ownership of Holcombe Rogus.	1002 × 1014	The Sherborne Pontifical, Paris, Bibliothèque Nationale, lat. 943, 170v: copy, s. xi ⁱⁿ
S 1386 (<i>CantCC</i> 150)	Writ of Archbishop Wulfstan of York; informing King Cnut and Queen Ælfgifu that Æthelnoth has been consecrated to the see of Canterbury.	1020	MacDurnan Gospels, London, Lambeth Palace Library, 1370, 69v: copy, s. xi
S 997 (<i>Writs</i> 57)	Writ of King Harthacnut and his mother Queen Ælfgifu; declaring that they have given to the church of Ramsey land at Hemingford Grey, Huntingdonshire, with sake and soke.	1040 × 1042	London, Public Record Office, E 164/28, f. 156v: copy, s. xiv
S 1243 (<i>North</i> 21)	Writ of Gospatric; declaring that Thorfynn mac Thore shall be free with regards to all things that are Gospatric’s in Allerdale; and that those men dwelling with Thorfynn be as free, along with him, as Melmor and Thore and Sigulf were; and Thorfynn is to have jurisdictional rights over lands in Cardew and Cumdivock.	1041 × 1064	B. CACC, Lowther of Lowther, DLONSL/5/1/44/CI: non-contemporary single sheet, s. xiii–s. xvii
S 1404 (<i>Abing</i> 143)	Writ of Bishop Siward; concerning Brihtwine’s claim to Leckhampstead, Berkshire.	1045 × 1048	BL Cotton Claud. C. ix, 130v: copy, s. xii
S 1427 (<i>Bath</i> 25)	Writ of Abbot Wulfwold; declaring that he has given land at Gofestige and Ashwick, Somerset, to St Peter’s minster, Bath.	1061 × (1077 × 1078), perhaps 1066	Cambridge Corpus Christi College 111, p. 92: copy, s. xii ^{med}
S 1240 (<i>Wells</i> 39)	Writ of Queen Edith; declaring that Bishop Giso is to have the land at Milverton, Somerset.	1061 × 1066	Wells, D. & C., <i>Liber Albus I</i> , I8r: copy, s. xiii
S 1241 (<i>Wells</i> 42)	Writ of Queen Edith; declaring that she has given to Bishop Giso the land at Mark, Somerset, for his canons at St Andrew’s, Wells.	1066 × 1075	Wells, D. & C., <i>Liber Albus I</i> , 17v: copy, s. xiii

APPENDIX (II)

Figure A. *The face of S 1071 (BuryStE 12). Writ of Edward the Confessor for Abbot Leofstan, dated 1044 × 1065. Shelfmark: British Library Cotton Augustus ii. 80. Reproduced with permission © British Library Board.*

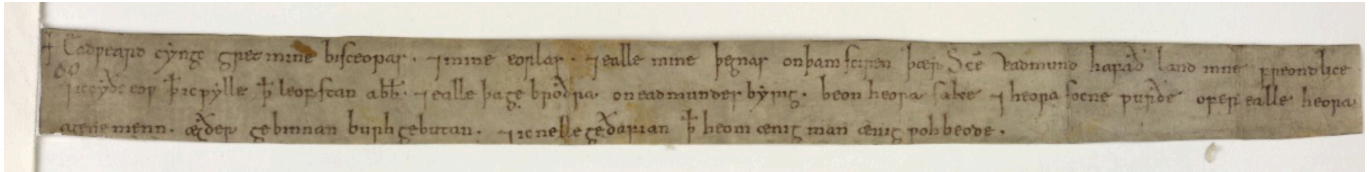


Figure B. *The face of S 1084 (BuryStE 24). Writ of Edward the Confessor for Bury St Edmunds and Abbot Baldwin, dated 1065 × 1066. Shelfmark: British Library Cotton Augustus ii. 49. Reproduced with permission © British Library Board.*

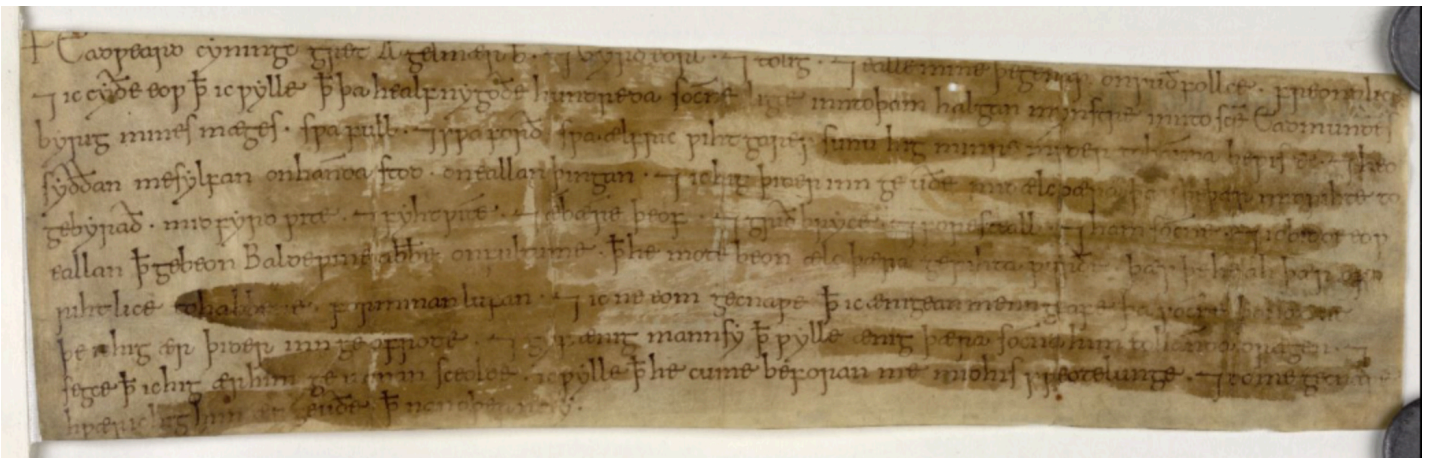


Figure C. The face of S 1088 (CantCC 179). Writ of Edward the Confessor for Archbishop Stigand. Dated 1052 × 1066. Shelfmark: British Library Campbell Charter xxi. 5. Reproduced with permission © British Library Board.

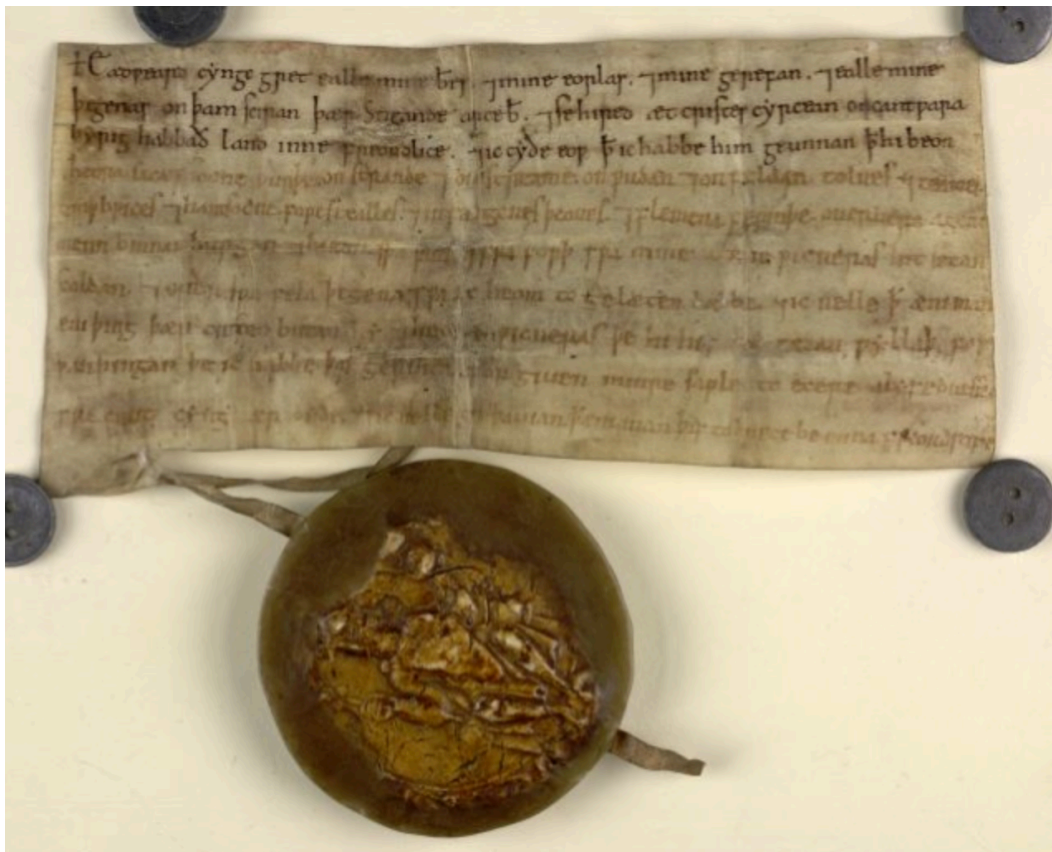
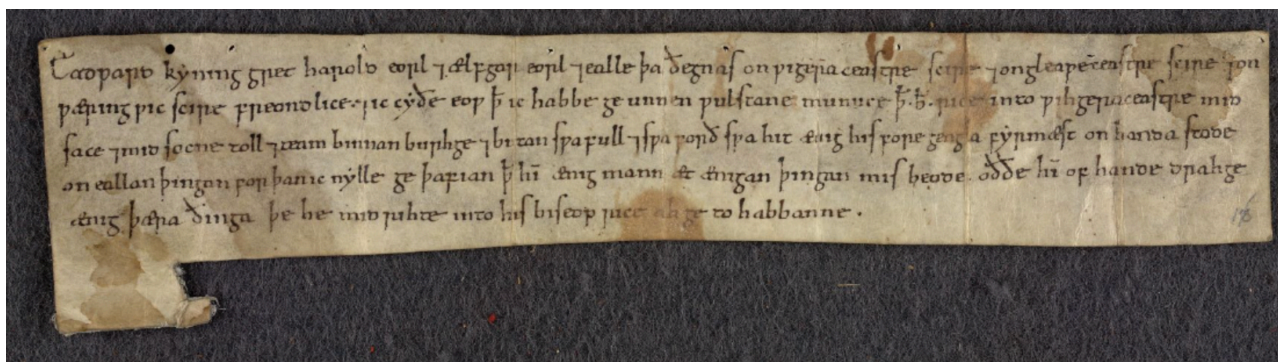


Figure D. The face of S 1156 (Writs 115). Writ of King Edward the Confessor concerning the monk Wulfstan, dated 1062. Shelfmark: British Library Add. Ch. 19802. Reproduced with permission © British Library Board.



BIBLIOGRAPHY

Bibliography of Primary Sources:

Attenborough, F. L., ed. and transl., *The Laws of the Earliest English Kings* (Cambridge, 1922)

Barlow, F., ed., *The Life of King Edward the Confessor Who Rests at Westminster* (Oxford, 1992)

Bates, D., ed., *Regesta Regum Anglo-Normannorum: The Acta of William I (1066–1087)* (Oxford, 1998)

Birch, W. de G., ed., *Cartularium Saxonicum*, 3 vols. (London, 1885–93), paperback reprint, 3 vols. (Cambridge, 2012)

Bishop, T. A. M., and P. Chaplais, ed., *Facsimiles of English Royal Writs to A. D. 1100, Presented to Vivian Hunter Galbraith* (Oxford, 1957)

Blake, E. O., ed., *Liber Eliensis*, Royal Historical Society Camden Third Series 92 (London, 1962)

Bosworth, J., and T. Northcote Toller, ed., *An Anglo-Saxon Dictionary Based on the Manuscript Collections of the Late Joseph Bosworth: Edited and Enlarged by T. Northcote Toller* (Oxford, 1898)

Bond, E. A., ed., *Facsimiles of Ancient Charters in the British Museum*, 4 vols. (London, 1873–8)

Brooks, N. P., and S. E. Kelly, ed., *Charters of Christ Church, Canterbury*, 2 vols., Anglo-Saxon Charters 17–18 (Oxford, 2013)

Cameron, A., A. C. Amos, A. D. Healey, R. Liuzza, and H. Momma, ed., *Toronto Dictionary of Old English: A to H Online* (Toronto, 2016)
<https://tapor.library.utoronto.ca/doe/> (viewed 1 March, 2019)

Campbell, A., *Charters of Rochester*, Anglo-Saxon Charters 1 (London, 1973)

Cappelli, A., *Lexicon Abbreviaturarum: Dizionario di Abbreviature Latine ed Italiane*, 7th ed. (Milan, 2011)

Carnicelli, T. A., ed., *King Alfred's Version of St Augustine's Soliloquies* (Cambridge MA, 1969)

Classen, E., and F. E. Harmer, ed., *An Anglo-Saxon Chronicle from British Museum, Cotton Ms., Tiberius B. IV* (Manchester, 1926)

- Clemons, P., ed., *Ælfric's Catholic Homilies: The First Series – Text*, Early English Text Society, Supplementary Series 17 (Oxford, 1997)
- Colgrave, B., and R. A. B. Mynors, ed., *Bede's Ecclesiastical History of the English People*, OMT (Oxford, 1969)
- Corrêa, A., ed., *The Durham Collectar*, Henry Bradshaw Society 107 (London, 1992)
- Crick, J., *Charters of St Alban's Abbey*, Anglo-Saxon Charters 12 (Oxford, 2007)
- Cross, J. E., ed., *Two Old English Apocrypha and their Manuscript Source. 'The Gospel of Nichodemus' and 'The Avenging of the Saviour'* (Cambridge, 1996)
- Davis, W. H. C., ed., *Regesta Regum Anglo-Normannorum 1066–1154 Volume I: Regesta Willelmi Conquestoris et Willelmi Rufi 1066–1100* (Oxford, 1913)
- De Vogüé, A., ed., *Grégoire le Grand. Dialogues*, 2 vols., (Paris, 1978–80)
- Douglas, D. C., ed., *Feudal Documents from the Abbey of Bury St. Edmunds*, British Academy: Records of the Social and Economic History of England and Wales 8 (London, 1932)
- Downer, L. J., ed., *Leges Henrici Primi* (Oxford, 1972)
- Faroux, M., ed., *Recueil des Actes de Ducs de Normandie de 911–1066* (Caen, 1961)
- Fenton, A., R. Gallagher, F. Tinti and K. Wiles, ed., *The Languages of Anglo-Saxon Charters Database* (Vitoria-Gasteiz, 2019)
http://www.ehu.eus/lasc/database/libros_view.php (viewed 1 March, 2019)
- Finberg, H. P. R., ed., *The Early Charters of the West Midlands*, 2nd ed. (Leicester, 1972)
- Foot, S., and K. A. Lowe, ed., *Charters of Bury St Edmunds*, Anglo-Saxon Charters (Oxford, *forthcoming*)
- Gelling, M., ed., *The Early Charters of the Thames Valley* (Leicester, 1979)
- Gonser, P., ed., *Das Angelsächsische Prosa-Leben des hl. Guthlac* (Heidelberg, 1909)
- Harmer, F. E., ed., *Select English Historical Documents of the Ninth and Tenth Centuries* (Cambridge, 1914), paperback reprint (Cambridge, 2011)
- Harmer, F. E., ed., 'A Bromfield and a Coventry Writ of King Edward the Confessor', in *The Anglo-Saxons: Studies in Some Aspects of Their History and Culture Presented to Bruce Dickins*, ed. P. Clemons (London, 1959), pp. 89–103

- Harmer, F. E., ed., *Anglo-Saxon Writs* (Manchester, 1952), rept. with the addition of ‘A Bromfield and a Coventry Writ of King Edward the Confessor’ (Stamford, 1989)
- Hart, C., ed., *The Early Charters of Barking Abbey* (Colchester, 1953)
- Hart, C., ed., *The Early Charters of Eastern England* (Leicester, 1966)
- Heaney, A. D., J. P. Wilkin and X. Xiang, ed., *Toronto Dictionary of Old English Web Corpus* (Toronto, 2009) <https://tapor.library.utoronto.ca/doecorpus/> (viewed 1 March, 2019)
- Hecht, H., ed., *Bischof Waerferths von Worcester Uebersetzung der Dialoge Gregors des Grossen* (Darmstadt, 1965)
- Hulme, W. H., ‘The Old English Version of the Gospel of Nicodemus’, *Publications of the Modern Language Association of America* 13 (1898), 457–542
- Irvine, S., ed., *The Anglo-Saxon Chronicle: A Collaborative Edition*, vol. 7: MS E (Cambridge, 2004)
- Jack, G., *Beowulf: A Student Edition* (Oxford, 1994)
- Kelly, S. E., ed., *Charters of St Augustine’s Abbey, Canterbury, and Minster-in-Thamet*, Anglo-Saxon Charters 4 (Oxford, 1995)
- Kelly, S. E., ed., *Charters of Shaftesbury Abbey*, Anglo-Saxon Charters 5 (Oxford, 1995)
- Kelly, S. E., ed., *Charters of Selsey*, Anglo-Saxon Charters 6 (Oxford, 1998)
- Kelly, S. E., ed., *Charters of Abingdon Abbey*, 2 vols., Anglo-Saxon Charters 7–8 (Oxford, 2000–1)
- Kelly, S. E., ed., *Charters of St Paul’s, London*, Anglo-Saxon Charters 10 (Oxford, 2004)
- Kelly, S. E., ed., *Charters of Malmesbury Abbey*, Anglo-Saxon Charters 10 (Oxford, 2006)
- Kelly, S. E., ed., *Charters of Bath and Wells*, Anglo-Saxon Charters 13 (Oxford, 2007)
- Kelly, S. E., ed., *Charters of Peterborough*, Anglo-Saxon Charters 14 (Oxford, 2009)
- Kelly, S. E., ed., *Charters of Glastonbury Abbey*, Anglo-Saxon Charters 15 (Oxford, 2012)
- Kelly, S. E., ed., *Charters of Chertsey Abbey*, Anglo-Saxon Charters 19 (Oxford, 2015)

- Kemble, J. M., ed., *Codex Diplomaticus Aevi Saxonici*, 6 vols. (London, 1839–48), paperback reprint, 6 vols. (Cambridge, 2011)
- Ker, N. R., *Catalogue of Manuscripts containing Anglo-Saxon* (Oxford, 1957)
- Keynes, S. D., and M. Lapidge, ed. and transl., *Alfred the Great: Asser's Life of Alfred and Other Contemporary Sources* (Harmondsworth, 1983)
- Keynes, S. D., ed., *Facsimiles of Anglo-Saxon Charters*, Anglo-Saxon Charters Supplementary Series 1 (Oxford, 1991)
- Lapidge, M., ed., *Byrhtferth of Ramsey: The Lives of St Oswald and St Ecgbwine* (Oxford, 2009)
- Lawrie, A. C., ed., *Early Scottish Charters Prior to AD 1153* (Glasgow, 1905)
- Liebermann, F., ed., *Die Gesetze der Angelsachsen*, 3 vols. (Halle, 1903–16)
- Magennis, H., ed., *The Anonymous Old English Legend of the Seven Sleepers*, Durham Medieval Texts 7 (Durham, 1994)
- Miller, S., ed., *Charters of the New Minster, Winchester*, Anglo-Saxon Charters 9 (Oxford, 2001)
- Monk, C., 'Hit Becwæð ('It he bequeathed'), A Formula for Asserting the Right to Hold Bequeathed Land. *Textus Roffensis*, ff. 95r–95v', Rochester Cathedral Research Guild (Rochester, 2018)
- Napier, A. S., and W. H. Stevenson, ed., *The Crawford Collection of Early Charters and Documents, now in the Bodleian Library*, (Oxford, 1895)
- Northcote Toller, T., ed., *An Anglo-Saxon Dictionary Based on the Manuscript Collections of the Late Joseph Bosworth: Edited and Enlarged by T. Northcote Toller: Supplement* (Oxford, 1921)
- O'Donovan, M. A., ed., *Charters of Sherborne*, Anglo-Saxon Charters 3 (Oxford, 1998)
- Pelteret, D. A. E., *Catalogue of English Post-Conquest Vernacular Documents* (Woodbridge, 1990)
- Pertz, G. H., ed., *Capitulare Aquisgranense*, MGH Legum Tomus I (Hanover, 1835), pp. 155–7
- Pope, J. C., ed., *Homilies of Ælfric: A Supplementary Collection*, 2 vols. (London, 1967–8)

- Porter, D. W., ed., *The Antwerp-London Glossaries: The Latin and Latin–Old English Vocabularies from Antwerp, Museum Plantin-Moretus 16.2 – London, British Library Add. 32246: Vol. 1, Texts and Indexes*, Publications of the Dictionary of Old English 8 (Toronto, 2011)
- Prescott, J. E., ed., *The Register of the Priory of Wetherhal* (London, 1897)
- Rabin, A., ed., ‘Anglo-Saxon Women Before the Law: A Student Edition of Five Old English Lawsuits’, *Old English Newsletter* 41.3 (2008), 22–56
- Robertson, A. J., ed., *Anglo-Saxon Charters* (Cambridge, 1939; 2nd ed., 1956), paperback reprint (Cambridge, 2009; reissued, 2011)
- Sanders, W. B., ed., *Facsimiles of Anglo-Saxon Manuscripts*, 3 vols. (Southampton, 1878–84)
- Sawyer, P. H., ed., *Anglo-Saxon Charters: An Annotated List and Bibliography*, Royal Historical Society Guides and Handbooks 8 (London, 1968), revised and updated by S. E. Kelly and R. Rushforth and available online at <http://www.esawyer.org.uk> (viewed 1 March, 2019)
- Sawyer, P. H., ed., *Charters of Burton Abbey*, Anglo-Saxon Charters 2 (Oxford, 1979)
- Scragg, D. G., ed., *The Vercelli Homilies and Related Texts*, Early English Text Society Issue 300 (Oxford, 1992)
- Stubbs, W., ed., *The Foundation of Waltham Abbey: The Tract ‘De Inventione Sanctæ Crucis nostræ in Monte Acuto et de ductione ejusdem apud Waltham’* (Oxford, 1861)
- Sweet, H., ed., *King Alfred’s West-Saxon Version of Gregory’s Pastoral Care*, Early English Text Society, original series 45 (London, 1871)
- Symonds, T., ed., *Regularis Concordia Anglicæ nationis monachorum sanctimonialiumque (The Monastic Agreement of the Monks and Nuns of the English Nation)* (London, 1953)
- Tonnochy, A. B., *Catalogue of British Seal Dies in the British Museum* (London, 1952)
- Westgard, J. A., ‘New Manuscripts of Bede’s Letter to Albinus’, *Revue Bénédictine* 120 No. 2 (2010), 208–15
- Whitelock, D., M. Brett, and C. N. L. Brooke, ed., *Councils & Synods with other Documents relating to the English Church*, 2 vols. (Oxford, 1981)
- Whitelock, D., ed., *English Historical Documents c. 500–1042*, 2nd ed. (London, 1979)

Whitelock, D., ed., *Anglo-Saxon Wills* (Cambridge, 1930), paperback reprint (Cambridge, 2011)

Wilcox, J., ed., *Ælfric's Prefaces*, Durham Medieval Texts 9 (Durham, 1995)

Winterbottom, M., and M. Lapidge, ed., *The Early Lives of St Dunstan* (Oxford, 2012)

Woodman, D., ed., *Charters of Northern Houses*, Anglo-Saxon Charters 16 (Oxford, 2012)

Yerkes, D., ed., *The Old English Life of Machutus* (Toronto and London, 1984)

Zoëga, G. T., *A Concise Dictionary of Old Icelandic* (Oxford, 1910)

Bibliography of Secondary Sources:

- Abrams, L. J., 'King Edgar and the Men of the Danelaw', in *Edgar, King of the English 959–975: New Interpretations*, ed. D. Scragg (Woodbridge, 2008), pp. 171–91
- Adams, H., 'The Anglo-Saxon Courts of Law', in *Essays in Anglo-Saxon Law*, ed. H. Adams, J. L. Laughlin, H. C. Lodge and E. Younge (Boston, 1876), pp. 1–54
- Althoff, G., *Inszenierte Herrschaft. Geschichtsschreibung und politisches Handeln im Mittelalter* (Darmstadt, 2003)
- Ammon, M., 'Pledges and Agreements in Old English: A Semantic Field Study' (unpubl. PhD dissertation, Univ. of Cambridge, 2010)
- Ammon, M., '“Ge mid wedde ge mid aþe”: The Functions of Oath and Pledge in Anglo-Saxon Legal Culture', *Historical Research* 86 (2013), 515–35
- Anderson, A. O., *Early Sources of Scottish History: A.D. 500 to 1286*, 2 vols. (Edinburgh, 1922)
- Aris, R., 'Jean Mabillon (1632–1707)', in *Medieval Scholarship: Bibliographical Studies on the Formation of a Discipline, I: History*, ed. H. Damico and J. B. Zavadil (New York, 1995), pp. 15–32
- Atherton, M., 'Coins, Merchants and the Reeve: Royal Authority in the Old English Legend of the Seven Sleepers of Ephesus', in *Royal Authority in Anglo-Saxon England*, ed. G. Owen-Crocker and B. W. Schneider (Oxford, 2013)
- Austin, J. L., *How To Do Things With Words* (Cambridge, MA, 1962)
- Barlow, F., *Edward the Confessor* (London, 1970)
- Barraclough, G., 'The Anglo-Saxon Writ', *History* 39 (1954), 193–215
- Barrow, J., 'A Lotharingian in Hereford: Bishop Robert's Reorganisation of the Church of Hereford 1079–1095', *Medieval Art, Architecture and Archaeology at Hereford*, ed. D. Whitehead (Abingdon, 1995), pp. 29–49
- Barrow, J., 'From the Lease to the Certificate: The Evolution of Episcopal Acta in England and Wales (c. 700–c. 1250)', in *Die Diplomatie der Bischofsurkunde vor 1250*, ed. C. Haidacher and W. Köfler (Innsbruck, 1995), pp. 529–42
- Barrow, J., 'Friends and Friendship in Anglo-Saxon Charters', in *Friendship in Medieval Europe*, ed. J. Haseldine (Stroud, 1999), pp. 106–23

- Barrow, J., 'Demonstrative Behaviour and Political Communication in Later Anglo-Saxon England', *Anglo-Saxon England* 36 (2007), 127–50
- Bartlett, R., *Trial by Fire and Water: The Medieval Judicial Ordeal* (Oxford, 1986)
- Bates, D., *William the Conqueror* (London, 2016)
- Baxter, S., and J. Blair, 'Land Tenure and Royal Patronage in the Early English Kingdom: A Model and a Case Study', *Anglo-Norman Studies* 28 (2006), 19–46
- Baxter, S., *The Earls of Mercia: Lordship and Power in Late Anglo-Saxon England*, Oxford Historical Monographs (Oxford, 2007)
- Baxter, S., 'Edward the Confessor and the Succession Question', in *Edward the Confessor: The Man and the Legend*, ed. R. Mortimer (Woodbridge, 2009), pp. 77–118
- Baxter, S., 'Lordship and Justice in Late Anglo-Saxon England: The Judicial Functions of Soke and Commendation Revisited', in *Early Medieval Studies in Memory of Patrick Wormald*, ed. S. Baxter, C. Karkov, J. L. Nelson and D. Pelteret (Farnham, 2009), pp. 383–419
- Baxter, S., 'The Limits of the Late Anglo-Saxon State', in *Der frühmittelalterliche Staat – Europäische Perspektiven*, ed. W. Pohl and V. Weiser, Forschungen zur Geschichte des Mittelalters, 16 (Vienna, 2009), pp. 503–13
- Bedos-Rezak, B. M., 'Ritual in the Royal Chancery: Text, Image and the Representation of Kingship in Medieval French Diplomas (700–1200)', in *European Monarchy: Its Evolution and Practice from Roman Antiquity to Modern Times*, ed. H. Duchhardt, R. A. Jackson and D. Sturdy (Stuttgart, 1992), pp. 27–40
- Bedos-Rezak, B. M., 'Medieval Identity: A Sign and a Concept', *The American Historical Review* 105/5 (December, 2000), 1489–1533
- Bedos-Rezak, B. M., 'The King Enthroned, A New Theme in Anglo-Saxon Royal Iconography: The Seal of Edward the Confessor and its Political Implications', in B. M. Bedos-Rezak, *Form and Order in Medieval France: Studies in Social and Quantitative Sigillography* (Aldershot, 2003), pp. 54–88
- Bedos-Rezak, B. M., 'Replica: Images of Identity and the Identity of Images in Prescholastic France', in *The Mind's Eye: Art and Theological Argument in the Middle Ages*, ed. J. Hamburger and A. Bouché (Princeton, 2006), 46–64
- Bedos-Rezak, B. M., 'In Search of a Semiotic Paradigm: The Matter of Sealing in Medieval Thought and Praxis (1050–1400)', in *Good Impressions: Image and Authority in Medieval Seals*, ed. N. Adams, J. Cherry and J. Robinson (London, 2008), pp. 1–7

- Bedos-Rezak, B. M., *When Ego Was Imago: Signs of Identity in the Middle Ages* (Leiden, 2011)
- Berger, C., *Altenglische Paarformeln und ihre Varianten*, Münsteraner Monographien zur englischen Literatur 13 (Frankfurt, 1993)
- Bethurum, D., 'Reviews: Florence Elizabeth Harmer, *Anglo-Saxon Writs*', *Speculum* 29, No. 4 (1954), 808–10
- Biddle, M., 'Excavations at Winchester 1962–1963: Second Interim Report', *The Antiquaries Journal* 44 (1964), 188–219
- Biddle, M., and B. Kjolbye-Biddle, 'The Repton Stone', *Anglo-Saxon England* 14 (1985), 233–92
- Birch, W. de G., 'On the Three Great Seals of Edward the Confessor', *Transactions of the Royal Society of Literature*, 2nd ser. 10 (1874), 136–48
- Blair, J., *Anglo-Saxon Oxfordshire* (Stroud, 1994)
- Blunt, C. E., 'Ecclesiastical Coinage in England', *Numismatic Chronicle*, 7th ser. 1 (1961), i–xviii
- Blunt, C. E., 'The Coinage of Athelstan, 924–939: A Survey', *British Numismatic Journal* 42 (1974), 38–160
- Boynton, M., and S. Reynolds, 'The Author of the Fonthill Letter', *Anglo-Saxon England* 25 (1996), 91–5
- Breeze, A., 'Old English *wassenas* "retainers" in Gospatrik's writ', *Notes and Queries* 237 (1992), 272–5
- Bresslau, H., *Handbuch der Urkundenlehre für Deutschland und Italien. Erster Band*. (Leipzig, 1889)
- Bresslau, H., 'Internationale Beziehungen im Urkundenwesen des Mittelalters', *Archiv für Urkundenforschung* 6 (1918), 19–76
- Brooke, G. C., *English Coins from the Seventh Century to the Present Day*, 3rd ed. (London, 1950)
- Brooks, N. P., *The Early History of the Church of Canterbury: Christ Church from 597 to 1066* (Leicester, 1984)
- Brooks, N. P., 'Church, State and Access to Resources in Early Anglo-Saxon England', *The Brixworth Lectures, Second Series*, No. 2 (Brixworth, 2003)

Brooks, N. P., 'The Fonthill Letter, Ealdorman OrdlaF and Anglo-Saxon Law in Practice', *Early Medieval Studies in Memory of Patrick Wormald*, ed. S. Baxter, C. Karkov, J. L. Nelson and D. Pelteret (Farnham, 2009), pp. 301–17

Brooks, N. P., 'The Archbishopric of Canterbury and the so-called Introduction of Knight-Service into England', *Anglo-Norman Studies* 34 (2011), 41–63

Brown, W. C., 'When Documents are Destroyed or Lost: Lay People and Archives in the Early Middle Ages', *Early Medieval Europe* 11 (2002), 337–66

Brown, W. C., M. Costambeys, M. Innes, and A. J. Kosto, 'Introduction', in *Documentary Culture and the Laity in the Early Middle Ages*, ed. W. C. Brown, M. Costambeys, M. Innes, and A. J. Kosto (Cambridge, 2013), pp. 1–16

Brunner, *Deutsche Rechtsgeschichte*, 2 vols. (Leipzig, 1887–1892)

Brunner, 'Carta und Notitia. Ein Beitrag zur Rechtsgeschichte der germanischen Urkunde', in *Abhandlungen zur Rechtsgeschichte* (Weimar, 1931)

Cam, H. M., 'The Evolution of the Medieval English Franchise', *Speculum* 32 (1957), 427–42; rept. in and cited from *Law-Finders and Law-Makers in Medieval England: Collected Studies in Legal and Constitutional History*, ed. H. M. Cam (London, 1962), pp. 22–43

Campbell, J., 'Observations on English Government from the Tenth to the Twelfth Century', *Transactions of the Royal Historical Society*, 5th series, 25 (1975), 39–54; rept. in and cited from his *Essays in Anglo-Saxon History* (London, 1986), pp. 155–70

Campbell, J., 'Some Agents and Agencies of the Late Anglo-Saxon State', in *Domesday Studies: Papers Read at the Novocentenary Conference of the Royal Historical Society and the Institute of British Geographers*, ed. J. C. Holt (Woodbridge, 1987), pp. 201–18; rept. in and cited from his *The Anglo-Saxon State* (London, 2000), pp. 31–53

Campbell, J., 'The Late Anglo-Saxon State: A Maximum View', *Proceedings of the British Academy* 87 (1994), 39–65; rept. in and cited from his *The Anglo-Saxon State* (London, 2000), pp. 1–30

Campbell, J., 'The United Kingdom of England: The Anglo-Saxon Achievement', in *The Making of English History*, ed. A. Grant and K. J. Stringer (London, 1995); rept. in and cited from his *The Anglo-Saxon State* (London, 2000), pp. 31–53

Campbell, J., 'Anglo-Saxon Courts', in *Court Culture in the Early Middle Ages: The Proceedings of the First Alcuin Conference*, ed. C. R. E. Cubitt (Turnhout, 2003), pp. 155–70

- Campbell, M. W., 'The Rise of an Anglo-Saxon "Kingmaker": Earl Godwin of Wessex', *Canadian Journal of History* 13 (1978), 17–33
- Carpenter, C., 'Introduction: Political Culture, Politics and Cultural History', in *The Fifteenth Century IV: Political Culture in Late Medieval Britain*, ed. L. Clark and C. Carpenter (Woodbridge, 2004), pp. 1–20
- Chaplais, P., 'The Authenticity of the Royal Anglo-Saxon Diplomas of Exeter', *Bulletin of the Institute of Historical Research* 39 (1966), 1–34
- Chaplais, P., 'Who Introduced Charters into England? The Case for Augustine', *Journal of the Society of Archivists* 3.10 (1969), 526–42, rept. in *Prisca Munimenta*, ed. F. Ranger (London, 1973), pp. 88–107
- Chaplais, P., 'The Anglo-Saxon Chancery: From the Diploma to the Writ', rept. in revised form in *Prisca Munimenta*, ed. F. Ranger (London, 1973), pp. 43–62
- Chaplais, P., 'The Letter from Bishop Wealdhere of London to Archbishop Brihtwold of Canterbury: The Earliest Original 'Letter Close' Extant in the West', in *Medieval Scribes, Manuscripts and Libraries: Essays Presented to N. R. Ker*, ed. M. B. Parkes and A. G. Watson (London, 1978), pp. 3–23
- Chaplais, P., *Essays in Medieval Diplomacy and Administration* (London, 1981)
- Chaplais, P., *English Diplomatic Practice in the Middle Ages*, 2nd ed. (London, 2003)
- Charles-Edwards, T. M., *Wales and the Britons 350–1064* (Oxford, 2013)
- Clemons, P., ed., *The Anglo-Saxons: Studies in some aspects of their History and Culture presented to Bruce Dickins* (London, 1959)
- Clemons, P., *Interactions of Thought and Language in Old English Poetry*, Cambridge Studies in Anglo-Saxon England 12 (Cambridge, 1995)
- Colman, R. V., 'Hamsocn: Its Meaning and Significance in Early English Law', *American Journal of Legal History* 25 (1981), 95–110
- Cooper, A., 'The Rise and Fall of the Anglo-Saxon Law of the Highway', *Haskins Society Journal* 12 (2002), 39–69
- Crick, J., 'Church, Land and Local Nobility in Early Ninth-Century Kent: The Case of Ealdorman Oswulf', *Historical Research* 61 (1988), 251–69
- Cross, P., *The Aristocracy in England and Tuscany, 1000–1250* (Oxford, 2019)
- Cubitt, C. R. E., *Anglo-Saxon Church Councils c. 650–c. 850* (London, 1995)

- Cubitt, C. R. E., 'Review article: The tenth-century Benedictine Reform in England', *Early Medieval Europe* 6 (1997), 77–94
- Cubitt, C. R. E., 'Introduction', in *Court Culture in the Early Middle Ages: The Proceedings of the First Alcuin Conference*, ed. C. R. E. Cubitt (Turnhout, 2003), pp. 1–15
- Cubitt, C. R. E., 'Bishops and Councils in Late Saxon England: The Intersection of Secular and Ecclesiastical Law', in *Recht und Gericht in Kirche und Welt um 900*, Schriften des Historischen Kollegs: Kolloquien 69, ed. W. Hartmann (Munich, 2007), pp. 151–67
- Cubitt, C. R. E., 'Ælfric's Lay Patrons', in *A Companion to Ælfric*, Brill's Companions to the Christian Tradition 18, ed. H. Magennis and M. Swan (Leiden, 2009), pp. 165–92
- Cubitt, C. R. E., "'As the Lawbook Teaches": Reeves, Lawbooks and Urban Life in the Anonymous Old English Legend of the Seven Sleepers', *English Historical Review* 124 (2009), 1019–49
- Cubitt, C. R. E., 'The Politics of Remorse: Penance and Royal Piety in the Reign of Æthelred the Unready', *Historical Research* 85 (2012), 179–92
- Dalton, O. M., *Catalogue of the Ivory Carvings of the Christian Era with Examples from Mohammedan Art and Carvings in Bone in the Department of British and Mediaeval Antiquities and Ethnography of the British Museum* (London, 1909)
- Dance, R. W., 'Sound, Fury, and Signifiers; or Wulfstan's Language', in *Wulfstan, Archbishop of York: The Proceedings of the Second Alcuin Conference*, Studies in the Early Middle Ages 10, ed. M. Townend (Turnhout, 2004) pp. 29–61
- Dance, R. W., 'The Old English Language and the Alliterative Tradition', in *A Companion to Medieval Poetry*, ed. C. Saunders (Oxford, 2010), pp. 34–50
- Darlington, R. R., 'The Last Phase of Anglo-Saxon History', *History* 12 (1937), 1–13
- Davies, W., and P. Fouracre, 'Introduction' in *Property and Power in the Early Middle Ages* (Cambridge, 1986), ed. W. Davies and P. Fouracre (Cambridge, 1995), pp. 1–16
- Davis, K., 'Boredom, Brevity and Last Things: Ælfric's Style and the Politics of Time', in *A Companion to Ælfric*, Brill's Companions to the Christian Tradition 18, ed. H. Magennis and M. Swan (Leiden, 2009), pp. 321–44
- Day, E., 'Sokemen and Freemen in Late Anglo-Saxon East Anglia in Comparative Context' (unpubl. PhD dissertation, Univ. of Cambridge, 2011)

- Deshman, R. E., 'Christus rex et magi reges: Kingship and Christology in Ottonian and Anglo-Saxon Art', *Frühmittelalterliche Studien* 10 (1976), 375–405
- Deshman, R. E., *The Benedictional of Æthelwold*, Studies in Manuscript Illumination 9 (Princeton, 1995)
- Dodwell, C. R., *The Pictorial Arts of the West, 800–1200* (New Haven, 1993)
- Dolley, R. H. M., and F. Elmore Jones, 'A New Suggestion Concerning the So-called "Martlets" in the "Arms of St Edward"', in *Anglo-Saxon Coins: Studies Presented to F. M. Stenton on the Occasion of his 80th Birthday, 17 May 1960*, ed. R. H. M. Dolley (London, 1961) pp. 215–26
- Douce, F., 'Some Remarks on the Original Seal Belonging to the Abbey of Wilton', *Archaeologia* 18 (1817), 40–50
- Drögereit, R., 'Gab es eine Angelsächsische Königskanzlei?', *Archiv für Urkundenforschung* 13 (1935), 335–436
- Dumville, D. N., 'Some Aspects of Annalistic Writing at Canterbury in the Eleventh and Early Twelfth Centuries', *Peritia* 2 (1983), 23–57
- Dumville, D. N., 'The Anglo-Saxon Chronicle and the Origins of English Square Minuscule Script', in *Wessex and England from Alfred to Edgar: Six Essays on Political, Cultural and Ecclesiastical Revival*, ed. D. N. Dumville (Woodbridge, 1992), pp. 55–140
- Dumville, D. N., *Liturgy and the Ecclesiastical History of Late Anglo-Saxon England: Four Studies* (Woodbridge, 1992)
- Dumville, D. N., 'Specimina Codicum Palaeoanglicorum', in *Collection of Essays in Commemoration of the 50th Anniversary of the Institute of Oriental and Occidental Studies* (Osaka, 2001), pp. 1–24
- Earenfight, T., *Queenship in Medieval Europe* (Basingstoke; New York, 2013)
- Edmonds, F., 'Personal Names and the Cult of St Patrick in Eleventh-Century Strathclyde and Northumbria', in *Saints' Cults in the Celtic World*, Studies in Celtic History 25, ed. S. Boardman, J. R. Davies and E. Williamson (Woodbridge, 2009), pp. 41–65
- Edmonds, F., 'The Emergence and Transformation of Medieval Cumbria', *The Scottish Historical Review* 93, (2014), 195–216
- Edmonds, F., 'The Expansion of the Kingdom of Strathclyde', *Early Medieval Europe* 23 (2015), 44–66
- Ewald, W., *Siegelkunde* (Berlin, 1914)

- Faith, R., *The Moral Economy of the Countryside: Anglo-Saxon to Anglo-Norman England* (Cambridge, 2020)
- Farr, C. A., 'Irish Pocket Gospels in Anglo-Saxon England', in *Anglo-Saxon Traces*, ed. J. Roberts and L. Webster (Tempe, 2001), pp. 87–100
- Fell, C. E., 'Some Implications of the Boniface Correspondence', in *New Readings on Women in Old English Literature*, ed. H. Damico and A. Hennessey Olsen (Bloomington, 1990), pp. 29–43
- Fell, C. E., 'Introduction to Anglo-Saxon Letters and Letter-Writers', in "*Lastworda Betst*": *Essays in Memory of Christine E. Fell with Her Unpublished Writings*, ed. C. Hough and K. A. Lowe (Donington, 2002), pp. 278–98
- Fenton, A., 'Royal Authority, Regional Integrity: The Function and Use of Anglo-Saxon Writ Formulae', in *The Languages of Early Medieval Charters: Latin, Germanic Vernaculars and the Written Word*, ed. R. Gallagher, E. Roberts and F. Tinti (Leiden, forthcoming)
- Fleming, R., 'Rural Elites and Urban Communities in Late-Saxon England', *Past and Present* 141 (1993), 3–37
- Fleming, R., 'The New Wealth, The New Rich and The New Political Style in Late Anglo-Saxon England', *Anglo-Norman Studies* 23 (2000), 1–32
- Flight, C., 'Four Vernacular Texts from the Pre-Conquest Archive of Rochester Cathedral', *Archæologia Cantiana* 115 (1995), 121–53
- Foot, S., *Veiled Women I: The Disappearance of Nuns from Anglo-Saxon England*, Studies in Early Medieval Britain and Ireland (Aldershot, 2000)
- Foot, S., *Veiled Women II: Female Religious Communities in England, 871–1066*, Studies in Early Medieval Britain and Ireland (Aldershot, 2000)
- Foot, S., 'Reading Anglo-Saxon Charters: Memory, Record or Story?', in *Narrative and History in the Early Medieval West*, Studies in the Early Middle Ages 16, ed. E. M. Tyler and R. Balzaretti (Turnhout, 2006), pp. 39–65
- Foot, S., *Æthelstan: The First King of England*, Yale English Monarchs Series (London, 2011)
- Fouracre, P., 'Balthild and "her" Seal Ring: Text and Artefact', in *Entre Texte et Histoire: Études d'Histoire Médiévale Offertes au Professeur Shoichi Sato*, ed. O. Kano and J. L. Lemaître (Paris, 2015), pp. 129–42

Fouracre, P., and R. Gerberding, *Late Merovingian France: History and Hagiography 640–720* (Manchester, 1996)

Foxhall Forbes, H., *Heaven and Earth in Anglo-Saxon England: Theology and Society in an Age of Faith* (Farnham, 2013)

Freeman, E. A., *The History of the Norman Conquest of England, its Causes and its Results*, 6 vols. (Oxford, 1867–79)

Friedenberg, D. M., ‘The Evolution and Uses of Jewish Byzantine Stamp Seals’, *The Journal of the Walters Art Gallery* 52/53 (1994/1995), 1–21

Galbraith, V. H., *An Introduction to the Use of the Public Records* (Oxford, 1934)

Gallagher, R., ‘The Vernacular in Anglo-Saxon Charters: Expansion and Innovation in Ninth Century England’, *Historical Research* 91 (2018), 205–235

Gallagher, R., and F. Tinti, ‘Latin, Old English and Documentary Practice at Worcester from Wærferth to Oswald’, *Anglo-Saxon England* 46 (2017), 271–325

Gallagher, R., and Wiles, K., ‘The Endorsement Practices of Anglo-Saxon England’, in *The Languages of Early Medieval Charters: Latin, Germanic Vernaculars and the Written Word*, ed. R. Gallagher, E. Roberts and F. Tinti (Leiden, *forthcoming*)

Gameson, R. G., ‘English Manuscript Art in the Mid-Eleventh Century: The Decorative Tradition’, *The Antiquaries Journal* 71 (1991), 64–122

Gameson, R. G., ‘The Insular Gospel Book at Hereford Cathedral’, *Scriptorium* 56 (2002), 48–79

Gameson, R. G., ‘The Colophon of the Eadwig Gospels’, *Anglo-Saxon England* 31 (Cambridge, 2002), 201–222

Gannon, A., ‘Art in the Round: Tradition and Creativity in Early Anglo-Saxon Coinage’ in *Money and Coinage in the Middle Ages*, Reading Medieval Sources 1, ed. R. Naismith (Leiden, 2018), pp. 287–319

Ganshof, F. –L., ‘A Propos du Tonlieu sous les Mérovingiens’, in *Studi in onore di A. Fanfani: Volume I* (Milan, 1962), pp. 291–315

Ganshof, F. –L., ‘A Propos du Tonlieu à l’Époque Carolingienne’, *Settimane di studio del centro italiano di studi dell’ altro medioevo* 6 (1958), 485–508

Garipzanov, I. H., ‘Metamorphoses of the Early Medieval *Signum* of a Ruler in the Carolingian World’, *Early Medieval Europe* 14 (2006), 419–64

Garipzanov, I. H., *The Symbolic Language of Authority in the Carolingian World (c. 751–877)* Brill's Series on the Early Middle Ages 16 (Leiden, 2008)

Garipzanov, I. H., *Graphic Signs of Authority in Late Antiquity and the Early Middle Ages, 300–900* (Oxford, 2018)

Garrison, E., 'Otto III at Aachen', *Peregrinations: Journal of Medieval Art and Architecture* 3 (2010), 83–137

Garrison, E., *Ottonian Imperial Art and Portraiture, The Artistic Patronage of Otto III and Henry II* (Farnham, 2012)

Garrison, M., 'Alcuin's World through his Letters and Verse' (unpubl. PhD dissertation, Univ. of Cambridge, 1995)

Garrison, M., "'Send More Socks': On Mentality and the Preservation Context of Medieval Letters", in *New Approaches to Medieval Communication*, ed. M. Mostert (Turnhout, 1999), pp. 69–99

Geary, P. J., 'Land, Language and Memory in Europe 700–1100', *Transactions of the Royal Historical Society* 9 (1999), 169–184

Gebhardt, T. R., 'From Bretwalda to Basileus: Imperial Concepts in Late Anglo-Saxon England?', in *Transcultural Approaches to the Concept of Imperial Rule in the Middle Ages*, ed. J. Clauß, T. R. Gebhardt and C. Scholl (Frankfurt am Main, 2017), pp. 157–183

Gelling, M., and A. Cole, *The Landscape of Place-Names* (Stamford, 2003)

Genicot, L., 'Recent Research on the Medieval Nobility', in *The Medieval Nobility: Studies on the Ruling Classes of France and Germany from the Sixth to the Twelfth Century*, ed. T. Reuter (Amsterdam, 1979), pp. 17–35

Giandrea, M. F., *Episcopal Culture in Late Anglo-Saxon England*, Anglo-Saxon Studies 7 (Woodbridge, 2007)

Giry, A., *Manuel de Diplomatique: Diplomes et Chartes, Chronologie Tenique, Éléments Critiques et Parties Constitutives de la Teneur des Chartes, les Chancelleries, les Actes Privés* (Paris, 1894)

Gittos, H., *Liturgy, Architecture and Sacred Places in Anglo-Saxon England* (Oxford, 2013)

Godden, M. R., 'Literary Language', in *The Cambridge History of the English Language Vol. 1: The Beginnings to 1066*, ed. R. M. Hogg (Cambridge, 1992), pp. 490–535

- Goebel, J., *Felony and Misdemeanor: A Study in the History of English Criminal Procedure* (New York, 1937)
- Gorelick, L., and E. Williams-Forte, ed., *Ancient Seals and the Bible* (Malibu, 1983)
- Gransden, A., 'The History of Wells Cathedral c. 1090–1547', in *Wells Cathedral: A History*, ed. L. S. Colchester (Shepton Mallet, 1982), pp. 24–51
- Green, J. A., 'The Sheriffs of William the Conqueror', *Anglo-Norman Studies* 5 (1983), 129–43
- Gretsch, M., 'The Language of the 'Fonthill Letter'', *Anglo-Saxon England* 23 (1994), 57–102
- Gretsch, M., 'Ælfric, Language and Winchester', in *A Companion to Ælfric*, Brill's Companions to the Christian Tradition 18, ed. H. Magennis and M. Swan (Leiden, 2009), pp. 109–137
- Grierson, P., *Byzantine Coinage*, 2nd ed. (Washington D.C., 1999)
- Grimm, J., 'Von der Poesie im Recht', *Zeitschrift für geschichtliche Rechtswissenschaft* 2 (1816), 25–99
- Grimm, J., *Deutsche Rechtsalterthümer*, 4th ed., ed. A. Heusler and R. Hübner (Leipzig, 1899), rept. with an introduction by R. Schmidt-Wiegand in *Jacob und Wilhelm Grimm. Werke. Forschungsausgabe. Abteilung I. Die Werke Jacob Grimms* 17 (Hildesheim, Zurich and New York, 1992)
- Hadley, D. M., *The Northern Danelaw: Its Social Structure, c. 800–1100* (London, 2000)
- Hall, H., *Studies in English Official Historical Documents* (Cambridge, 1908)
- Hare, M., 'Kings, Crowns and Festivals: The Origins of Gloucester as a Royal Ceremonial Centre', *Transactions of the Bristol and Gloucestershire Archaeological Society* 115 (1997), 41–78
- Harmer, F. E., 'Three Westminster Writs of King Edward the Confessor', *English Historical Review* 51 (1936), 97–103
- Harmer, F. E., 'Anglo-Saxon Charters and the Historian', *Bulletin of the John Rylands University Library of Manchester* 22 (1938), 339–67
- Harmer, F. E., 'Chipping and Market: a Lexicographical Investigation', in *The Early Cultures of North-West Europe*, ed. C. Fox and B. Dickins (Cambridge, 1950), pp. 333–60

Harmer, F. E., 'The English Contribution to the Epistolary Usages of Early Scandinavian Kings', *Saga-Book of the Viking Society* 13 (1950), 115–55

Hart, C., 'The King's Haligdom and the Codex Wintoniensis', in *Land, Church and People: Essays Presented to H. P. R. Finberg*, ed. J. Thirsk (Leicester, 1970), pp. 7–38
Harvey, P. D. A., and A. McGuiness, *A Guide to British Medieval Seals* (London, 1996)

Harvey, P. D. A., 'This Is A Seal', in *Seals and their Context in the Middle Ages*, ed. P. Schofield (Oxford, 2015), pp. 1–5

Heslop, T. A., 'English Seals from the Mid-Ninth Century to c. 1100', *Journal of the British Archaeological Association* 133 (1980), 1–16

Heslop, T. A., 'Twelfth-Century Forgeries as Evidence for Earlier Seals: The Case of St Dunstan', in *St Dunstan: His Life, Times and Cult*, ed. N. Ramsay, M. Sparks and T. Tatton-Brown (Woodbridge, 1992), pp. 299–310

Heslop, T. A., 'Seals', in *The Wiley Blackwell Encyclopedia of Anglo-Saxon England*, 2nd ed., ed. J. Blair, S. D. Keynes and D. Scragg (Chichester, 2014), pp. 426–7

Hofmann, P., 'Infernal Imagery in Anglo-Saxon Charters' (unpubl. PhD dissertation, Univ. of St. Andrews, 2008)

Hollis, S., *Anglo-Saxon Women and the Church: Sharing a Common Fate* (Woodbridge, 1992)

Holton, C. T., 'Masculine Identity in Medieval Scotland: Gender, Ethnicity, Regionality' (unpubl. PhD dissertation, Univ. of Guelph, 2017)

Hough, C., 'Cattle Tracking in the Fonthill Letter', *English Historical Review* 115 (2000), 864–92

Hudson, A., 'The Ædwen Brooch', in *Anglo-Saxon Kingdoms: Art, Word, War*, ed. C. Breay and J. Story (London, 2018), pp. 225–7

Hudson, A., 'Writ of Edward the Confessor, with Seal', in *Anglo-Saxon Kingdoms: Art, Word, War*, ed. C. Breay and J. Story (London, 2018), pp. 382–3

Hudson, J., *The Oxford History of the Laws of England, Volume Two: 871–1216* (Oxford, 2012)

Hurnard, N., 'The Anglo-Norman Franchises', *English Historical Review* 64 (1949), 289–323 and 433–60

Hyams, P., 'The Charter as a Source for the Early Common Law', *The Journal of Legal History*, 12:3 (1991), 173–89

Hyams, P., *Rancor and Reconciliation in Medieval England* (Ithaca, NY and London, 2003)

Insley, C., 'Where Did All the Charters Go? Anglo-Saxon Charters and the New Politics of the Eleventh Century', *Anglo-Norman Studies* 24 (2002), 109–27

Insley, C., 'Charters, Ritual and Late Tenth-Century English Kingship', in *Gender and Historiography: Studies in the Earlier Middle Ages in Honour of Pauline Stafford*, ed. J. L. Nelson, S. Reynolds and S. M. Johns (London, 2012), pp. 75–89

Insley, C., 'Archives and Lay Documentary Practice in the Anglo-Saxon World', in *Documentary Culture and the Laity in the Early Middle Ages*, ed. W. C. Brown, M. Costambeys, M. Innes, and A. J. Kosto (Cambridge, 2013), pp. 336–62

Insley, J., 'Some Aspects of Regional Variation in Early Middle English Personal Nomenclature', *Leeds Studies in English* 18 (1987), 183–99

Irvine, S., 'Uncertain Beginnings: The Prefatory Tradition in Old English', H. M. Chadwick Memorial Lectures 27 (Cambridge, 2017), 1–18

Jarrett, J., 'Ghost Voices in the First Person', in *A Corner of Tenth-Century Europe* <https://tenthmedieval.wordpress.com/2014/08/07/ghost-voices-in-the-first-person/> (viewed 1 March, 2019)

Jauss, H. R., 'Horizon Structure and Dialogicity', in *Question and Answer: Forms of Dialogic Understanding*, ed. and transl. M. Hays (Minneapolis, 1989), pp. 197–231

Jeep, J. M., *Alliterating Word-Pairs in Old High German*, Studien zur Phraseologie und Parömiologie (Bochum, 1995)

Johanek, P., 'Zur rechtlichen Funktion von Traditionsnotiz, Traditionsbuch und früher Siegelurkunde', in *Recht und Schrift im Mittelalter*, ed. P. Classen (Sigmaringen, 1977)

Johnson, D. F., 'The *Crux Usualis* as Apotropaic Weapon in Anglo-Saxon England', in *The Place of the Cross in Anglo-Saxon England*, ed. C. E. Karkov, S. L. Keefer and K. L. Jolly (Woodbridge, 2006), pp. 80–95

Jones, L., 'From *Anglorum basileus* to Norman Saint: The Transformation of Edward the Confessor', *Haskins Society Journal* (2002), 99–120

Jones, L., 'The *Enkolpion* of Edward the Confessor: Byzantium and Anglo-Saxon concepts of rulership', in *Cross and Cruciform in the Anglo-Saxon World*, ed. S. L. Keefer, K. L. Jolly and C. E. Karkov (Morgantown, 2010), pp. 369–86

Joy, C. A., 'Sokeright' (unpubl. PhD dissertation, Univ. of Leeds, 1972)

Kantorowicz, E. H., *Laudes Regiae: A Study in Liturgical Acclamations and Mediaeval Ruler Worship* (Berkeley, 1958)

Karkov, C. E., 'Naming and Renaming: The Inscription of Gender in Anglo-Saxon England', in *Theorizing Anglo-Saxon Stone Sculpture*, ed. C. E. Karkov and F. Orton (Morgantown, 2003), pp. 31–64

Karkov, C. E., *The Ruler Portraits of Anglo-Saxon England* (Woodbridge, 2004)

Karkov, C. E., *The Art of Anglo-Saxon England* (Woodbridge, 2016)

Keefer, S. L., 'Donne se Cirlicsa Man Ordales Weddigeð: The Anglo-Saxon Lay Ordeal', in *Early Medieval Studies in Memory of Patrick Wormald*, ed. S. Baxter, C. Karkov, J. L. Nelson and D. Pelteret (Farnham, 2009), pp. 353–67

Keene, D., 'English Urban guilds, c. 900–1300: The Purposes and Politics of Association', in *Guilds and Associations in Europe, 900–1900*, ed. I. A. Gadd and P. Wallis (London, 2006), pp. 3–26

Keller, H., 'Ottonische Herrschersiegel. Beobachtungen und Fragen zu Gestalt und Aussage und zur Funktion im historischen Kontext', in *Bild und Geschichte: Studien zur Politischen Ikonographie. Festschrift für Hansmartin Schwarzmaier zum fünfundschiezigen Geburtstag*, ed. K. Krimm and H. John (Sigmaringen, 1997), pp. 3–51

Keller, H., 'Zu den Siegeln der Karolinger und der Ottonen. Urkunden als Hoheitszeichen in der Kommunikation des Herrschers mit seinen Getreuen', *Frühmittelalterliche Studien* 32 (1998), 400–41

Keller, H., 'Die Siegel und Bullen Ottos III.', in *Europas Mitte um 1000*, ed. A. Wiczorek and H. Hinz (Stuttgart, 2000), pp. 767–73

Keller, H., 'Hülderweis durch Privilegien: Symbolische Kommunikation Innerhalb und Jenseits des Texts', *Frühmittelalterliche Studien* 38 (2004), 309–21

Kelly, S. E., 'Anglo-Saxon Lay Society and the Written Word', in *The Uses of Literacy in Early Medieval Europe*, ed. R. McKitterick (Cambridge, 1990), pp. 36–62

Kelly, S. E., 'Trading Privileges from Eighth-Century England', *Early Medieval Europe* 1 (1992), 3–28

Kennedy, A. G., 'Disputes about *Bocland*: The Forum for their Adjudication', *Anglo-Saxon England* 14 (1985), 175–95

Kennedy, A. G., 'Law and Litigation in the *Libellus Æthelwoldi episcopi*', *Anglo-Saxon England* 24 (1995), 131–83

Ker, N., *Catalogue of Manuscripts Containing Anglo-Saxon* (Oxford, 1957)

Ker, N., 'The Handwriting of Archbishop Wulfstan', in *Books, Collectors and Libraries: Studies in the Medieval Heritage*, ed. A. G. Watson (London, 1985), pp. 9–26

Kershaw, J., 'The Distribution of the "Winchester" Style in Late Anglo-Saxon England: Metalwork Finds from the Danelaw', *Anglo-Saxon Studies in Archaeology and History* 15 (2008), 254–69

Kershaw, J., and R. Naismith, 'A New Late Anglo-Saxon Seal Matrix', *Anglo-Saxon England* 42 (2013), 291–8

Kershaw, P., *Peaceful Kings: Peace, Power, and the Early Medieval Political Imagination* (Oxford, 2011)

Keynes, S. D., *The Diplomas of Æthelred 'the Unready', 978–1016: A Study in their Use as Historical Evidence* (Cambridge, 1980)

Keynes, S. D., '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. M. Lapidge and H. Gneuss (Cambridge, 1985), pp. 143–201

Keynes, S. D., 'The Additions in Old English', in *The York Gospels*, ed. N. Barker (London, 1986)

Keynes, S. D., 'Regenbald the Chancellor', *Anglo-Norman Studies* 10 (1988), 185–222

Keynes, S. D., 'Royal Government and the Written Word in Late Anglo-Saxon England', in *The Uses of Literacy in Early Medieval Europe*, ed. R. McKitterick (Cambridge, 1990), pp. 226–57

Keynes, S. D., 'The Fonthill Letter', in *Words, Texts and Manuscripts: Studies in Anglo-Saxon Culture presented to Helmut Gneuss on the Occasion of his Sixty-Fifth Birthday*, ed. M. Korhammer, with K. Reichl and H. Sauer (Cambridge, 1992), pp. 53–97

Keynes, S. D., 'The West Saxon Charters of King Æthelwulf and his sons', *English Historical Review* 109 (1994), 1109–49

Keynes, S. D., 'Cnut's Earls', in *The Reign of Cnut: King of England, Denmark and Norway*, ed. A. Rumble, *Studies in the Early History of Britain* (Leicester, 1994), pp. 43–88

Keynes, S. D., 'The "Dunstan B" Charters', *Anglo-Saxon England* 23 (1994), 165–93

Keynes, S. D., 'Anglo-Saxon Entries in the *Liber Vitae* of Brescia', in *Alfred the Wise: Studies in Honour of Janet Bately on the Occasion of her Sixty-Fifth Birthday*, ed. J. Roberts, J. Nelson, and M. Godden (Woodbridge, 1997), pp. 99–119

Keynes, S. D., 'Giso, Bishop of Wells (1061–88)', *Anglo-Norman Studies* 19 (1997), 203–71

Keynes, S. D., 'Diocese and Cathedral before 1056', in *Hereford Cathedral: A History*, ed. G. Aylmer and J. Tiller (London, 2000), pp. 3–20

Keynes, S. D., *An Atlas of Attestations in Anglo-Saxon Charters, c. 670–1066*, ASNC Guides, Texts and Studies 5 (Cambridge, 2002)

Keynes, S. D., 'The *Liber Vitae* of the New Minster, Winchester', in *The Durham 'Liber Vitae' and its Context*, ed. D. Rollason, A. J. Piper and M. Harvey (Woodbridge, 2004), pp. 149–63

Keynes, S. D., 'Wulfsige, Monk of Glastonbury, Abbot of Westminster (c. 990–3), and Bishop of Sherborne (c. 993–1002)', in *St Wulfsige and Sherborne: Essays to Celebrate the Millennium of the Benedictine Abbey 998–1998*, ed. K. Barker, D. Hinton and A. Hunt (Oxford, 2005), pp. 53–94

Keynes, S. D., 'Edgar, *Rex Admirabilis*', in *Edgar, King of the English 959–975: New Interpretations*, ed. D. Scragg (Woodbridge, 2008), pp. 1–58

Keynes, S. D., 'King Æthelred's Charter for Eynsham Abbey (1005)', in *Early Medieval Studies in Memory of Patrick Wormald*, ed. S. Baxter, C. Karkov, J. L. Nelson and D. Pelteret (Farnham, 2009), pp. 451–73

Keynes, S. D., 'Church Councils, Royal Assemblies, and Anglo-Saxon Royal Diplomas', in *Kingship, Legislation and Power in Anglo-Saxon England*, Publications of the Manchester Centre for Anglo-Saxon Studies 13, ed. G. R. Owen-Crocker and B. W. Schneider (Manchester, 2013), pp. 17–182

Keynes, S. D., 'The Henry Loyn Memorial Lecture for 2008: Welsh Kings at Anglo-Saxon Royal Assemblies (928–55)', *Haskins Society Journal* 26 (2015), 69–122

Keynes, S. D., 'H. M. Chadwick and Anglo-Saxon England', in *H. M. Chadwick and the Study of Anglo-Saxon, Norse and Celtic in Cambridge*, Cambrian Medieval Celtic Studies 69–70, ed. M. Lapidge (Dyfed, 2015), pp. 111–142

Keynes, S. D., 'King Æthelred the Unready and the Church of Rochester', in *Textus Roffensis. Law, Language, and Libraries in Early Medieval England*, Studies in the Early Middle Ages 30, ed. B. O'Brien and B. Bombi (Turnhout, 2015), pp. 315–62

Keynes, S. D., 'Earl Harold and the Foundation of Waltham Holy Cross (1062)', *Anglo-Norman Studies* 39 (2017), 81–111

Keynes, S. D., 'The Use of Seals in Anglo-Saxon England', in *Seals and Status: Power of Objects*, British Museum Research Publication 213, ed. J. Cherry, J. Berenbeim and L. De Beer (London, 2018), pp. 73–83

Keynes, S. D., 'The Seal-matrix of Ælfric', in *Anglo-Saxon Kingdoms: Art, Word, War*, ed. C. Breay and J. Story (London, 2018), p. 384

Keynes, S. D., 'The Seal-matrix of Godwine and Godgytha', in *Anglo-Saxon Kingdoms: Art, Word, War*, ed. C. Breay and J. Story (London, 2018), p. 385

Keynes, S. D., 'The Cuckhamsley Chirograph', in *Languages of the Law in Early Medieval England: Essays in Memory of Lisi Oliver*, Medieval Groningana New Series 22, ed. A. Rabin and S. Jurasinski (Leuven, 2019), pp. 193–210

Keynes, S. D., 'The 'Canterbury Letter-Book': Alcuin and After', in *Manuscripts in the Anglo-Saxon Kingdoms: Cultures and Connections*, ed. C. Breay and J. Story (Dublin, forthcoming)

Keynes, S. D., and R. Love, 'Earl Godwine's Ship', *Anglo-Saxon England* 38 (Cambridge, 2009), 185–223

Kittel, E., *Siegel* (Braunschweig, 1970)

Knowles, D., *Great Historical Enterprises: Problems in Monastic History* (London, 1963)

Kornbluth, G. A., *Engraved Gems of the Carolingian Empire* (University Park, PA, 1995)

Kornbluth, G. A., 'The Token of Reginboldus: Artistic Patronage Outside the Carolingian Courts', in *The Search for a Patron in the Middle Ages and Renaissance*, Medieval and Renaissance Studies Volume 12, ed. D. G. Wilkins and R. L. Wilkins (Lewiston/Queenston/Lampeter, 1996), pp. 33–44

Koskeniemi, I., *Repetitive Word-Pairs in Old and Early Middle English Prose* (Turku, 1968)

Koziol, G., *The Politics of Memory and Identity in Carolingian Royal Diplomas: The West Frankish Kingdom (840–987)* (Turnhout, 2012)

Koziol, G., 'Making Boso the Clown: Performance and Performativity in a Pseudo-Diploma of the Renegade King (8 December 879)', in *Rituals, Performatives, and Political Order in Northern Europe, c. 650–1350*, ed. W. Jezierski, L. Hermanson, H. J. Orning and T. Småberg (Turnhout, 2015), pp. 43–61

Lambert, T. B., 'Protection, Feud and Royal Power: Violence and its Regulation in English Law, c. 850–c. 1250' (unpubl. PhD dissertation, Durham University, 2009)

Lambert, T. B., 'Royal Protections and Private Justice: A Reassessment of Cnut's "Reserved Pleas"', in *English Law Before Magna Carta: Felix Liebermann and Die Gesetze der Angelsachsen*, ed. A. Rabin, S. Jurasinski and L. Oliver (Leiden, 2010), pp. 157–75

Lambert, T. B., *Law and Order in Anglo-Saxon England* (Oxford, 2017)

Lambert, T. B., 'Jurisdiction as Property in England, 900–1100', in *Legalism: Property and Ownership*, ed. G. Kantor, T. B. Lambert and H. Skoda (Oxford, 2017), pp. 115–47

Lancaster, L., 'Kinship in Anglo-Saxon Society I', *The British Journal of Sociology* 9 No. 3 (1958), 230–250

Lanham, C. D., *Salutatio Formulas in Latin Letters to 1200: Syntax, Style and Theory*, Münchener Beiträge Zur Mediävistik und Renaissance-Forschung 22 (Munich, 1975)

Laurent, V., 'Un Sceau Inédit du Patriarche de Jérusalem Sophrone II, Trouvé à Winchester', *The Numismatic Circular* 72 (1964), 49–50

Lawson, M. K., *Cnut: The Danes in England in the Early Eleventh Century* (London and New York, 1993)

Lawton, R., 'Wealdhere's Letter', in *Anglo-Saxon Kingdoms: Art, Word, War*, ed. C. Breay and J. Story (London, 2018), pp. 98–9

Lawton, R., 'The "letter-book" of Archbishop Wulfstan', in *Anglo-Saxon Kingdoms: Art, Word, War*, ed. C. Breay and J. Story (London, 2018), pp. 354–5

Lawton, R., 'A Useless Letter?', *British Library Medieval Manuscripts Blog* <https://blogs.bl.uk/digitisedmanuscripts/2018/12/a-useless-letter.html> (viewed 1 October, 2019)

Lerer, S., *Literacy and Power in Anglo-Saxon Literature* (Lincoln NE, 1991)

Leyser, K. J., *Rule and Conflict in an Early Medieval Society: Ottonian Saxony* (Oxford, 1989)

Leyser, K. J., 'Ritual, Ceremony and Gesture: Ottonian Germany', in *Communications and Power in Medieval Europe: The Carolingian and Ottonian Centuries*, ed. T. Reuter (London, 1994), pp. 189–213

Lipp, F. R., 'Ælfric's Old English Prose Style', *Studies in Philology* 66, No. 5 (1969), 689–718

- Little, L. K., *Benedictine Maledictions: Liturgical Cursing in Romanesque France* (Ithaca, 1993)
- Lloyd, J., 'Reeves as Agents of Royal Government in the English Shires, from the Reign of Alfred to Domesday Book' (unpubl. PhD dissertation, Univ. of Cambridge, 2014)
- Lowe, K. A., 'Swutelung/swutelian and the Dating of an Old English Charter (Sawyer 1524)', *Notes and Queries* 38 (1991), 450–2
- Lowe, K. A., 'Lay Literacy in Anglo-Saxon England and the Development of the Chirograph', in *Anglo-Saxon Manuscripts and their Heritage*, ed. P. Pulsiano and E. Trehearne (Aldershot, 1998), pp. 161–204
- Lowe, K. A., 'The Nature and Effect of the Anglo-Saxon Vernacular Will', *Journal of Legal History* 19 (1998), 23–61
- Lowe, K. A., 'Sawyer 1070: A Ghost Writ of King Edward the Confessor', *Notes and Queries* 50 (2003), 150–2
- Lowe, K. A., 'Reading the Unreadable: Lay Literacy and Negotiation of Text in Anglo-Saxon England', in *Writing in Context: Insular Manuscript Culture 500–1200*, ed. E. Kwakkel (Leiden, 2013), pp. 152–83
- Lupoi, M., *Origins of the European Legal Order* (Cambridge, 2000)
- Mabillon, J., *De Re Diplomatica*, 2nd ed. (Paris, 1709)
- Mack, K., 'Changing Thegns: Cnut's Conquest and the English Aristocracy', *Albion* 16 vol. 4 (1984), 375–87
- Mack, K., 'The Stallers: Administrative Innovation in the Reign of Edward the Confessor', *Journal of Medieval History* 12 (1986), 123–34
- Maddicott, J. R., 'London and Droitwich, c. 650–750: Trade, Industry and the Rise of Mercia', *Anglo-Saxon England* 34 (2005), 7–58
- Maddicott, J. R., *The Origins of the English Parliament 924–1327* (Oxford, 2010)
- Maitland, F. W., *Domesday Book and Beyond: Three Essays in the Early History of England* (Cambridge, 1897)
- Mann, G., 'The Development of Wulfstan's Alcuin Manuscript', in *Wulfstan, Archbishop of York: The Proceedings of the Second Alcuin Conference*, ed. M. Townsend (Turnhout, 2004), pp. 235–78

- Marafioti, N., *The King's Body: Burial and Succession in Late Anglo-Saxon England* (Toronto, 2014)
- Marzinik, S., *Masterpieces of Early Medieval Art* (London, 2013)
- Matzinger-Pfister, R., *Paarformel, Synonymik und zweisprachiges Wortpaar. Zur mehrgliedrigen Ausdrucksweise der mittelalterlichen Urkundensprache*, Rechtshistorische Arbeiten 9 (Zurich, 1972)
- McCormick, M., *Origins of the European Economy: Communications and Commerce, A.D. 300–900* (Cambridge, 2001)
- McEwan, J. A., 'Does Size Matter? Seals in England and Wales, ca.1200–1500', in *A Companion to Seals in the Middle Ages*, Reading Medieval Sources 2, ed. L. J. Whatley (Leiden, 2019), pp. 103–26
- Meritt, H. D., *Some of the Hardest Glosses in Old English* (Stanford, 1968)
- Mersiowsky, M., 'Y-a-t-il une Influence des Actes Royaux sur les Actes Privés du IX^e Siècle?', in *Les Actes Comme Expression du Pouvoir au Haut Moyen Âge. Actes de la Table Ronde de Nancy, 26–27 Novembre 1999*, ed. M-J. Gasse-Grandjean and B-M. Tock (Turnhout, 2003), pp. 139–78
- Michałowski, R., *The Gniezno Summit, The Religious Premises of the Founding of the Archbishopric of Gniezno* (Leiden, 2016)
- Molyneaux, G., *The Formation of the English Kingdom in the Tenth Century* (Oxford, 2015)
- Mørck, E., 'Sociolinguistic Studies on the Basis of Medieval Norwegian Charters', in *Language Change: Advances in Historical Sociolinguistics*, ed. E. H. Jahr (Berlin and New York, 1999), pp. 263–90
- Murray, A. C., 'Immunity, Nobility and the Edict of Paris', *Speculum* 69 (1994), 18–39
- Naismith, R., *Money and Power in Anglo-Saxon England: The Southern English Kingdoms 757–865* (Cambridge, 2012)
- Naismith, R., 'Payments for Land and Privilege in Anglo-Saxon England', *Anglo-Saxon England* 41 (2012), 277–342
- Naismith, R., *Medieval European Coinage With a Catalogue of the Coins in the Fitzwilliam Museum, Cambridge, Volume 8: Britain and Ireland c. 400–1066* (Cambridge, 2017)
- Naismith, R., *Citadel of the Saxons: The Rise of Early London* (London, 2018)

- Naismith, R., 'Money and Society' in *Money and Coinage in the Middle Ages*, Reading Medieval Sources 1, ed. R. Naismith (Leiden, 2018), pp. 179–202
- Naismith, R., 'Ely Memoranda and the Economy of the Late Anglo-Saxon Fenland', *Anglo-Saxon England* 45 (2016), 333–77
- Nelson, J. L., 'The Second English *Ordo*' in *Politics and Ritual in Early Medieval Europe*, ed. J. L. Nelson (London, 1986), pp. 361–74
- Nelson, J. L., 'Gendering Courts in the Early Medieval West', in *Gender in the Early Medieval World East and West, 300–900*, ed. L. Brubaker and J. M. H. Smith (Cambridge, 2004), pp. 185–98
- Nieus, J., 'Early Aristocratic Seals: An Anglo-Norman Success Story', *Anglo-Norman Studies* 38 (2016), 97–124
- Noel, W., *The Harley Psalter*, Cambridge Studies in Palaeography and Codicology 4 (Cambridge, 1995)
- O'Brien O'Keeffe, K., 'Diction, Variation, and the Formula', in *A Beowulf Handbook*, ed. R. E. Bjork and J. D. Niles (Lincoln, 1997), pp. 85–104
- Oikonomidès, N., *Byzantine Lead Seals* (Washington D. C., 1985)
- Okasha, E., *Hand-List of Anglo-Saxon Non-Runic Inscriptions* (Cambridge, 1971)
- Okasha, E., 'A Supplement to *Hand-List of Anglo-Saxon Non-Runic Inscriptions*', *Anglo-Saxon England* 11 (1982), 83–118
- Okasha, E., 'A Second Supplement to *Hand-List of Anglo-Saxon Non-Runic Inscriptions*', *Anglo-Saxon England* 21 (1992), 37–85
- Okasha, E., *Corpus of Early Christian Inscribed Stones of South-West Britain* (Leicester, 1993)
- Okasha, E., 'A Third Supplement to *Hand-List of Anglo-Saxon Non-Runic Inscriptions*', *Anglo-Saxon England* 33 (2004), 225–81
- Okasha, E., 'A Fourth Supplement to *Hand-List of Anglo-Saxon Non-Runic Inscriptions*', *Anglo-Saxon England* 47 (2018), 365–423
- Oliver, L., *The Beginnings of English Law* (Toronto, 2002)
- Oliver, L., 'Legal Documentation and the Practice of English Law', in *The Cambridge History of Early Medieval English Literature*, ed. C. A. Lees (Cambridge, 2013), pp. 499–529

Oosthuizen, S., *Tradition and Transformation in Anglo-Saxon England: Archaeology, Common Rights and Landscape* (London and New York, 2013)

Orton, P., *Writing in a Speaking World: The Pragmatics of Literacy in Anglo-Saxon Inscriptions and Old English Poetry*, *Medieval and Renaissance Texts and Studies* 445 (Tempe, 2014)

Pagan, H. E., 'The *Pacx* type of Edward the Confessor', *British Numismatic Journal* 81 (2011), 9–106

Pantos, A., 'In medle oððe an þinge: The Old English Vocabulary of Assembly', in *Assembly Places and Practices in Medieval Europe*, ed. A. Pantos and S. Semple (Dublin, 2004), pp. 181–201

Parkes, M. B., 'The Palaeography of the Parker Manuscript of the Chronicle, Laws and Sedulius, and Historiography at Winchester in the Late Ninth and Tenth Centuries', *Anglo-Saxon England* 5 (1976), 149–71

Parsons, M. P., 'Some Scribal Memoranda for Anglo-Saxon Charters of the 8th and 9th centuries', *Mitteilungen des österreichischen Instituts für Geschichtsforschung*. Erg. Bd. 14 (1939), 13–32

Pastoureau, M., *Les Sceaux* (Turnhout, 1981)

Pengelly, O., 'Rome in Ninth-Century Anglo-Saxon England' (unpubl. PhD dissertation, Univ. of Oxford, 2010)

Phythian-Adams, C., *Land of the Cumbrians: A Study in British Provincial Origins A.D. 400–1120* (Aldershot, 1996)

Pratt, D., 'The Voice of the King in 'King Edgar's Establishment of Monasteries'', *Anglo-Saxon England* 41 (2012), 145–204

Pratt, D., 'Demesne Exemption from Royal Taxation in Anglo-Saxon and Anglo-Norman England', *English Historical Review* 128 (2013), 1–34

Pratt, D., 'Charters and Exemption from Geld in Anglo-Saxon England', in *Writing, Kingship and Power in Anglo-Saxon England*, ed. R. Naismith and D. A. Woodman (Cambridge, 2018), pp. 181–201

Prosopography of Anglo-Saxon England (PASE), ed. J. T. Nelson, S. D. Keynes and H. Short, <http://www.pase.ac.uk> (viewed 1 March, 2019)

Purkiss, R., 'Early Royal Rights in the Liberty of St Edmund', *Anglo-Norman Studies* 41 (2019), 155–73

- Rabin, A., 'Old English *Forespeca* and the Role of the Advocate in Anglo-Saxon Law', *Mediaeval Studies* 69 (2007), 223–54
- Rabin, A., 'Female Advocacy and Royal Protection in Tenth-Century England: The Legal Career of Queen Ælfhryth', *Speculum* 84 (2009), 261–88
- Ragg, F. W., 'A Charter of Gospatrik', *The Ancestor* 7 (1903), 244–7
- Ragg, F. W., 'Gospatrik's Charter', *Cumberland and Westmorland Antiquarian and Archaeological Society* 5 (1905), 71–84
- Raraty, D. G. J., 'Earl Godwine of Wessex: The Origins of his Power and his Political Loyalties', *History* 74 (1989), 3–19
- Reynolds, S., 'Bookland, Folkland and Fiefs', *Anglo-Norman Studies* 14 (1992), 211–27
- Reynolds, S., *Fiefs and Vassals: The Medieval Evidence Reinterpreted* (Oxford, 1994)
- Ridyard, S. J., *The Royal Saints of Anglo-Saxon England: A Study of West Saxon and East Anglian Cults*, Cambridge Studies in Medieval Life and Thought (Cambridge, 1988)
- Rigold, S. E., 'Seals and Titles', *British Numismatic Journal* 44 (1974), 99–103
- Rio, A., *Legal Practice and the Written Word in the Early Middle Ages: Frankish Formulae, c. 500–1000* (Cambridge, 2009)
- Roach, L., 'Public Rites and Public Wrongs: Ritual Aspects of Diplomas in Tenth- and Eleventh-Century England', *Early Medieval Europe* 19 (2011), 182–203
- Roach, L., *Kingship and Consent in Anglo-Saxon England, 871–978: Assemblies and the State in the Early Middle Ages* (Cambridge, 2013)
- Roach, L., 'Apocalypse and Atonement in the Politics of Æthelredian England', *English Studies* 95 (2014), 733–57
- Roach, L., *Æthelred the Unready* (New Haven, 2016)
- Roberts, J., 'The Case of the Miraculous Hand in the Old English Prose Life of Guthlac', *Notes and Reviews* 15:2 (2002), 17–22
- Roberts, J., 'What Did Anglo-Saxon Seals Seal When?', in *The Power of Words: Essays in Lexicography, Lexicology and Semantics In Honour of Christian J. Kay*, ed. G. D. Caie, C. Hough and I. Wortherspoon (New York, 2006), pp. 131–57

- Roberts, J., 'Guthlac of Crowland and the Seals of the Cross', in *The Place of the Cross in Anglo-Saxon England*, ed. K. L. Jolly, C. E. Karkov and S. L. Keefer (Woodbridge, 2006), pp. 113–28
- Roffe, D., 'From Thegnage to Barony: Sake and Soke, Title and Tenants-in-chief', *Anglo-Norman Studies* 12 (1990), 157–76
- Rogers, N., 'The Waltham Abbey Relic-list', in *England in the Eleventh Century: Proceedings of the 1990 Harlaxton Symposium*, Harlaxton Medieval Studies Volume II, ed. C. Hicks (Stamford, 1992), pp. 157–81
- Rosenwein, B., *To Be the Neighbor of St Peter: The Social Meaning of Cluny's Property 909–1049* (Ithaca NY, 1989)
- Rosenwein, B., *Negotiating Space: Power, Restraint and Privileges of Immunity in Early Medieval Europe* (Manchester, 1999)
- Ross, J. C., 'Art's Role in the Origins of Writing: The Seal-Carver, the Scribe, and the Earliest Lexical Texts', in *Critical Approaches to Ancient Near Eastern Art*, ed. B. A. Brown and M. H. Feldman (Boston, 2013), pp. 295–317
- Rück, P., 'Die Urkunde als Kunstwerk', in *Kaiserin Theophanu: Begegnung des Ostens und Westens um die Wende des ersten Jahrtausends: Gedenkschrift des Kölner Schnütgen-Museums zum 1000. Todesjahr der Kaiserin*, 2, ed. A. von Euw and P. Schreiner (Cologne, 1991), pp. 311–33
- Rück, P., 'Beiträge zur diplomatische Semiotik', in *Graphische Symbole in Mittelalterliche Urkunden: Beiträge zur Diplomatische Semiotik*, ed. P. Rück (Sigmaringen, 1996), pp. 13–47
- Rumble, A. R., 'Anglo-Saxon Royal Archives: Their Nature, Extent, Survival and Loss', in *Kingship, Legislation and Power in Anglo-Saxon England*, Publications of the Manchester Centre for Anglo-Saxon Studies 13, ed. G. R. Owen-Crocker and B. W. Schneider (Manchester, 2013), pp. 185–200
- Rushforth, R., 'The Eleventh- and Early Twelfth-Century Manuscripts of Bury St Edmunds Abbey' (unpubl. PhD dissertation, Univ. of Cambridge, 2002)
- Sauer, H., 'The Transmission and Structure of Archbishop Wulfstan's "Commonplace Book"', in *Old English Prose: Basic Readings*, ed. P. E. Szarmach, Basic Readings in Anglo-Saxon England 5 (New York, 2000), pp. 339–93
- Schmitt, J., 'La Culture de l'imgo', *Annales* 51/1 (1996), 3–36

- Schmitt-Wiegand, R., 'Die Rechtshistorische Funktion Graphischer Zeichen und Symbole in Urkunden', in *Graphische Symbole in Mittelalterliche Urkunden: Beiträge zur Diplomatische Semiotik*, ed. P. Rück (Sigmaringen, 1996), pp. 67–79
- Schofield, P. R., 'Seals and the Peasant Economy in England and Marcher Wales, c. 1300', in *Medieval Coins and Seals: Constructing Identity, Signifying Power*, ed. S. Solway (Turnhouse, 2015), pp. 347–58
- Schramm, E. P., *Die Deutschen Kaiser und Könige in Bildern ihrer Zeit: I. Teil, bis zur Mitte des 12. Jahrhunderts (751–1152)* (Leipzig, 1928)
- Schröder, E., 'Friendship and Favour in Late Anglo-Saxon Élite Culture' (unpubl. PhD dissertation, Univ. of York, 2012)
- Scragg, D., *A Conspectus of Scribal Hands Writing English, 960–1100*, Publications of the Manchester Centre for Anglo-Saxon Studies 11 (Cambridge, 2012)
- Sharpe, R., 'The Use of Writs in the Eleventh Century', *Anglo-Saxon England* 32 (2003), 247–91
- Sharpe, R., 'Address and Delivery in Anglo-Norman Royal Charters', in *Charters and Charter Scholarship in Britain and Ireland*, ed. M. T. Flanagan and J. A. Green (Basingstoke, 2005), pp. 32–52
- Sharpe, R., 'Pierre Chaplais 1920–2006', *Biographical Memoirs of the British Academy* 11 (2012), 115–50
- Sims-Williams, P., 'Letter-writing', in *Religion and Literature in Western England, 600–800*, Cambridge Studies in Anglo-Saxon England 3, ed. P. Sims-Williams (Cambridge, 1990), pp. 211–42
- Sims-Williams, P., 'The Uses of Writing in Early Medieval Wales', in *Literacy in Medieval Celtic Societies*, ed. H. Price (Cambridge, 1998), pp. 15–38
- Smith, M. F., 'The Preferment of Royal Clerks in the Reign of Edward the Confessor', *Haskins Society Journal* 9 (1997), 159–73
- Smith, S. T., 'Of Kings and Cattle Thieves: The Rhetorical Work of the Fonthill Letter', *The Journal of English and Germanic Philology* 106:4 (2007), 447–67
- Smith, S. T., *Land and Book: Literature and Land Tenure in Anglo-Saxon England* (Toronto, 2012)
- Snook, B., *The Anglo-Saxon Chancery: The History, Language and Production of Anglo-Saxon Charters from Alfred to Edgar* (Woodbridge, 2015)

- Snook, B., 'Who Introduced Charters into England? The Case for Theodore and Hadrian', in *Textus Roffensis: Law, Language, and Libraries in Early Medieval England*, ed. B. R. O'Brien and B. Bombi (Turnhout, 2015), pp. 257–89
- Sonderegger, S., 'Die Sprache des Rechts', *Schweizer Monatshefte* 42 (1961), 259–71
- Spencer, P. D., 'An Unrecognised Anglo-Saxon Find', *The Searcher* 328 (2012), 26–7
- Stafford, P. A., *The East Midlands in the Early Middle Ages*, Studies in the Early History of Britain (Leicester, 1985)
- Stafford, P. A., 'Women and the Norman Conquest', *Transactions of the Royal Historical Society*, 6th ser. 4 (1994), 221–49
- Stafford, P. A., 'Political Ideas in Late Tenth-Century England: Charters as Evidence', in *Law, Laity and Solidarities: Essays in Honour of Susan Reynolds*, ed. P. Stafford, J. L. Nelson and J. Martindale (Manchester, 2001), pp. 68–82
- Stenton, F. M., *The Latin Charters of the Anglo-Saxon Period* (Oxford, 1955)
- Stenton, F. M., *Anglo-Saxon England*, 3rd ed. (Oxford, 1971)
- Stenton, F. M., and D. M. Stenton, ed., *Preparatory to Anglo-Saxon England: Being the Collected Papers of Frank Merry Stenton* (Oxford, 1970)
- Stevenson, W. H., 'The Anglo-Saxon Chancery', an unpublished manuscript of the Sanders Lectures, stored in the library of St John's College, Oxford (1898)
- Stevenson, W. H., 'Yorkshire Surveys and other Eleventh-Century Documents in the York Gospels', *English Historical Review* 27 (1912), 1–25
- Stewart-Brown, R., *The Serjeants of the Peace in Medieval England and Wales* (Manchester, 1936)
- Stock, B., *The Implications of Literacy: Written Language and Models of Interpretation in the Eleventh and Twelfth Centuries* (Princeton, 1983)
- Stofferahn, S. A., 'Resonance and Discord: An Early Medieval Reconsideration of Political Culture', *Historical Reflections*, 36.1 (2010), 1–16
- Stokes, P. A., *English Vernacular Minuscule from Æthelred to Cnut circa 990–circa 1035*, Publications of the Manchester Centre for Anglo-Saxon Studies 14 (Cambridge, 2014)

- Stokes, P. A., 'Rule and Variation in Eleventh-Century English Minuscule', in *Ruling The Script in the Middle Ages: Formal Aspects of Written Communication (Books, Charters, and Inscriptions)*, Utrecht Studies in Medieval Literacy 35, ed. S. Barret, D. Stutzmann and G. Vogeler (Turnhout, 2016), pp. 489–508
- Story, J., 'Bede, Willibrord and the Letters of Pope Honorius I on the Genesis of the Archbishopric of York', *English Historical Review* 127 (2012), 783–818
- Talvio, T., 'The Stylistic Structure of Edward the Confessor's Coinage', in *Early Medieval Monetary History: Studies in Memory of Mark Blackburn*, ed. R. Naismith, M. Allen and E. Screen (Aldershot, 2014), pp. 173–85
- Taylor, A., 'Lex Scripta and the Problem of Enforcement: Anglo-Saxon, Scottish and Welsh Law Compared', in *Legalism: Community and Justice*, ed. J. Scheele and F. Pirie (Oxford, 2014), pp. 47–75
- Taylor, P., 'The Endowment and Military Obligations of the See of London: A Reassessment of Three Sources', *Anglo-Norman Studies* 14 (1992), 287–312
- Taylor, P., 'Ingelric, Count Eustace and the Foundation of St Martin-le-Grand', *Anglo-Norman Studies* 24 (2001), 215–37
- Thompson, S. D., *Anglo-Saxon Royal Diplomas: A Palaeography*, Publications of the Manchester Centre for Anglo-Saxon Studies 6 (Woodbridge, 2006)
- Thompson, S. D., *Anglo-Saxon Vernacular Documents: A Palaeography*, Manchester Centre for Anglo-Saxon Studies, Occasional Publications 1 (Manchester, 2010)
- Timofeeva, O., 'Cum Saca Et Soca, Et Tol Et Theam: The Status of English Terminology in Latin Acta of William the Conqueror', *Mittellateinisches Jahrbuch* 52(2) (2017), 195–215
- Tinti, F., *Sustaining Belief: The Church of Worcester from c. 870 to c. 1100* (Farnham, 2010)
- Tinti, F., 'Writing Latin and Old English in Tenth-Century England: Patterns, Formulae and Language Choice in the Leases of Oswald of Worcester', in *Writing, Kingship and Power in Anglo-Saxon England*, ed. R. Naismith and D. A. Woodman (Cambridge, 2018), pp. 303–27
- Tinti, F., 'The Preservation, Transmission and Use of Papal Letters in Anglo-Saxon England', in *Fruits of Learning: The Transfer of Encyclopaedic Knowledge in the Early Middle Ages*, ed. R. H. Bremmer Jr and K. Dekker (Leuven, Paris and Bristol, CT, 2016), pp. 93–114
- Tollerton, L., *Wills and Will-Making in Anglo-Saxon England* (York, 2011)

- Treharne, E., 'Textual Communities (Vernacular)', in *The Cambridge Social History of Medieval Britain*, ed. E. Van Houts and J. Crick (Cambridge, 2011), pp. 341–51
- Tyler, E. M., 'Talking About History in Eleventh-Century England: The *Encomium Emmae Reginae* and the Court of Harthacnut', *Early Medieval Europe* 13 (2005), 359–83
- Tyler, E. M., *England in Europe: English Royal Women and Literary Patronage, c. 1000–c. 1150* (Toronto, 2017)
- Wangerin, L. E., *Kingship and Justice in the Ottonian Empire* (Ann Arbor, 2019)
- Webster, L., 'Metalwork and Sculpture', in *The Golden Age of Anglo-Saxon Art 966–1066*, ed. J. Backhouse, D. H. Turner and L. Webster (London, 1984), pp. 88–138
- Webster, L., 'Seal-die', in *The Making of England, Anglo-Saxon Art and Culture AD 600–900*, ed. L. Webster and J. Backhouse (Toronto and Buffalo, 1991), p. 238
- Webster, L., *Anglo-Saxon Art: A New History* (London, 2012)
- Webster, L., 'Anglo-Saxon Art: Tradition and Transformation', in *Transformation in Anglo-Saxon Culture: Toller Lectures on Art, Archaeology and Text*, ed. C. Insley and G. Owen-Crocker (Oxford, 2017), pp. 82–124
- Whitelock, D., 'Florence Elizabeth Harmer: 1890–1967', in *Interpreters of Early Medieval Britain*, ed. M. Lapidge (Oxford, 2002), pp. 369–80
- Wickham, C., *Framing the Early Middle Ages: Europe and the Mediterranean, 400–800* (Oxford, 2005)
- Wickham, C., *Medieval Rome: Stability and Crisis of a City, 900–1150* (Oxford, 2015)
- Williams, A., *Kingship and Government in Pre-Conquest England c. 500–1066* (Basingstoke, 1999)
- Woodman, D., 'Æthelstan A' and the Rhetoric of Rule', *Anglo-Saxon England* 42 (2013), 217–48
- Worm, P., 'Alte und Neue Strategien der Beglaubigung: Öffentlichkeit und Königsurkunde im frühen Mittelalter', *Frühmittelalterliche Studien* 28 (2004), 297–308
- Worm, P., 'From Subscription to Seal: The Growing Importance of Seals as Signs of Authenticity in Early Medieval Royal Charters', in *Strategies of Writing. Studies in Text and Trust in Medieval Europe*, Utrecht Studies in Medieval Literacy 13, ed. P. Schulte, M. Mostert and I. van Renswoude (Brepols, 2008), pp. 63–83

Wormald, F., 'The Sherborne Cartulary', in *Fritz Saxl: A Volume of Memorial Essays*, ed. D. J. Gordon (London, 1957), pp. 101–19

Wormald, P., 'Bede and the Conversion of England: The Charter Evidence', Jarrow Lecture 1984 (1985)

Wormald, P., 'Charters, Law and the Settlement of Disputes in Anglo-Saxon England', in *The Settlement of Dispute in Early Medieval Europe*, ed. W. Davies and P. Fouracre (Cambridge, 1986), pp. 149–68

Wormald, P., 'A Handlist of Anglo-Saxon Lawsuits', *Anglo-Saxon England* 17 (1988), 247–81; rept. in and cited from his *Legal Culture in the Early Medieval West: Law as Text, Image and Experience* (London, 1999), pp. 253–87

Wormald, P., 'Giving God and King their Due: Conflict and its Regulation in the Early English State', in *Settimana di Studio del Centro Italiano di Studi sull'alto Medioevo* 44 (1997), 549–90; rept. in and cited from his *Legal Culture in the Early Medieval West: Law as Text, Image and Experience* (London, 1999), pp. 333–55

Wormald, P., 'Lordship and Justice in the Early English Kingdom: Oswaldslow Revisited', in *Property and Power in the Early Middle Ages* (Cambridge, 1986), ed. W. Davies and P. Fouracre (Cambridge, 1995), pp. 114–36; rept. in and cited from his *Legal Culture in the Early Medieval West: Law as Text, Image and Experience* (London, 1999), pp. 313–32

Wormald, P., *The Making of English Law: King Alfred to the Twelfth Century. Volume I., Legislation and its Limits* (Oxford, 1999)

Wormald, P., 'Papers Preparatory to *The Making of English Law: King Alfred to the Twelfth Century. Volume II: From God's Law to Common Law*', ed. S. Baxter and J. G. H. Hudson (London, 2014)

Wyon, A. B., and A. Wyon, *The Great Seals of England from the Earliest Period to the Present Time* (London, 1887)

Yorke, B., 'Æthelwold and the Politics of the Tenth Century', in *Bishop Æthelwold: His Career and Influence*, ed. B. Yorke (Woodbridge, 1988), pp. 65–88

Yorke, B., '“The Weight of Necklaces”: Some Insights into the Wearing of Women's Jewellery from Middle Saxon Written Sources', in *Studies in Early Anglo-Saxon Art and Archaeology: Papers in Honour of Martin G. Welch*, ed. S. Brookes, S. Harrington, and A. Reynolds (Oxford, 2011), pp. 106–11

Zacher, S., *Preaching the Converted: The Style and Rhetoric of the Vercelli Book Homilies* (Toronto, 2009)

Zacos, G., and A. Veglery, *Byzantine Lead Seals, Vol. 1* (Basel, 1972)

Zarnecki, G., 'The Winchester Acanthus in Romanesque Sculpture', *Wallraf-Richartz-Jahrbuch* 17 (1955), 211–15

Zweck, J., *Epistolary Acts: Anglo-Saxon Letters and Early English Media* (Toronto, 2018)