

Dedication

Aet Andrea

butan þæm nan þing eaðelíce ne sien

For Andrea

without whom no thing is possible.

Master's Degrees by Examination and Dissertation

Declaration Form

1. This work has not previously been accepted in substance for any degree and is not being concurrently submitted in candidature for any degree.

Name Peter McIntosh

Date 27/01/2022

2. This dissertation is being submitted in partial fulfilment of the requirements for the degree of Masters in Medieval Studies

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3. This dissertation is the result of my own independent work/investigation, except where otherwise stated.

Other sources are acknowledged by footnotes giving explicit references.

A bibliography is appended.

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ABSTRACT

At the rear of the eighth-century Hereford Gospels there are three pages of writing which appear to be quite at odds with the beautiful manuscript of the main Gospel text. These three pages are a remarkable survivor of a record of a Shire Moot or court hearing where a son brought a case against his mother for the ownership of land in Herefordshire during the reign of King Cnut between 1016 and 1035, and in what is believed to be the same hand, a record of a land transaction undertaken by the recipient of the ‘spoils’ of the law case dated to between 1043 and 1046.

The national and international events of the eleventh century have been the subject of well-travelled historical roads and this thesis seeks to narrowly examine a footnote in those events, and how this footnote can illuminate both Anglo-Danish race relations and the position of women at the sunset of the Anglo-Saxon world.

This thesis will focus on the first half of the eleventh century and a small corner of the county we now know as Herefordshire where a family drama is being played out in a *Sciregemote* or Shire Moot, the Anglo-Saxon Shire court. The act of recording this in a sacred gospel allows us to throw open a window on the conquered, the conquerors, and the construction of Anglo-Danish society.

Timeline

1000 Iceland's Parliament, the Althing, passes a resolution that all people on the island should be baptized as Christians.

1000 Leif Erickson reaches America

1002 St Brice's day massacre. Orders go out to the communities of England to kill all Northmen.

1002 Ælfifu or Emma arrives in England from Normandy.

1011 Kent attacked by the Danes and Canterbury occupied.

1012 Ethelred driven into exile.

1013 Sweyn Forkbeard becomes King.

1014 Sweyn dies. Ethelred returns to rule.

1016 Ethelred dies. Cnut and Edmund Ironside are at war. Peace after partition and then the death of Edmund results in Cnut becoming ruler.

1019 Cnut also becomes King of Denmark.

**You Can't Break A Stick In A
Bundle? Reflections of Race, Gender
and Hierarchy in the Legal
Addendum to The Hereford Gospels**

Index

P 1.	Dedication
P 3.	Abstract
P 4.	Timeline
P 5.	Introduction
P 10.	The Documents
P 13.	The Historical context
P 19.	The Physical and Textual Context
P 22.	Using the Sacred Text
P 24.	Recorded, Reported or Dictated, Who Wrote The Documents?
P 32.	What have The Historian's Said?
P 37.	What Did He Say She Said?
P 43.	Leoflaed
P 46.	Who Is That Mystery Woman?
P 51.	Edwin Son Of.....
P 55.	Doð þenlice!!
P 59.	Eorlice v þenlice
P 62.	Cnut The Careful?
P 66.	Conclusion
P 73.	Appendix A
P 74.	Appendix B
P 75.	Reference List
P 79.	Primary Sources
P 82.	Bibliography

Introduction

The reign of Cnut is an academically unloved period and the documents we seek to investigate here are the equally un-admired orphans of that scholarly neglect. It is easy to understand why the texts which deal with a marginalised topic, women's property rights, have themselves been marginalised. As ever when dealing with marginalised people, either through social circumstance, culturally accepted norms or conquest of one section of humanity by another, we can only glimpse them when they are at their most personally traumatic moments; the slave on the slave block, the criminal on the gallows or the dead peasant whose sole contribution to historical enquiry lies in the shadow of his bones left in the acid soil of an archaeologist's trench. The muted voices of the sub-elites require personal catastrophe to acquire an historical vocality. From these we can ascertain the greater knowledge of the mundane, yet vastly important, social relations that are reflected in the evidence of moments of stress. The eleventh-century documents that we examine here are a possibly unique record of just such a stressful point in the life of an Anglo-Saxon woman, the twelve named men who would render judgement and her son Eadwine who brought the charge against her.

The first and lengthier document that we will examine is the narrative of a Shire Court or ‘Moot’.¹ The account of the Moot is outwardly simple in structure; the appellant to the court believes that he has a right to the property of his mother and brings this before the court. The court is not simply a court of the hundreds but a Shire Moot where the entire of the Thegnly class will be present for the Shire. The court is in fact graced with the presence of the Archbishop and by the King’s hench-man² Tofig Pruda, or Tofi The Proud, who is stated to be there on the King’s errand. The proceedings are recorded pragmatically in that the case was put and that men were dispatched to interview the son’s mother in respect of the land. She was not disposed to give the land to her son and instead wished for all her possessions to be given to her ‘kinswoman’ and not to her son, after her demise. The second document is related to the first in that several of the same characters are present as it relates to a land purchase by the in-laws of the narrator of the story of the law suit, Thurkil Hwita, and is recorded in the same gospel.

These two legal records, preserved at the rear of the Hereford Gospels, will be the principal primary sources in this thesis. The documents, and more specifically the narrative of the court case, occupy a space between the cracks of the sparse textual record that we have of the reign of Cnut. They are neither

¹ Many forms of meeting where judicial matters would be decided existed at the time. Witangemote was a national meeting where affairs of state would be discussed, Folcgemote or Sciregemote was at the Shire level, Burhgemote or Wicgemote was a town meeting.

² M.K. Lawson *Cnut England’s Viking King 1016-1035*, (Stroud: The History Press, 2011) p.69.

homiletic products of an ecclesiastical house; wills made specifically with the intent that they should express the wishes of the propertied landowner after their death or the charters of the ruling houses, be they local or national secular or clerical.

The court case record represents the living oral will of an almost anonymous female character. However powerful she appears to have once been she remains a stranger, a nebulous figure due to the lack of other historical documentation to corroborate the information provided here and despite our researches. Although we can speculate on her origins, her actual identity is hidden from us. As is the case with so many historic personalities, especially those that are marginalised, a single text illuminates their position and the society that they inhabit as a flare over a battlefield, giving us only a second's glimpse of the action before burning out and the world that they illumined sinks from view once again. The anonymous female is central within the texts but as we shall see the relationship between her and the second female character, Leoflaed, is the real crux of the story. The male characters occupy more or less supporting roles within our texts and we use theatrical terms here purposefully as the tale that is told has drama, pathos, sadness and tenderness.

Within this work we will seek to explore the world of Thurkil, Edwin and Leoflaed through an examination of the historical and physical context of the document and its deposition. We shall explore of the use of the sacred text for

the safeguarding of this and other prized documents and carry out some experimental calligraphy to recreate the writing of the manuscripts.

We will examine what can be revealed about the relationship of the characters through an analysis of salient parts of the text and what this tells us about the defined gender roles at the time. We will show how the author, Thurkil, was a stranger in a strange land and how the court case record reveals his otherness in its unique structure and format.

The themes that are revealed by these two documents are vast and therefore this work will concentrate on only a small part of them, highlighting context and individual portions of text where they can instruct us in a greater overall truth about the society that created them. There has been little attention paid to these documents but we will look at what has been said and pursue why they may have been overlooked.

Lege Feliciter!

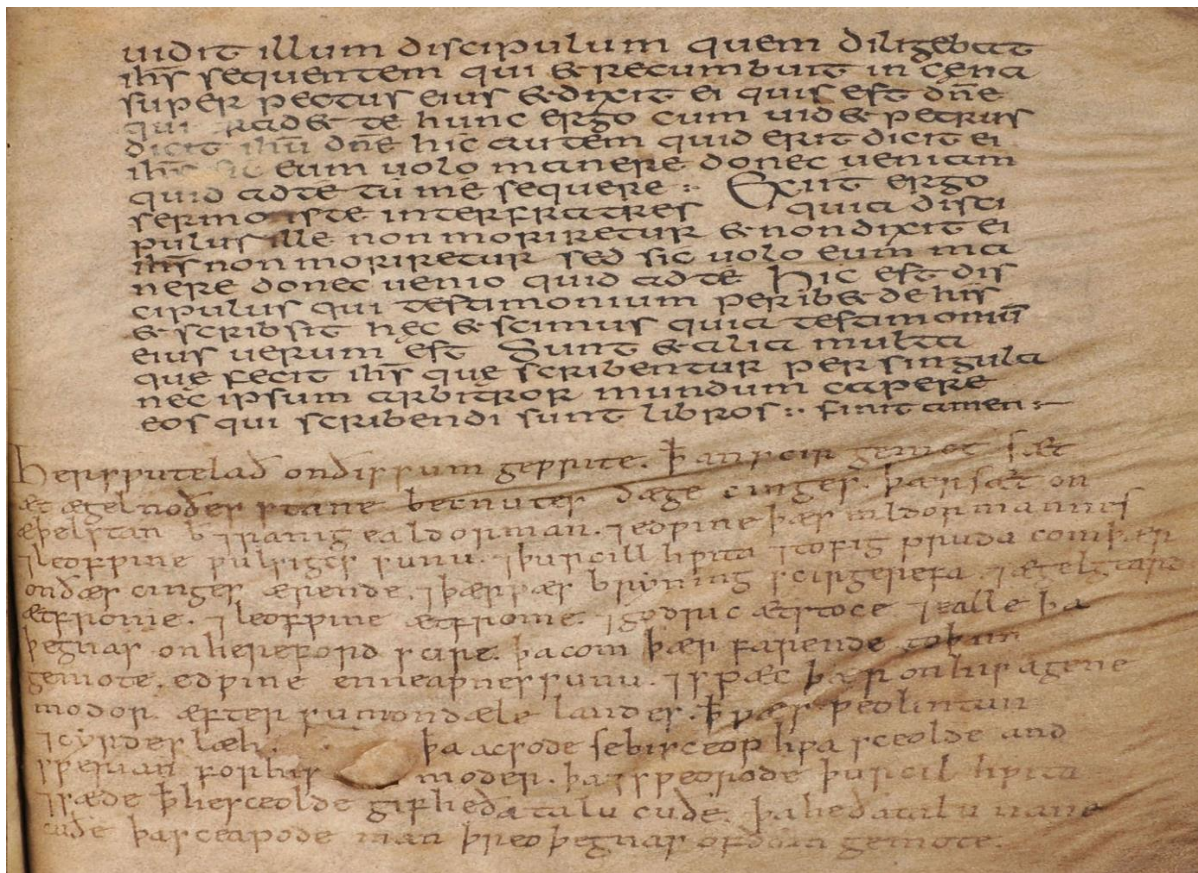
The Documents

For ease of reference it is worth reproducing both the documents here, in translation, as they are brief and central to the arguments put forward in this thesis. Images of the original manuscript accompany the translations so that the reader can see the original Anglo Saxon text.

The Court Case 1016-1035 (After referred to as Doc A)

Here is made known in writing that a shiremoot sat at Ægelnoth's stone in the day of King Cnut. There sat Bishop Æthelstan and Ranig the Aldorman and Eadwine the Aldorman's son and Leofwine, Wulsige's son, Thurkil Hwita, and Tofig Pruda came there on the King's errand; and there were Bryning the Shire Reeve and Ægelweard of Frome and Leofwine of Frome and Godric of Stoke and all the Thegns in Herefordshire. Then came there journeying to the Moot Eadwine, Enneawine's son, and there raised a claim against his own mother to a certain parcel of land which was at Wellington and Cradley. Then the Bishop asked who would answer for his mother. Then Thurkil Hwita answered and said he would if he would know about the claim. As the claim was not known to him, three thegns were chosen from the Moot (who should ride) to where she was and that was at Fawley. These were Leofwine of Frome Ægelsige the red and Winsige Scaegthman. And when they came to her they asked what claim she had to the lands for which her son was suing. Then she said that she had not any land which in any way belonged to him, and she became very bitterly angry with her son. And then she called Leoflaed, her kinswoman, to her, Thurkil's wife, and before them thus spoke to her, "Here sits Leofflaed, my kinswoman, to whom I give not only my land but also my gold and garments and robes and all that I own

after my day". And she then said to the Thegns "do nobly and well; relate my message to the Moot before all the good men and make known to them and to whom I have given my land and all my property; and to my own son never anything; and bid them all to be witness of this" And then they did so rode to the moot and made known to all the good men what she had placed upon them. Then Thurkil Hwita stood up in the Moot and prayed all the Thegns to grant to his wife clean the lands which her Kinswoman had given her. And they did so and then Thurkil rode to the Minster of St. Ethelbert, with the leave and witness of all the people and caused it to be placed in a Christ's book.³

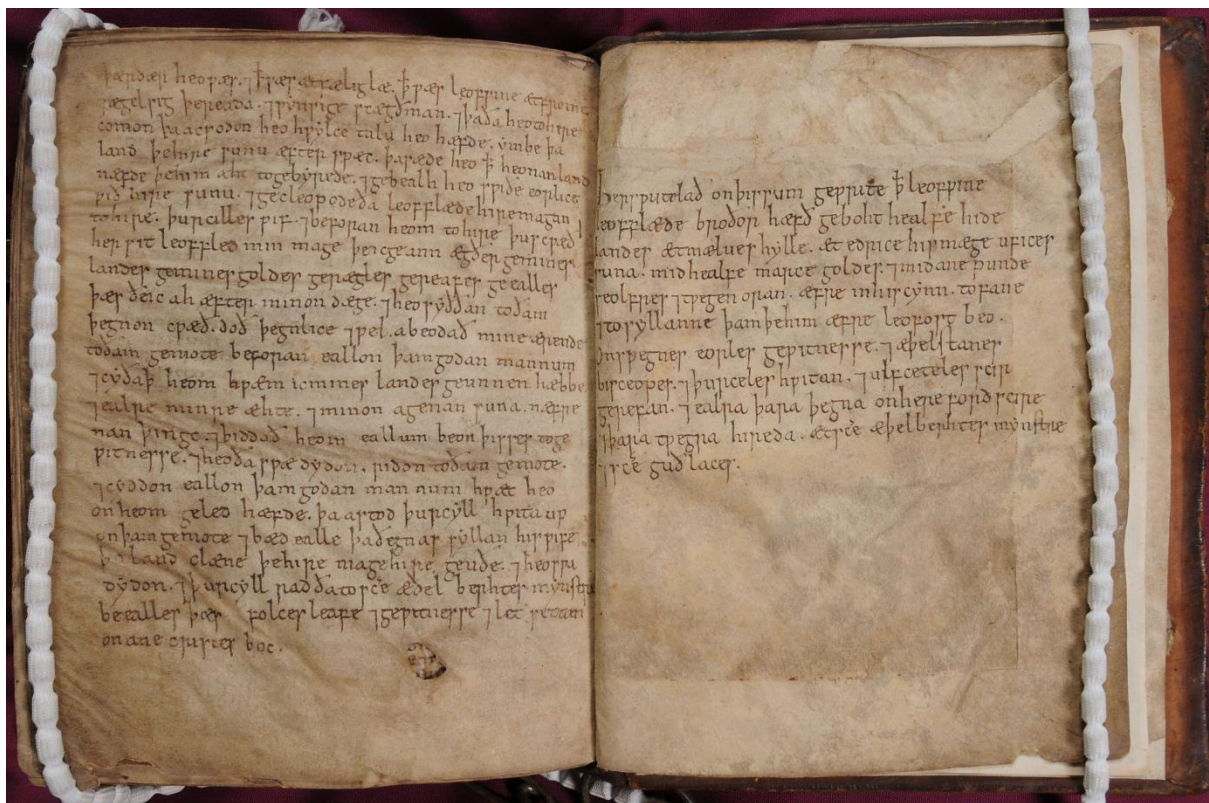


³ Hereford Insular Gospels. Hereford Cathedral Library P.I.II. Folio 134 R-V. Trans in *Anglo Saxonica in Hereford Cathedral Library* by Cyril Bathurst Judge (Harvard: Harvard Press, 1934).p.95.

⁴ Hereford Insular Gospels. Hereford Cathedral Library P.I.II. Folio 134 R-V. Reproduced by kind permission of The Hereford Cathedral Library and Archive.

The Land Transfer 1043-1046 (After referred to as Doc B)

Here is made known in writing that leofwine, the brother of Leofflaed has bought half a hide of land at Mallows Hill from Eadric, his kinsman, the son of Ufic, for half a mark of gold and one pound of silver and two oras, (to be) ever in (the possession of) his family for giving and for granting to that one who may be ever dearest to him. On the witness of Earl Swegen and Bishop Æthelstan Thurkil Hwita and Ulfcytel the shire reeve and of all the Thegns in Herefordshire and of the two communities at St. Æthelbert's minster and St Guthlac's.⁵



6

⁵ Ibid Judge p 96.

⁶ The eleven lines of the recto page refer specifically to the later land transfer.

The Historical Context

The years between 1000ad and 1100ad in relation to Northern Europe and the island of Britain were decidedly no less eventful than other centuries and perhaps could be described as, to use an overworked phrase, *pivotal* in the history of our island and Europe as a whole. A span which began with Æthelred, of the unready or ill advised fame, ordering the murder of all Danes in the Kingdom on St. Brice's day in 1002,⁷ after years of depredation by raiding Scandinavian forces, ended as it began in blood and politics with a very suspicious hunting 'accident' claiming the life of the Anglo-Norman King, William Rufus. Coincidentally 1002 was the year that Queen Emma, or Ælfgifu, arrived in the islands as wife to an Anglo-Saxon King, daughter of a Norman and future wife of a Danish conqueror. She could perhaps represent a cipher for Britannia vied over and prized by insistent suitors. Her husbands and her progeny create a spine to the first half of the century as she navigates the years with what some would say is more success than her male counterparts.

When writing of the Danish invasion or the conquering of England by Cnut we must of course observe that the Danelaw had been in existence at this time for over a century. The population of England would have contained people who may have considered themselves historically belonging to the

⁷ Dorothy Whitelock, David Douglas and Susie Tucker (Eds), *The Anglo-Saxon Chronicle, A revised Translation*, (London: Eyre and Spottiswode, 1955) entry for 1002. It is only in one of the versions, C, that the additional 'this was done' can be found and it is a matter of some debate as to the rigour in which this was undertaken.

Scandinavian diaspora but were ethnically English in their outlook and their loyalties. They too were conquered by Cnut alongside their English counterparts and suffered the depredations of war and invasion along with them.

Prior to 1066 there were almost no castles in England. There is evidence that some of the aristocracy, including the Thegnly class, had built towers and it is almost certain that many of their homesteads had both ditch and palisade.⁸ If we look at Wulfstan's '*Gepynðo*' or '*law of promotion*' we see laid out that which is required of a freeman to be a Thegn; five hides of land, a Church, a kitchen, a bell house and a Castle Gate.⁹

The central, pivotal, physical expression of the strength and dominance of the state over the populace that was so widely used after 1066 had as yet to arrive in England at the time our documents were written. The ubiquitous form of the Motte and Bailey castle, which was spread over the countryside so thickly after the Norman invasion, and became such a visible display of the power of the Norman conqueror over the conquered, was relatively unknown in the country. The first Motte and Bailey castles were in fact built in Herefordshire

⁸ It is recognised that the English aristocracy built towers at Lordly residences and that this was part of a wider move to tower building in England in the tenth century. These often took on the role of Tower-naves and incorporated a small sacred space at their foot or adjacent. For a full examination of this topic see: Shapland, Michael G. *Tower-naves, lordly towers, and the Anglo-Saxon aristocracy; Anglo-Saxon Towers of Lordship*. : Oxford University Press, January 24, 2019. Oxford Scholarship Online. <https://books.google.co.uk/books?id=hxmEDwAAQBAJ&pg=PR11&lpg=PR11&dq=Tower-naves,+lordly+towers,+and+the+Anglo-Saxon+aristocracy;+Anglo-Saxon+Towers+of+Lordship&source=bl&ots=K8cpJFAwU9&sig=ACfU3U0350KwJ6-4G0nj3wNOhyLOEE0-SA&hl=en&sa=X&ved=2ahUKEwjwoNTUhcP1AhWRTsAKHWBcAsEQ6AF6BAgTEAM#v=onepage&q=Tower-naves%2C%20lordly%20towers%2C%20and%20the%20Anglo-Saxon%20aristocracy%3B%20Anglo-Saxon%20Towers%20of%20Lordship&f=false> Date Accessed 20 Mar. 2021

⁹ Dorothy Whitelock, *English Historical Documents i*, Gen Ed David Douglas, (London: Eyre and Spottiswode, 1955) Document 52 (A) Concerning Wergilds and Dignities (*Gepynðo*), p 432.

prior to 1066 by Normans that were already living in the Marches, and had been encouraged to settle by Edward the Confessor in response to the disastrous incursion of the Welsh in 1055, which resulted in the burning of Hereford Cathedral and the loss of almost all books held there with the exception of The Hereford Gospel.¹⁰

The three castles were built at Hereford, Eywas Harold and Richard's Castle but these were not constructed until after the period which produced our documents. The Anglo-Saxon idea of defence and administrative power in the physical sense was predicated on the formation of the defensive burhs that are redolently associated with the rule of King Alfred and his lifelong efforts to forestall the invasions of the Scandinavian Diaspora. A segue in to the history of castle building in Herefordshire may appear tangential in the discussion of a document created before they were built but it informs the context of the documents creation in two ways. Firstly in that this is an area that was severely unstable in its security and secondly that castles were built to counter a Welsh threat, no such monolithic defences were erected to counter a Danish one. It is worth considering that the re-fortification of Hereford occurred only after the attack by Gruffydd Ap Llewelyn c1052, recorded in both the Anglo Saxon Chronicle and the Brut y Tywysogyon, which describes the English as 'running

¹⁰ Anglo-Saxon Chronicle entry for 1055 in Yale University, *The Avalon Project, Documents in Law History and Diplomacy*, <https://avalon.law.yale.edu/medieval/ang11.asp> accessed 22/01/2022.

back to their castle’ alongside the fact that the meaning of the name Hereford is ‘*Army Crossing*’ which certainly indicates the fluid nature of a contested area.¹¹

As we can see from the location of the Shire moot in Doc A there is no indication that the gathering of these nobles from county and nationwide had the necessity of taking place in a particular seat of power. The authority of the moot was not taken, bolstered or imposed upon those gathered by a physical presence of wealth or power, but appears to have been accepted as an immutable aspect of the moot itself; its location a continuance of the Saxon tradition, a fact accepted by those present despite their ancestry. This may be read as an aspect of concordance between the different factions present but can also be seen as deference to the traditional and well established Saxon rule and precedence by the new regime. The Shire moot would have met at a place that was specifically associated with the actions of the law, both making and giving of judgement and punishment. The moot that we are examining here is called at Ægelnoth’s stone, probably a local landmark rather than a ‘Tun’ (town) related to Ægelnoth. Law suits were arraigned in front of an assembly of local dignitaries. The earliest of these would be a Folk-moot but by the mid 900s this would be before a hundred or Shire-moot a ‘*Sciregemot*’.¹² The position of meeting sites may suggest that they were a holdover from much more antique

¹¹ Margaret Gelling, *The West Midlands In The Early Middle Ages*, (Leicester: Leicester University Press, 1992) p 164.

¹² A fuller explanation may be found in Dorothy Whitelock, *English Historical Documents i*, p 335. In relation to the evolution of the Sciregemot and the attendant courts.

places of gathering based on distinctive features in the landscape rather than attached to an individual or centre of activity.¹³ There is no intimation within Doc A that the proceedings were considered to be less valid than any other, with particular reference being given to the, possibly validating, presence of a Danish King's representative, Tofig Pruda or Tofi The Proud, bestowing both the acquiescence and approval of the new ruler to the continuation of the mechanics of Anglo-Saxon legal administration.

Doc A allows us an insight into the ordering of the world that created it in many different ways. The document orders firstly through a hierarchical method, in the stating of the differing ranks of those who are present at the moot, but an overarching principal is that the moot itself exists and that all of those present have come to this place, Aegelnoth's stone, for the purpose of the moot and are accepting of its authority and by extension that of the law.

The jarring juxtaposition of the infliction of Norman power in physically re-making the landscape with the blending of Danish authority and the Anglo-Saxon tradition cannot be more starkly made out than here. The steady onward creep of the burh of the Alfredian reconciliation and expansion or the phenomenon of Norman castle building can be viewed as physical signifiers of power, property and expansionism, whereas these aspects of physical occupation are not present in the Danish invasion and usurpation in the West

¹³ Michael Higham and Martin Ryan, *The Anglo-Saxon World* (London: Yale University Press, 2013) p 308.

Midlands or Mercia.¹⁴ Rather the Danish inhabit the systems that have already been in place, accepting their worth and adapting their own to embrace them. It is possibly due to this that Cnut suffered less internal divisions within England in the early part of his reign than Harold did in his. A second reason may be his agreement to observe English law in the guise of the law codes of Edgar.¹⁵ In stark contrast to the Norman, Danish confidence can be seen in the willingness of Cnut to not only pay off and disband his army in 1018 but also his readiness to leave the country altogether for some time!

¹⁴ Ibid Gelling, p124-145.

¹⁵ Pauline Stafford, *Unification and Conquest: A Political and Social History Of England in the Tenth and Eleventh Centuries*, (London: Hodder, 1989) p.72.

The Physical and Textual Context

To locate the manuscript in its historical context we can utilise Michelle Brown's timeline from *Anglo Saxon Manuscripts*. Firstly, the Sub Roman and Migration period (early 5th to late 6th century); secondly, the Insular period (late 6th to mid-9th century); thirdly, the Alfredian renewal (late 9th century); finally, the later Anglo Saxon period (10th and 11th centuries to 1066).¹⁶

The physical context of Doc A and Doc B are that they were written into the rear of the Hereford Gospels; a diminutive insular Gospel work believed to have been completed around the year 800 and stated to be either the work of Welsh or West Mercian scribes and illuminators.¹⁷ If the Gospel is indeed Welsh in origin then it would be the earliest example of an illuminated manuscript from the Welsh tradition by some margin. The next original Welsh illuminated manuscript would be The Ricemarth Psalter 1064-1068.¹⁸

The presence of Doc A and B within the Gospel would also indicate that Hereford Cathedral was a centre or repository for legal documents and contained a scriptorium at the time. As we date Doc B to the mid to late 1040s we can assure ourselves that the book was in some way rescued or kept safe from the Welsh depredations of 1048 that led to the burning of Hereford. We

¹⁶ Michelle P Brown, *Anglo Saxon Manuscripts*, (London: The British Library, 1991) p.5.

¹⁷ Michelle. P. Brown and Peter. Furniss, 'The Hereford Gospels Reappraised', in *Art and Worship in the Insular World. Papers in Honour of Elizabeth Coatsworth*, Edited by Gale R. Owen-Crocker and Maren Clegg Hyer (Leiden: Brill, 2021), pp. 317-341. See also Gameson in note 32.

¹⁸ *The Ricemarth Psalter 1064-1068* Dublin, TCD MS 50. See digital collections of Trinity College Dublin at https://digitalcollections.tcd.ie/catalog?utf8=%E2%9C%93&locale=en&search_field=all_fields&q=IE+TCD+MS+50

cannot however inform ourselves of the status of the library or of the scriptorium in Hereford at that time and the genesis of illuminated manuscripts in the Marches area in the period is beyond the scope of this work.

There is a case to be made for the Welsh origins of the Gospel due in part to the similarities of this with the St. Chad Gospel, which did originate in Wales.¹⁹ The vellum is low quality and the size of the gospel would indicate an origin outside the main centres of production.²⁰ The script used is of an Half Uncial type which was influenced by Irish and Celtic scripts and used in Wales in the period assigned for the production of this Gospel.²¹ There are stylistic reasons for a Welsh ancestry for the Hereford Gospels in the block text work and the illuminated sections but these considerations are beyond the scope of this work. It is suffice to say that the origins of the Hereford Gospel are unclear and that it has taken its name from its location where it has rested, almost certainly, for the last thousand years.

There exists a tradition that the Gospel was gifted to the cathedral at Hereford by Bishop Athelstan²² (1013-1056) but this may be the result of the dating of Doc A and B to his time as Bishop of Hereford and his being

¹⁹ Sims-Williams, *The Book of Llandaff as a Historical Source*, (Woodbridge: The Boydell Press, 2019) p12 makes reference to the Hereford Gospels being possibly added to the canon of Welsh Gospel Books however we have no definitive information for that. The work of Peter Furniss (below) takes the matter further and perhaps pushes the pendulum of evidence beyond the mid way point for a Welsh heritage to the Hereford Gospels.

²⁰ Peter Furniss, *The Hereford Gospels: A Calligraphers Viewpoint*. A self published work by the noted Calligrapher Peter Furniss for the Hereford Cathedral Library and the Shropshire Scribes Calligraphy Group. P 6.

²¹ Ibid Furniss p 26.

²² Ibid Michelle Brown and Peter Furniss 'The Hereford Gospels Reappraised' p 340.

identified within the text of Doc A and B. The closest relative to the Hereford Gospels court case and land transfer records is most probably to be found in the marginalia of The Lichfield or Chad Gospels²³ where there is also a record of a land dispute incised within the lacunae of the texts.²⁴ The writing of legal documents into the margins and blank pages of sacred texts is recorded as occurring for a short period in the eleventh-century.²⁵ It would be wise to remember throughout this work how precious and rare books were in the period, prior to the great expansion in the manufacture of books that occurred after the Norman Conquest. To place a legal document within the book was, as can be seen here, to go a long way to securing the safety and preservation of the document for years to come, or in this case millennia.

²³ Dafydd Jenkins and Morfydd Owen, 'Welsh Marginalia in the Lichfield Gospels', *Cambridge Medieval Celtic Studies* 5 (1983) Ed. Patrick Sims-Williams (p.37-67).

²⁴ Ibid Brown and Furniss p 321.

²⁵ Ibid Gameson 'The Insular Gospel Book at Hereford Cathedral' p 70.

Using The Sacred Text

The texts we are dealing with can be compared with another instance where the sacrality of the ‘Christos boc’ (as the Gospel is referred to in Doc A) is co-opted for the benefit of the sponsor of the text inserted within the Holy Scripture. As we can see within the St Chad Gospel, the Welshman Gelhi has his restoration of the Gospel to the altar of St. Teilo in Carmarthenshire recorded. A literal case of horse trading as he swapped his best horse for it and within the marginalia he manages to slip in his family claim to a goldmine for good measure.

‘it is shown here that Gelli son of Arthudd bought this Gospel from Cingal and gave a very good horse for it, and for his soul he gave that Gospel to God on the altar of St Teilo. Gelli son of Arthudd and Cyngen son of Grufudd’²⁶

The sacredness of the Gospel is undoubted and the above alludes to the Christian nature of the depositor Gelli Ab Arthudd sacrificing ‘a good horse’ in return for the consideration he would receive for his soul. The sacred nature of the physical object, the Gospel, reflected in the sacrifice of economic wealth, the horse; both the action and the object are rendered sacred, the Gospel through sanctity and sacrifice of personal wealth and the action of sacrifice through spiritual worth stemming from the material manifestation of Christian Grace in the Holy text. A virtuous circle, which increases the spiritual worth of both that

²⁶Ibid Jenkins and Owen, *Welsh Marginalia* p 50.

which is sacrificed, and that which it is sacrificed for. It is worthwhile to contrast Gelli's spiritual offering and his announcement of that offering, with the pragmatism of the entries in the Hereford Gospel which contain no such Christian homiletic beyond the mention of Bishop Æthelstan by name.

Both the St Chad and Hereford Gospel have also been the subject of light source examination by Prof Bill Endres and both have revealed dry penned annotations, the St Chad Gospel having been found to have female Anglo-Saxon names inscribed within. The names Berhtfled, Elfled and Wulfild are dry-penned in to the margin of the Magnificat page where Mary sings a song of praise to God.²⁷ The Hereford Gospel also has what appears to be a winged lion, possibly St Mark's, inscribed by dry penning.²⁸ One can only speculate on the context or motivation for this but as many sacred texts were themselves relics, their sacred power would be twofold, the Biblical texts being worthy of veneration while the books, as objects, can also receive relic status due to their ownership or status within a particularly venerable site or association with a Saint.²⁹ The intercessory value of a sacred object to affect daily life, cure ills or ensure a favourable outcome of such things as childbirth cannot be underplayed; the latter circumstance of childbirth possibly being the reason for the inscribing

²⁷Heather Chapman, *UK College Of Arts and Sciences, UK Researcher Uses New Technology to Preserve Ancient Artefact*, 2014 recalling an interview with Prof Bill Endres detailing the discovery of the female names inscribed in the Lichfield Gospels. <https://history.as.uky.edu/uk-researcher-uses-new-technology-preserve-ancient-artifact> (accessed 06/12/2021).

²⁸ Bill Endres, private correspondence, 18th March 2021.

²⁹ Ibid Michelle. P. Brown and Peter. Furniss, 'The Hereford Gospels Reappraised' p 322.

of female names within the Gospel,³⁰ whilst the words themselves were almost certainly inscribed by a man.

The materiality of Grace and spirituality contained within a physical object is of course an ancient belief re-enacted daily in the transubstantiation of the host and the cleansing of baptismal water. For textual venerated objects, Grace is seen to travel through material things, the written Gospel being the gateway through which the transit of property from the divine to the human can take place. Within the Danish culture there is evidence that the mere act of writing was a superstitious or supernatural act stemming from the formation of runes. We see in the Sagas, instances where Christian prayers are set in opposition to the runes magical significance.³¹ Both methods of recording being given spiritual force; opposing one another. The action of writing itself as well as what is written becoming the front line in the battle between the established and the usurping religions. Stripped of homiletics our manuscripts seek their sacrality through physical context.

³⁰ Peter Murray Jones and Lea T Olsan, , Performative Rituals for Conception and Childbirth in England 900-1500, *Bulletin of the History of Medicine*, 2015
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4696514/#f64> (accessed 06/12/2021). See note 64 and relevant text, 'Rituals Performed by Women and Clerics: Anglo-Saxon evidence' for discussion of transactional nature of relationship between faith and health in childbirth.

³¹ Christine Fell, *Women In Anglo-Saxon England and the Impact of 1066*, (London: Colonnade Books, 1984) p30-32.

Recorded, Reported or Dictated, Who wrote the documents?

The text of both of the documents appears to be in the same hand,³² Doc A can be dated to 1016-1035 as within the reign of King Cnut while the latter document, B, is dated to 1043-1046 due to the witnessing signatory of the Eorl Swegn. Both Thornton and Coplestone-Crow, among others, give a date of 1020 for the creation of Doc A. However I can see no citation which supports this and no reading of the text from which such a definite date can be ascertained, however attractive it would be to be writing this on the millennial anniversary of the initial documents authorship.³³

Who wrote the documents is a vexed question and one that we must approach from the standpoint of who put the ink on the paper and who placed the words in the mind of the scribe? In order to ascertain whether or not Doc A and B were recorded events, reported events or dictated events we have been ably assisted by Peter Furniss, one of the leading experts in the study of the Hereford Gospels and a renowned Calligrapher in his own right, who occupies the Chair of The Shropshire Scribes. He has recreated the second document utilising the same hand and materials and has reported that it took approximately 45 minutes to prepare the sizing up of the script and the nib size for doc B. He does however estimate that his unfamiliarity with the language

³² Richard Gameson, 'The Insular Gospel Book at Hereford Cathedral', *International Review Of Manuscript Studies*, Tome LVI (2002) p.70.

³³ David Thornton, 'Some Welshmen in Domesday Book and Beyond: Aspects of Anglo-Welsh Relations in the Eleventh Century', *Britons in Anglo-Saxon England*, in Nick Higham (ed), (Woodbridge, The Boydell Press, 2017) p144-164. See also Coplestone Crow in Herefordshire Place Names

slowed the process. His final estimate for the original writing of the entry by an obviously skilled scribe, with an intimate knowledge of the language, would be under 30 minutes for the completion of the entry.³⁴ Document B is ten lines long whereas the main document is thirty six lines long so a time period of perhaps a little under two hours could be allocated to the composition of the earliest document. As we have shown that this could, in a practical sense, have been dictated by Thurkil himself, then this may reveal why the scribe was unwilling to include any reference to Christianity within the documents, or dire predictions on the soul of any who would transgress the contents of the texts, such as are found on contemporary charters.

Thurkil was a Dane and therefore may not have been a Christian and the scribe or clerk may have felt that he was unable to include any of the normal Christian textual furniture in a document that was dictated by an unbeliever. This is of course speculation and is based on the name and supposed ancestry of Thurkil. However the texts are manifestly bereft of any of the normal homiletic devices that are employed in even the shortest and mundane of documents. It could be construed that their absence is a point in itself. It is worthy of note that there has been at some time an attempt to remove Doc B from the Gospel by cutting it out, which has been repaired.³⁵ When or why this attempt was made are beyond our knowledge but it is certain that this tome has always been of

³⁴ Peter Furniss. Private correspondence 13th July 2021.

³⁵ Ibid Michelle. P. Brown and Peter Furniss, 'The Hereford Gospels Reappraised' p 321.

significant value to its owner, both spiritually and monetarily and any accretions or removals would have had both reason and consequence.

The use of vernacular English for the setting down of the story of the court case and the land transfer does raise an interesting point in relation to the position of vernacular English within society at the time. The inclusion of the vernacular within the physical boundaries of the Gospel raises the status of English to the highest levels as a sacred language that can sit alongside the ‘true’ language of the sacred, or learned, and also ‘its usefulness for disseminating any message, whether evangelical, regal, didactic or legal’.³⁶ This can be further reinforced if we consider that at first blush it would be logical to surmise that a conqueror, such as Cnut, with a definite desire to support the church would adopt the ecclesiastical lingua franca as his own personal method of communication. However in his ‘Letter to the English’ Cnut uses vernacular English, whether as a direct appeal to the subjects of ‘*Englaland*’ or as a signifier to the rest of his Northern European Empire that England was separate unto itself, is a point worth considering. In the Hereford MS we see the same pattern of construction by a Dane, who was in the minority, using English language and English names as an appeal to a wider audience. The construction of the documents reflects the Anglo-Danish situation nationally, writ small.

³⁶ Elaine Treharne, *Living Through Conquest* (Oxford: Oxford University Press, 2012). p. 25

The court case record has a structure which mirrors the position of the narrator, and not the scribe, in the society that he inhabits. His story telling is encompassed, even surrounded, by Anglo-Saxon formulaic textual furniture of notification, disposition, witness list and sanction³⁷ with certain amendments and omissions which we will explore. There is a duality within the text in that it contains formulaic phrases that can be found as standard in other texts alongside a more free-wheeling narrative arc.

Line 1 reveals '*Her swutelað on ʒissum gewrite*' which can be found on several other contemporaneous documents³⁸ and is a standard opening of 'here is set down' or 'here is written'. This opening is common to both Doc A and Doc B and is followed by a full stop in Doc A. The standard method for taking a statement from a witness involves the recording of a formulaic opening line known as ODDTP, or On Day Date Time Place, and then inviting the witness to give their free account of what has happened.³⁹ As we have discussed earlier there is every indication that this material could have been dictated and the time frame for writing well within the bounds of completing a witness statement. After the formulaic opening of '*Her swutelað on ʒissum gewrite*' the narrative deviates from the normal structure by then locating the occurrence in both time and space stating that it took place at Ægelnoth's Stone in the time of Cnut. This

³⁷ Sims-Williams, *The Book of Llandaff as a Historical Source*, (Woodbridge: The Boydell Press, 2019) p11

³⁸ Ibid Robertson, 45, 49,53, 60,62 and 66. Show various forms of here is written or set down. Sometimes this is prefaced with a homiletic *In Nomine* in Latin but then the document reverts to the vernacular.

³⁹ Your author has a considerable background in law and has seen this method on many occasions.

is more reminiscent of the structure of an Icelandic saga than the structure of an Anglo-Saxon legal document. The narrator of a Saga may use the continued existence of a physical object in order to authenticate a story,⁴⁰ as Thurkil uses Ægelnoth's Stone here or as is used in The Saga of The People Of Eyri in relation to the existence of Thor's stone where human sacrifice took place. The Saga tells stories that fall into a rather simple schematized pattern where the characters are introduced in their geographical and historical setting. There is a conflict, possibly over a small matter within a family or a close relationship and the feud is an ever present motif.⁴¹

A second formulaic deposition occurs in line twenty six where Thurkil asks that the lands be granted 'clean' or '*þa lands claene*'⁴² as in without encumbrance to claim. We find this in the Bishop Æthelstan court case⁴³ and in The Sureties For Peterborough Estates⁴⁴ which are dated as between 963 at the earliest and 992 at the latest. This would indicate that these phrases were in stock use for several decades before and after the probable date of our main document. It is worth noting that within the 'Æthelstan' and 'Sureties' documents the '*lands claene*' ruling is granted by the presiding Earls and Ældormen, whereas in Doc A Thurkil clearly asks for the entire moot to grant

⁴⁰ O. Thorsson (Ed), *The Sagas of Icelanders*, (London: Penguin, 2000) p. 27.

⁴¹ Ibid p.38-39.

⁴² Thorpe, Robertson and Judge concur on this translation. Benjamin Thorpe, *Diplomatarium Anglicum Aevi Saxonici: A Collection of English Charters, From the Reign of King Aethelberht of Kent To That of William the Conqueror with a Translation of the Anglo-Saxon*, (London: Macmillan, 1865) p 337-338.
A.J.Robertson (Ed), *Anglo-Saxon Charters*, (Cambridge: Cambridge University Press, 1956) p 151 Doc 78, Account of a Herefordshire Law Suit and notes p. 401. For Judge see note 6.

⁴³ Ibid Robertson doc 83 Lawsuit About A Worcesteshire Estate, p 163.

⁴⁴ Ibid Robertson doc 83 Sureties for a Peterborough Estate, p 75.

this boon. Incidentally Treharne translates this stock phrase more contextually as ‘*clear from **the** claim*’ which retreats from our position that this was an indication that the judgement would defend the recipient from any claim, not just the one at hand. This does place Treharne at odds with the wider canon of translations but would be in keeping with the very personal and combative nature of the claim.⁴⁵

In Doc B we have the phrase ‘*æfre in his cynn to fane . 7 to syllanne ʔam ʔe him æfre leofost beo*’ which Judge and Robertson agree on the meaning if not the actual literal translation, Judge translating as ‘(to be) ever in (the possession of) his family for giving and for granting to that one who may be ever dearest to him’ and Robertson as ‘to be retained for all time within his kin and to be bestowed upon whomsoever he prefers’. A reduced version of this can be found in the wills of Brihtric⁴⁶ and Archbishop Ælfric⁴⁷ in the form of ‘*Innon (th)e gecynde*’ or ‘to remain in the family’. In ‘Changing Thegns’ Catherine Mack states that the Brihtric and Ælfric wills are a unique instance of this phrase being used.⁴⁸ The sentiment behind the words is however more widespread and shows within Doc B a desire for the retention of the property within the familial and kinship group; Mack also asserts that this desire is reflected in the texts of wills as a bulwark to uncertain times where disappropriation may readily occur.

⁴⁵ Elaine Treharne in Textual Communities (vernacular) in Julia Crick and Elizabeth Van Houts (Eds), *A Social History Of England 900-1200* (Cambridge, Cambridge University Press 2011) p. 348.

⁴⁶ Dorothy Whitelock, (Editor and Translator) *Anglo-Saxon Wills*, (Cambridge: Cambridge University Press, 1930) p. 11.

⁴⁷ Ibid Whitelock wills p. 18.

⁴⁸ Katherine Mack, Changing Thegns: Cnut’s Conquest and the English Aristocracy, *Albion*, 16 (1984) p. 383.

It may therefore be read that the inclusion of the familial possession clause is indicative of nervousness within the community that seeks to firm up its property rights.⁴⁹

The setting down of new laws in relation to the inheritance of land, which was after all the basis of the power and wealth of the minor and greater aristocracy, reveals the possibility of a crisis in the inheritance of land through the familial group.⁵⁰

⁴⁹ Ibid Whitelock. For a selection of wills pertaining to Thegns see no. 11, 12, 13, 16, 17, 18.

⁵⁰ Ibid Katherine Mack, *Changing Thegns: Cnut's Conquest and the English Aristocracy, Albion*, 16 (1984) p. 384.

What have the historians said?

Here we have two documents, in vernacular English, written into a Latin Gospel, probably by an Englishman. The Gospel was possibly created in Wales or Mercia; the author of the documents is a Dane, married to an English woman and this all took place in a Mercian city ruled by an English Earl under a Danish King and Norman Queen.

The circumstances of the court case and the result appear to be mundane but as can be seen from the above; the interplay of personalities, genders, races and ranks within the document is illuminating. The period of the reign of Cnut, and indeed the whole of the half century prior to the defeat at Senlac, could be described as a relatively unloved subject of historical enquiry.⁵¹ The restoration of the line of Cerdic, after the death of Cnut, and the enormous influence of Edward The Confessor, closely followed by the Norman conquest, have drawn the eye and the pen of historians with a far more magnetic pull than the earlier years of that century could ever do. The epoch defining clash of 1066 and the remarkable amount of evidence that exists in relation to this event has engendered debate and enquiry that has overshadowed all else within the century. The investigation of those events continues apace with new books and articles regularly penned by historians for an ever-eager audience. This pull also works in reverse with Cnut's invasion being less well celebrated due to its

⁵¹ Katherine Mack, *Changing Thegns: Cnut's Conquest and the English Aristocracy, Albion*, 16 (1984) p 375.

supposed insignificance when viewed next to the great Danish invasions of Alfred's time.⁵²

The reign of Cnut is, by comparison to the Norman Conquest, a 'dark age' of resources but can be illuminated through an examination of the extant documents that are available to us. In his seminal work Sir Frank Stenton argues that there are too few textual sources to provide an efficient basis for a proper enquiry of the age of Cnut.⁵³ In his work he was however, seeking to construct an administrative and bureaucratic structure for Cnut's rule and within his paradigm he would be correct and he is joined in this opinion by Pauline Stafford.

Cnut's is the neglected conquest of eleventh-century England. Its neglect is due in part to the inadequacy of the sources which provide only the sketchiest outline in comparison with the detailed knowledge of 1066 and its aftermath.⁵⁴ If we distance ourselves from Stenton and Stafford's investigation into the administrative and structural aspects of the early eleventh century, and instead investigate the more social and cultural aspects of the evidence, we can in fact tease out a great deal of information. Both G.O. Sayles and Catherine Mack have found themselves in opposition to Stenton and Stafford in their appreciation of the depth and usefulness of the textual resources that are

⁵² H.R. Loyn *Anglo-Saxon England and the Norman Conquest*, (London: Longman, 1981) p.53.

⁵³ Stenton Frank, *Anglo Saxon England*, 3rd Edition (Oxford: The Clarendon Press, 1985) p 415.

⁵⁴ Stafford, *Unification and Conquest: A Political and Social History Of England in the Tenth and Eleventh Centuries* p. 69.

available and have mined rich veins of thematic conclusion from relatively few sources.⁵⁵

The manuscripts that we are examining here have been overlooked by historians and have not received the in-depth examination that they richly deserve. This may be due to their geographical position in a relative backwater of the country or in relation to their focusing almost exclusively on a female voice, indeed possibly a uniquely recorded voice of a sub elite female exercising rights over property in the form of an oral will made text. It is of course a practice that had been in place since the ninth century that an oral will was read out before a meeting and then submitted to a single sheet recording.⁵⁶ Here we have the oral will crossing the boundary of the prescribed will process by being part of the witness evidence in the trial, it is only by the will of Thurkil alone that it achieves the status of a written and therefore formal document when he has it written in to the Gospel.

The great shift in the recording of information from oral to written, as delineated by Clanchy in his seminal work, had not as yet taken place in the eleventh-century.⁵⁷ Historians cannot make bricks without straw and the apparent lack of comparative and contrasting documents coupled with the difficulty of pigeonholing the documents has led to their being recorded rather

⁵⁵ Katherine Mack, *Changing Thegns: Cnut's Conquest and the English Aristocracy, Albion*, 16 (1984) p 375-387 and G.O. Sayles, *The Medieval Foundations of England*, (London: Routledge, 1948)

⁵⁶ Dorothy Whitelock (Ed and Trans), *Anglo-Saxon Wills*, (Cambridge, Cambridge University Press 1930) p (ii).

⁵⁷ Clanchy M T, *From Memory to Written Record England 1066-1307* (London: Blackwell Publishing, 2003), p. 19.

than evaluated. One of the earlier translations of the documents by Thorpe⁵⁸ has been available for well over one hundred and fifty years and for most of this time has sat alongside Metcalfe's work.⁵⁹ A little later, 1905, Adams is an excellent example of the possible use of the document as an exemplar of the evolution of the historiographic debate in relation to the inclusion of female histories. He examines the record of the court case and regards it only from the narrow view point of the law where a modern reader may be more taken by the appearance of the female figures and what can be gleaned from them and their position in society and law.⁶⁰

Despite the insights that can be gained when the text is viewed in the light of a gender or feminist historian's viewpoint, authors such as Henrietta Leyser, Elaine Treharne and, as already mentioned, Pauline Stafford make almost no mention of these documents. Henrietta Leyser utilises only one paragraph in her work 'Medieval Women' for a description of the case and then only to contrast it to the later denigration of women's property rights after The Norman Invasion.⁶¹ Elaine Treharne mentions these texts not at all in her work 'Living Through Conquest'. In Pauline Stafford's 'Unification and Conquest' our manuscript is also absent despite her book concentrating on the period and containing a chapter entirely devoted to women, marriage and the disposal of

⁵⁸ Benjamin Thorpe, *Diplomatarium Anglicum Aevi Saxonici*, (London: Macmillan. 1865) p. 337-338.

⁵⁹ Frederick Metcalfe, *The Englishman and the Scandinavian A Comparison Of English And Norse Literature*, (London: Turner and Co., 1880) p.112.

⁶⁰ H. Adams, *Essays in Anglo Saxon Law*, (Boston: Littlebrown and Co., 1905) p. 243.

⁶¹ Henrietta Leyser, *Medieval Women; A Social History Of Women In England 450-1500* (London: Orion Books Ltd, 1995), p. 74.

property. Her argument is that women had little real power in Anglo-Saxon England and that the survival of Anglo-Saxon wills made by women and disposing of their property has led to an overstatement of the power of women in that society and that females have been so 'ill served' by history that any activity by them can attract disproportionate attention.⁶² It is therefore surprising that our court case is not reflected in her work as other court cases with female defendants are and that no such disproportionate attention has been turned on the documents we are examining. This is a glaring omission when one considers the paucity of textual evidence from the period and especially that reflecting the will and speech of a female of a possibly non-elite status. Stafford may have a point in respect of the gendered imbalance in survival of wills; roughly 25% of surviving Anglo-Saxon wills were made by women, however there was no automatic right for a male to inherit over any female.⁶³ It is possible that the texts do not reflect the position of many of the more modern historians that females were always, and still are, in a position of power imbalance with men as the two women in the manuscripts are both landed and powerful in their own right. As this evidence does not conform to the prevailing view it may have tempted authors to discard it in favour of more appealing fare.

The greater part of the analysis of Doc A and B has been undertaken by translators such as Whitelock and Judge and can be found in their notes on the

⁶² Ibid Stafford, *Unification and Conquest: A Political and Social History Of England in the Tenth and Eleventh Centuries*, p. 176.

⁶³ Lynda Telford, *Women In Medieval England*, (Stroud: Amberley Publishing, 2018) p.13.

text which we discuss later. It is indicative that in Robertson's Anglo Saxon Charters only Doc A is mentioned⁶⁴ and that only two other references are given for the manuscript, Kemble and Thorpe.

The letter of Cnut to the English, written in 1020 from Denmark is in and of itself, a remarkable missive rich in themes and in detail. The letter, written in the vernacular, addresses the Danish and English populace whom Cnut has recently come to rule over and is one of the very few documents that have come to us from this period. This letter, as Treharne tells us, is one of the most important indicators of the status of English in the period, and yet has received virtually no sustained scholarship.⁶⁵ If the writing of a King, and a King of England at that, cannot garner the attention of the Historical community then it is only a further indication of the under representation of the period in historical enquiry.

Despite the very recent growing interest in the period of the Anglo-Saxons evidenced by TV shows, books and bizarrely King Æthelstan being voted greatest monarch in a recent BBC poll, the period of Cnut's reign still remains a period which requires greater investigation by historians.

⁶⁴ Ibid Robertson p 152 for doc A with notes at p 400.

⁶⁵ Elaine Treharne, *Living Through Conquest* (Oxford, Oxford University Press 2012). p 21.

What Did He Say She Said? Verbatim Recording or Not, and Does it Matter?

*'It is salutary to remember that scholarship does not require us to read only, always and inevitably a history of oppression and exploitation of the female sex. The real evidence from Anglo-Saxon England presents a more attractive and assertive picture'*⁶⁶

Within the narrative imagery that Thurkil, probably unconsciously, uses to describe the women at the centre of his story we can detect the 'attractive and assertive picture' of the Anglo-Saxon woman that Christine Fell entreats us to discover, against the prevailing winds of scholarship. The two Anglo-Saxon women, especially when acting together, although Leoflaed alone may be a power in her own right, assert authority from the female sphere, both physical and political, over the male sphere of the '*sciregemot*' and its agency manifested in the three Thegns that come to the homestead.

'Her sit leoffled min mage' or 'here sits Leoflaed my kinswoman'. This line can provide us with a useful segue into discussing the author and the influence of his culture on our piece and how that can illustrate the place of the female in the society as reflected in the document. We must remember that the words of the female may be the actual words spoken or they may be the meaning ciphered through Thurkil. The imagery that he uses to depict the scene

⁶⁶ Ibid Fell, *Women In Anglo Saxon England and the Impact of 1066* p21.

at the interrogation, or witness interview, is revealing either as a statement of the facts of the encounter or as a reflection of the scene as Thurkil would have imagined it took place.

The un-named mother figure summons Leoflaed to her side and Leoflaed sits with her. The Thegns have therefore questioned the mother in the absence of Leoflaed and Leoflaed comes to support the mother, at the mother's behest. The text states '*beforan heom to hire þus cwæð*' or 'before them to her she said'⁶⁷ or 'before them thus spoke to her'⁶⁸ indicating that the mother turns away from the Thegns and speaks directly to Leofled deposing her intentions for her property to be given to Leoflaed *before* the Thegns. She uses the Thegns as witnesses for her own returning of wealth to the new and apparently non-natal kinship group that she has formed within Leoflaed's household. Far from creating a subversive space this imagery is redolent of the confirmation of the mother's power and independent decision making. It must of course be remembered that this may not have been the end of the legal challenge and that now the mother has stated that the land is hers; she could be called upon to prove that to the satisfaction of a court.⁶⁹

It is unimportant if this depiction of female agentic behaviour is real or imagined; the fact that it is recorded must indicate that it is believable and at some level represents a situation that could and would have occurred. If it did

⁶⁷ Ibid Robertson

⁶⁸ Ibid Judge

⁶⁹ Ibid H. Adams, *Essays in Anglo Saxon Law*, (Boston: Littlebrown and Co., 1905) p. 243.

not reflect reality then it could have been summarily dismissed. It may be an account of the very real physical and political experience of two Anglo-Saxon women millennia ago.

Pallur or þverpallur according to *The Sagas of Icelanders*⁷⁰ is the raised platform or cross bench that is traditionally occupied by women in the Scandinavian homesteads. The geography of the placing of women in relation and separation to the men is both important and revealing as the physical placement is reflected in the separateness of the only female actors in our story. Leoflaed is depicted by Thurkil as sitting with her kinswoman in order to lend support to her and is doing so at the specific order of the un-named yet powerful figure of Edwin's mother. A bench for women not only means a place where women have to sit but also a place where *only* women can sit, a place where kinship groups and bonds are made. If Thurkil wished to paint a picture of the domestic ties between Edwin's mother and his own wife then how else would he imagine them but sitting together in their own space? It may be deemed a trivial point but the spatial geography of the household in the eleventh-century is a matter of importance in the aggregation of hierarchies and responsibilities. We can see this reflected most starkly in the early eleventh-century Regulations of the Thengs' Guild in Cambridge;⁷¹ this document places the responsibility for producing witnesses to counter allegations of aberrant behaviour on the bench-

⁷⁰ O. Thorsson (Ed), *The Sagas of Icelanders* (London: Penguin, 2000) p. 743.

⁷¹ Ibid Dorothy Whitelock, *English Historical Documents*, Doc 136, 'Regulations of The Theng's Guild In Cambridge' p 557.

fellows of the accused and in the matter of a perceived insult the Thegn would require two bench-fellows to attest that no insult had been done. It is clear that the guardianship of an individual's honour and reputation was not only in his own hands but was a matter of public concern. Just as the mother forms her kinship group with Thurkil's wife and demonstrates this publicly by being seated with her, so the kinship group of the males would be forged, and publicly so, by their bench fellow status. A separate reading of our female characters being shown as seated together, and the mother figure summoning Leoflaed, can also be taken from the Guild Regulations document and that is that Leoflaed was subservient to the mother as the word *fotsetla* is used. Within the regulations, *fotsetla* is utilised and is believed to possibly mean a personal attendant as *setla* means one who sits, however, there is no other known use of the word and the full meaning, even in context is ambiguous.⁷² We can also look to other influences on the narrator such as the position of the Volva in Norse society and as depicted within sagas such as *The Landnamabok* or *Flateyjarbok*. The Volva were seeresses who travelled around the country prophesying and magically interceding on behalf of their hosts. Originally they would travel in a group of three but as the belief system weakened they would arrive singly and would always, and only, prophesy from a seated position.⁷³ We can see in *The Flateyjarbok* where one is knocked from her seat by a crowd

⁷² Ibid notes p 557.

⁷³ H.R. Ellis Davidson, *Gods and Myths Of Northern Europe*, (London: Penguin, 1964) p. 114-124.

pressing around them and becomes very angry.⁷⁴ Both Metcalfe and Whitelock discern a Scandinavian and peculiarly Danish influence as Metcalfe ascribes the Mother figure the identity of a Skorunger. He assumes, erroneously in our view, a Scandinavian heritage for the mother and calls her a ‘strong-minded and mettlesome woman of Scandinavia’ in his comparison of English and Norse literature.⁷⁵

In notes on the will of Ælfhelm, Whitelock puts forward a view that certain practices amongst Anglo-Saxons, such as the number of children which were given the same name within a family, were the result of influence by Scandinavian customs, and that this can be evidenced through the frequency of its use in Icelandic Sagas.⁷⁶ This theory that the Sagas were a very real influence on the culture of the Danes host country shows how prevalent the stories may have been and how the figures of such as the Volva can be reflected in the characterisation of powerful female individuals like the mother figure in Thurkil’s narrative. It may be an unconscious bias towards stereotyping of feminine roles or a real reflection of the idiosyncratic personalities of the real people involved.

⁷⁴ Ibid Davidson p.120.

⁷⁵ Ibid Frederick Metcalfe, *The Englishman and the Scandinavian*, p 112.

⁷⁶ Ibid Whitelock, Wills, p 133 note 1.

Leoflaed

What is overshadowed by the breathless nature of the events in Doc A and only becomes apparent when she is absented from Doc B is the centrality of the figure of Leoflaed, she spans both documents and is the only named female in them. We know that she was a wealthy landowner in her own right even without the gift of land from Edwin's mother, and together with her husband's land would have been one half of a prosperous couple.⁷⁷

Please for an instant return to the text of Doc B at the beginning of this piece and obscure the words '**the brother of Leofflaed**' and then read the text again. It is apparent that if Leoflaed is removed from the document then the document retains all of its meaning. It loses none of its veracity and would stand alone as a record of the sale of land from one to another, so why was Leoflaed mentioned at all?

The purchaser of the land, Leofwine, appears to take his standing and the recognition of his name from his association through the family with Leoflaed. The suggestion is that either nobody would know who Leofwine was without his sibling connection, or that Leofwine takes some form of standing from his sister. In linking him to Leoflaed he gains recognition and possibly authority from the linkage. For Leofwine to be in the position of having to borrow his legitimacy from his sister we can adduce that Leoflaed was a person of standing

⁷⁷ Phillimore Domesday Book for Herefordshire records Leofled holdings at ref 1,11. 7,1-3:5. 29,3-8; 10;15 see attached appendix at rear for list and worth.

and importance in her own right, not merely borrowing societal force from her husband's position. Leoflaed is shown as being a large landowner in the records of Domesday with one of the disputed properties named, Wellington, being of 5 hides and owned by Thurkil the White prior to 1087. Alongside any property that may have been owned by her husband; Leoflaed is shown as owning at least 14 parcels of land in the Herefordshire and Shropshire area.⁷⁸ It is indicative of her authority that in Doc B she is the only personality that is not named in relation to any other or with an explanatory rank. Eadric is the son of Ufic, Ulfcytel is a reeve, Æthelstan a Bishop and Swegn is an Earl; all of them gain part of their identity from their rank or association even Leofwine from Leoflaed. It is only Leoflaed who stands alone in the text as a figure who requires no explanation despite this entry having the hallmarks of a shortened version of Doc A. All the authoritative text of Doc A is present in Doc B insofar as the presence of the Earl, the Bishop and all the Thegnly class and this would suggest that this transaction took place at another moot but is recorded without the dramatic narrative found in Doc A. It becomes clear that the locus of local power in the two documents is in fact Leoflaed and that both the transactions pivot around her.

⁷⁸ For a full list of searchable and mapped holdings of Leoflaed in The Domesday Book an excellent resource is open Domesday at <https://opendomesday.org/name/leoffled-wife-of-thorkil/>

Perhaps Frederick Metcalfe would have described her similarly to how he described the mother but as ‘a strong minded and mettlesome woman of England’

Who is that mystery woman?

In his article ‘Some Welshmen In The Domesday Book’ David Thornton tentatively identifies the mother figure as the wife of one of the rulers of Deheubarth through distinct similarities between the place name Crydesleah, the land in dispute, and Curdeslege which is shown as a Herefordshire holding of Grufudd ap Maredudd.⁷⁹ Also the grandson of King Owain is named in Thornton’s genealogy as Edwin ap Einion and allying this with the similarity in place names is therefore a relatively good fit for the identity of Edwin.⁸⁰

Thornton’s theory appears to gain credence with Patrick Sims-Williams as he follows Thornton and identifies Edwin as a ‘Welsh Aristocrat’ and notes Thornton as further reading on the family.⁸¹ A caveat exists however in the interpretation of the place names, a pillar upon which Thornton’s argument rests.

It is undoubted that King Maredudd owned Curdeslege in 1087 according to the Domesday Book, folio 187. What is less certain is whether or not that is the same place as ‘Crydes læh’ as described in Doc A. In his translation Judge renders ‘Crydes læh’ as Cradley whereas the Phillimore version of the Domesday book renders Cradley as ‘Credelaie’,⁸² an altogether separate

⁷⁹ DB folio 187v Phillimore ref 29,1. 31,1;7 for Curdeslege and other holdings of Grufudd ap Maredudd.

⁸⁰ David Thornton, *Some Welshmen in Domesday Book and Beyond: Aspects of Anglo-Welsh Relations in the Eleventh Century* in Nick Higham (ed), *Britons in Anglo-Saxon England*, (Woodbridge: The Boydell Press, 2017) p144-164.

⁸¹ Sims-Williams, *The Book of Llandaff as a Historical Source*, (Woodbridge: The Boydell Press, 2019) p13

⁸² DB Folio 182 Phillimore ref 2,30;(31)

location from Thornton's. Cradley as Credelaie does however receive greater force when we see that Credelaie was in the possession of the Canons of St Peter's (Hereford) at the time of Domesday and marry this to an observation by Stafford that on the national level religious houses were securing their holdings by recording them; the attacks on Church property following the death of Edgar having sharpened their sensitivity to their own vulnerability.⁸³

The recording of the court case in the Gospel and the ownership of the land at issue finally reverting to the church that houses the same Gospel would point to the land being secured for the church. This would lend weight to the land being Credelaie and not, as Thornton suggests, Curdeslege. Other properties held by Leoflaed were also later found to be owned by The Canons of St Peter's such as the area of Maund.⁸⁴

There are however other opinions, Christer Johansson states that '*Crydes læh*' is in fact Kinnersley⁸⁵ based not only on language but also on geographical closeness to Wellington,⁸⁶ about which there is less contention. If we look for Kinnersley in the Domesday Book we find that the consensus is that its earlier name was Elburgelega which was previously held by Eadric the Wild. We are not assisted by the fact that there is a hole in the manuscript immediately after

⁸³ Ibid Stafford *Unification and Conquest* p 11.

⁸⁴ DB Folio 183v Phillimore ref 7, 5;

⁸⁵ DB Folio 183v Phillimore ref 9,15.

⁸⁶ Christer Johansson, Place Names In A Herefordshire Charter, *Studia Neophilologica* 49, January 1977 issue 2 p 185-187. Accessed at <http://dx.doi.org/10.1080/00393277708587685> Accessed on 11/01/2022.

the place names which obscures the text.⁸⁷ It is suffice to say that a good deal of ink has been spilt on the subject of place names and that all of the inquiries have both merits and weaknesses.

If we set aside the place names and accept that Leoflaed was a wealthy woman in her own right; she still assumes a subservient role to the mother figure and we find that this chimes with the previously discussed possibility that the un-named female is indeed a member, and a high ranking one, of the Royal line of Deheubarth, then we can come audaciously close to identifying her, if not by name then by historical personality and if we acknowledge Christine Fell's reading of shock at the actions of the son then we can be equally unsurprised at the deference shown by the Thegns in their meeting with the mother. The Thegns appear to be entirely comfortable with their being ordered about by the woman and accommodating when she tells them to '*act Thegnly*' while she herself is described as acting in the manner of an Earl.

Document A contains only one woman's voice, that of the mother and one woman's identity that of Leoflaed. This can lead us to several different assumptions including that the voice of any other was not required or that there is a hierarchical relationship between the two and the mother's higher status could be indicated by the mother being able to speak on behalf of Leoflaed. There are several further indications of the possibly elevated rank of the mother

⁸⁷ See image 1

if we firstly turn to the setting itself and understand that it was no easy task to bring a case to the Shire Moot. The matter would have had to have been considered at least three times at a lower court before it would have received a reading at the more prestigious court before the whole of the shire.⁸⁸ Attendance at the Moot was mandatory; if you did not appear then the case was to be forfeited against you⁸⁹ but in this matter the court not only does not compel the attendance of the accused but sends three Thegns to her in order to adduce her evidence as a defendant in the court proceedings. Thornton states in his article that the mother is English but gives no evidence for that conclusion. It may be left to the reader to derive that from the adopted English abode of the mother, however, there is such a mix of races within the document that this is speculative. The description of Edwin arriving at the Moot gives the impression that he has come from outside the boundaries of the court. The other members are described by their genealogy or by their home location, Godwine of Frome for instance and in the case of Winsige the racial appellation ‘*scaegthman*’.⁹⁰ Edwin is quite clearly an outsider, not from within the circle of the local, and national, lesser and greater nobility and is pointedly described as ‘*journeying to the meeting in order to raise a claim against his own mother*’ which Fell suggests describes a kind of shock that a man would act ‘*his agene modor*’ or

⁸⁸ Ibid Dorothy Whitelock, English Historical Documents, p 335.

⁸⁹ Ibid p 335.

⁹⁰ Viking, Seafarer or boat pirate.

‘against his own mother’.⁹¹ Whether or not we can follow Fell in this direction and read disdain into the reporting of the actions of Edwin, the document shows that the mother was in Herefordshire and that Edwin was not and had travelled there. How his mother came to be there is not known but Thurkil uses the word *magan* to describe the relationship between his wife, Leoflaed, and the mother. This is a singular as opposed to the plural *mage* and denotes the relationship as weaker than that of sister or daughter⁹² and so not a familial relationship but one of a formed non-natal kinship group. It would appear that Edwin has run his mother to ground but has found her in enemy territory where she finds safety as a stick in a bundle and now turns and bares her teeth.

⁹¹ Ibid Fell, *Women In Anglo-Saxon England and the Impact of 1066*, p. 78.

⁹² Ibid Fell p.78.

Edwin son of.....?

The possibility as to Edwin's ancestry being mixed race of English and Welsh is suggested in the article by Olof Von Fellitzen where he states that the name Edwin appears in both the Old English record and the records of Welsh royalty.⁹³ The original text of Doc A has the son's name as '*eð pine enneapnes sunu*' or Edwin son of Enneawnes and this has generally been taken as a mistake or misspelling by the original author, Robertson makes this assumption and states that this is 'obviously corrupt'.⁹⁴ Fellitzen however disputes this and states that this is a Celtic personal name mostly borne by Welsh Princes.⁹⁵ In the foreword to the translation of Doc A, Whitelock concurs with Fellitzen in the assignment of Enneawnes to a Welsh male and not as a corruption of the Welsh female.⁹⁶ It would be unusual to be named 'son of' and then a woman's name attached, however it is not unknown and instances do appear in the Welsh context.

Early Welsh law shows women in a far less favourable position than Anglo-Saxon law.⁹⁷ For example in Wales a girl's legal status in society was 'closely linked to that of her brother and the fines paid for insulting a girl (*Sarhaed*) or murdering her (*Galanas*) were equivalent to half of her brother's

⁹³ Olof Von Fellitzen, Old Welsh Enniaun and the Old English Personal Name Element Wen, *Modern Language Notes* Vol. 62, No. 3 (Mar., 1947), pp. 155-165

⁹⁴ A.J. Robertson (Ed), *Anglo-Saxon Charters*, (Cambridge: Cambridge University Press, 1956) p. 151 Doc 78, Account of a Herefordshire Law Suit and notes p 401.

⁹⁵ Ibid Fellitzen p156.

⁹⁶ Ibid Dorothy Whitelock, *English Historical Documents*, Doc 135, p551.

⁹⁷ Ibid Fell, Women In Anglo-Saxon England and the Impact of 1066 p 11.

Sarhaed and *Galanas*'.⁹⁸ We may contrast this with the expansion of the laws in relation to widows by Cnut and their treatment at the hands of the next of kin of their deceased husband. Wulfstan the Archbishop wrote the expanded laws which brought many protections for women including 'no ravishing' and if she 'chose' to marry another man within 12 months of the death of her husband she would forfeit her *morgengifu* and her deceased husband's land would return to his family. This in effect protected her for twelve months from any interference, also a widow was never to be consecrated (made a Nun) too hastily!⁹⁹ Some have seen the law-making by Cnut as the actions of the enlightened, indeed Stafford states 'Cnut's law codes read as an apogee of eleventh-century rule'.¹⁰⁰ Might this cultural dissonance between Wales and England, or Mercia, in respect of the legal standing of women and especially widows, have coloured the understanding that Edwin brought with him from Wales, and can we ascribe the role of the 'calumniated mother' as opposed to calumniated wife to Edwin's mother?¹⁰¹ In crossing the boundaries between the Welsh law *per se* and Anglo-Saxon nativism; glossed, as it is our assertion that it was, with a putative Anglo-Danish construction, Edwin may have experienced a very different reception than he expected. It can be read in the manuscript that Edwin arrives and asserts

⁹⁸ Jane Cartwright, 'Virginity and Chastity Tests in Medieval Welsh Prose' in Bernau, A. et al. *Medieval Virginites* (Cardiff: University of Wales Press, 2003), p 62.

⁹⁹ Ibid Dorothy Whitelock, *English Historical Documents*, Doc 50 The laws of Cnut (Secular) p 419.

¹⁰⁰ Ibid Stafford p 69.

¹⁰¹ Wood, Juliette, 'The Calumniated Wife in Medieval Welsh Literature', *Cambridge Medieval Celtic Studies*, 10 (1985), 25–38. For a fuller discussion of the Calumniated wife in the Welsh context. Also see Stith Thompson motif K2110.1 where a wife is falsely accused of and punished for some crime or sin as a cross cultural reference to the Calumniated wife.

himself in to the proceedings. He is the traveller coming to a place already peopled with known characters. His otherness is made out but not expiated, as for instance, the otherness of Tofig Pruda is explained with the simple phrase ‘*on the errand of the King*’. Edwin brings lineage but not understanding. He is heard but is he listened to? The Mercians refused to fight prior to the partition in 1015, claiming they would only fight if the King and the Londoners joined them. Edmund gained Wessex and fought against an army of Mercians and Danes at Sherston. Edmund received aid from the Welsh Princes, natural allies against the Mercians who raided across the border in to South Wales.¹⁰² If we accept the theories of Fellitzen, Thornton, Coplestone-Crow¹⁰³ and Whitelock as to the possible familial background of Edwin and ally this to the depiction of him within the document; it is not unreasonable to conclude that the son received a frosty reception, for good reasons, that day at Ægelnoth’s Stone.

‘Socially, the Welsh woman was rated very highly as the genetrix, the unifying force between her natal kin and the kin into which she married’ says Sally Parkin,¹⁰⁴ yet here we see the Mother cast from her marriage roles and successfully fashioning a new non-natal kinship group with her adopted kinswoman, Leoflaed. As we discuss later, the Mother is seen to use her soft diplomatic skills to intimidate, flatter and cajole her interrogators in to

¹⁰² Ibid Stafford *Unification and Conquest* p. 71.

¹⁰³ Bruce Coplestone-Crow, *Herefordshire Place-Names*, (Oxford: British Archaeological Records, British Series, 1989) p. 213. And personal correspondence 17/09/2021.

¹⁰⁴ Parkin, Sally. "Witchcraft, Women's Honour and Customary Law in Early Modern Wales." *Social History* 31.3 (2006): 295-319. <http://www.jstor.org/stable/4287362>. Web. Accessed 28th April 2020.

delivering the message that she has just as she wishes it. 'The principal attributes a Welsh woman brought with her to a marriage were her status, beauty and her reputation' or so says Jane Cartwright.¹⁰⁵ If this is the case then Edwin may have expected these Welsh preconceptions on female worth to be upheld, despite his mother now being resident in a foreign and possibly hostile (at least to Edwin) land. The historian Sims-Williams appears to concur with the impression that Edwin's nationality was a factor in the production of Doc A but demurs from positing anything but the neutral question 'was Edwin's nationality a motive here?'¹⁰⁶ A question we can only echo but not reconcile.

¹⁰⁵ Jane Cartwright, 'Virginity and Chastity Tests in Medieval Welsh Prose' in Bernau, A. et al. *Medieval Virginites* (Cardiff: University of Wales Press, 2003), pp.56 - 79.

¹⁰⁶ Sims-Williams, *The Book of Llandaff as a Historical Source*, (Woodbridge: The Boydell Press, 2019) p13-14.

Doð þenlice!!

The Mother states to the three Thegns that have come to question her ‘*doð þenlice*’ or ‘act thegnly’ translated as ‘do nobly and well’ by Judge and Thorpe¹⁰⁷ in their translations and ‘act rightly and like Thegns’ in Robertson¹⁰⁸ or ‘act like Thegns’ in Whitelock. This admonishment may also be read as an appeal but has the tenor of authority about it, especially as she has just ignored them while having a conversation with Leoflaed. One can almost imagine our heroine telling them to stand up straight or to take their hats off in the house! This may appear flippant but if we consider this in conjunction with the line translated by Judge as speaking ‘bitterly angrily’ with her son and return to the original text where it states ‘*eorlice wið hire sunu*’ here the word *earl* has been used to denote the strength of her feelings towards her son, the mother’s status as an authority figure is therefore further enhanced by the overlaying of male properties of leadership, effectively giving her ‘*eorl*’ status. This line has been translated as ‘strongly incensed against her son’ by Robertson¹⁰⁹ or ‘extremely angry’ in Whitelock, and ‘bitterly incensed’ by Thorpe.¹¹⁰ However these translations cannot explain why the Thegns are required by the complainant’s mother to act Thegnly while she speaks in an Earl-like (*eorlice*) manner in regard of her son to three men who are relatively powerful in society. There are

¹⁰⁷ Benjamin Thorpe, *Diplomatarium Anglicum Aevi Saxonici* p.336-337.

¹⁰⁸ Robertson, A. J, *Anglo-Saxon Charters*, 2nd edn (Cambridge: Cambridge University Press, 1956), p 151.

¹⁰⁹ Ibid Robertson ASC p 153

¹¹⁰ Ibid Thorpe p336

several possible readings of this situation where there is a clear juxtaposition between the rank of Thegn and the rank of Earl and one of these is that the female has a rank that trumps her gender. She is exercising her authority over those of a less noble birth and this does not have to be spelled out in the document as her situation is well known. There is within the narrative a tension between the female acting in an *eorlice* or Earl-like fashion while retaining her feminine identity and demanding that three mounted warriors '*doð þenlice*' or do their duty in a lower rank, a farcical tableau. The narrative arc of the piece ascends to a peak of possible conflict and is then pricked with the humour of the reader's expectations being subverted by the reversal of commonly assigned roles. The male warriors morph from the mounted officers of the court on the serious business of the *Sciregemot* into three boys paying court on an old lady, seated with her *fotsleta* and having to be in effect her messenger boys! Thorpe does in fact translate her instruction '*abeodað mine aerende*' as announce my errand¹¹¹ however Judge contextualises *aerende* as message. The narrator, whom we accept as Thurkil himself, appears to accept this subversion of familiar roles, or confirms that the roles are correct, as in a moment of wry humour the line following the mother's issuing of orders to the Thegns reads '*heo ða swae dydon*' or 'and they did so'.¹¹² This can also be taken as a formulaic or standard method of conveying that this was carried out, however,

¹¹¹ Ibid Thorpe p336

¹¹² Ibid Robertson ASC and EHD i doc 135.

in the context of the confrontation with the mother, this appears to show the Thegns in a subservient role.

In demanding, exhorting or pleading that the Thegns do their duty the mother figure is calling on what C.S. Lewis described as the '*Tertius Quid*' or '*third thing*' a moral law giver which transcends time and space, obviously within the Christian philosophy of Lewis.¹¹³ In our reference she is calling on an accepted set of values and duties incumbent on a Thegn which are universally known and expected.

Here we may ask why Thurkil himself did not go to see his client, especially as she is with his wife at their homestead, or one of them at least. There may be an answer in the very nature of the Thegnly class itself and that it was hierarchical, which led to junior Thegns being sent on what is essentially a statement taking exercise¹¹⁴ or that Thurkil wished to remain at least tacitly impartial in the matter. It is here where we see the greatest piece of theatre in the account; Thurkil states that he does not know the case but is plainly disingenuous in this as the investigators are dispatched to Fawley, which is now identified as Fownhope and shown as one of Thurkil's holdings in Domesday.¹¹⁵ This theatre can be interpreted as the need for the minority racial

¹¹³ C.S. Lewis, *The Discarded Image; An Introduction To Medieval And Renaissance Literature*, (Cambridge: Cambridge University Press, 1964)

¹¹⁴ For a fuller appreciation of the role of Thegn see 'Concerning Wergilds and Dignities 'Utware' The Public Duties of a Thegn' in this document, from which we derive much of our understanding of status, we can elicit the rank of 'intermediate Thegn' as in one who has not yet presented his oath to the King but is working towards it. See Dorothy Whitelock, DOC 52 *English Historical Documents*, p. 431.

¹¹⁵ Phil Ref. 29.2 see appendix

element of the Danish to be shown to be above board, or possibly not wishing to start a blood feud with the Welsh family of the mother, as Thurkil plainly knows the intentions and mood of Edwine's Mother and her desire to leave all her land to his wife whom she names as kinswoman. The make-up of the investigative team that visits the White homestead is also an interesting mix in that they are named and that two of them are English, Leofwine of Frome, Ægelsige **the** red¹¹⁶ and the third is Danish, Winsige Scaegthman. It would be common practice for a text to be copied and secured in three places; the attendant tripartite copying of the document and instructions on where they would be held is missing from our documents. We can find a human ghost of the practice of copying a document in to three and holding it at different locations, in the use of three, Thegnly class minor aristocrats to record the words of the case. Here the reputations of the three Thegns are the parchment and safekeeping of the information; they are text made flesh without the Anglo-Saxon Christian requirement that the word is made book. There is no indication that the MS was copied anywhere else but in to the gospel.

¹¹⁶ Interestingly this is the first known use of 'the definite article' in English, Ægelsige **the** red.

Eorlice v þenlice

As already explored within the text of Doc A we see that the mother of Edwin is described as being very angry and is described as being in the manner of an Earl or *eorlice*. Not only does this denote a certain aristocratic characteristic to the mother but also once again reveals the cultural background of the narrator. The title Earl is very specifically and carefully used to denote the Danish upper echelons and the title Ældorman is used to denote the Anglo-Saxon equivalent. Within the story Beowulf we see the eponymous hero state that he will fight as '*bravely as an Earl*' and so we understand that to have the rank was seen as denoting some admired male qualities such as aggression and courage. By giving the mother this title Thurkil imbues her with male characteristics and further strengthens her position as one whose opinion will brook no contestation. Thurkil himself takes authority from her by granting her not only the weight of the male authority but also the weight of Danish authority by stating that she is '*eorlic*' rather than denoting her within an Anglo-Saxon structure which would supplant Earl with Ældorman. By using the Danish descriptor he armours her with a second kinship group, over and above that formed with Leoflaed, that of the Danish race.

We can observe within Doc A thirteen personalities including King Cnut and the Archbishop. If we discount the Bishop then we have five Danish

personalities¹¹⁷ and seven English personalities.¹¹⁸ This would, if looked at in isolation indicate a far higher distribution of Danish people in the area than is supported by the other information that we have. From the extant records that we have, we can ascertain that the Danish cohort in the area of Mercia was very much lower than the almost fifty-fifty split indicated by Doc A. We can make a number of theoretical constructs that may account for the uneven racial split we see in Doc A. Thurkil may have had a close network of Danish compatriots and this led to their over representation, or the recent expropriation of land in Worcestershire by the Danish Earls Ranig, who is cited as one of the witnesses of the shire moot, and Earl Hakon, from both Ecclesiastical and lay people,¹¹⁹ may have led Thurkil to wish to over exaggerate the support for his actions that existed within the Danish community.

Landholding in early eleventh century England was relatively fluid. The beneficiaries of the Danish conquest were not, for the most part companions of the conqueror but they were, as Catherine Mack tells us, native Englishmen who survived the battles and purges of the 1010's.¹²⁰ This apparent lack of partisanship in the matter of the lineage of those who were raised up and those that were left behind or, a factor which Mack does not take into account, those who went home with the rest of Cnut's army in 1018 versus the remainder who

¹¹⁷ Cnut, Ranig, Thurkil, Tofig, and Winsige.

¹¹⁸ Eadwine (The Ældorman's son), Leofwine, Bryning, Ægelweard, Leofwine (of Frome), Godric and Ægelsige.

¹¹⁹ Ibid Michael Higham and Martin Ryan, *The Anglo-Saxon World*, p. 363.

¹²⁰ Ibid Catherine Mack p. 385.

stayed and settled, may have raised a sense of nervousness or lack of confidence within the ranks of the newly appointed Danish Thegns of Herefordshire. Their patronage does not appear to have been guaranteed on any racial line and they would have to prove their loyalty and safeguard their interests in just as rigorous a manner as their now defeated, yet more numerous, English neighbours. This may have been more keenly felt in the Mercian area; separateness was apparent here especially after Cnut raised strong Earls to positions of prominence¹²¹ and Eadric Streona, who murdered Morcar and Sigfrid, being appointed Ældorman, may have led to an additional layer of insecurity for isolated Danes in Mercia. Another factor that Mack also does not take in to account is the dispossession of those within the Thegn class of their lands by Cnut for the non-payment of demands of tribute. Mack makes much of ‘the ties that bind’ in relation to the later aristocratic make up of the Cnut era insofar as these ties did not exist amongst a newly appointed Earl and Thegnly class.¹²² However the class was an aspirational one that could be attained through deeds or through patronage and not necessarily one where familial descent was a prerequisite.

¹²¹ Ibid Stafford p. 77.

¹²² Ibid Mack p. 383.

Cnut the Careful?

A more compelling reason for a non-partisan approach may be that Cnut, and the Danes more generally, wished to create or continue a new Anglo-Danish ethnogenesis and to that end saw an equal distribution of English and Danish within the power structure as desirable. Cnut's actions were contradictory, by turn conciliatory towards the English and also ruthless. As a Viking King, who was an English ruler, demanding tribute to pay his spear-Danes from the conquered, while allowing his ecclesiastical advisors to teach him the ways of his English rather than Danish predecessors.¹²³

Cnut's desire to rule with the powers of an English King are evident in the Dane's desire to work with Wulfstan to re-write the law codes while borrowing heavily from the previous English Domboc¹²⁴ to effect a continuity.¹²⁵ Some evidence may be adduced to support the thesis that the goal of the Danish court was integration from an examination of the witness lists on both our and contemporary documents, 'The Restoration By Cnut to New Minster of Land At Drayton'¹²⁶ is illustrative in a number of ways; firstly the twelve witnessing Thegns are divided equally between English and Danish named Thegns, in an echo of Doc A. The higher ranks are delineated in Earl and Ældorman by four Earls and two Ældormen, with Earl being a Danish honorific

¹²³ Ibid Stafford p. 70.

¹²⁴ Domboc, doom book, an Anglo-Saxon book of laws.

¹²⁵ Ibid Stafford p. 17.

¹²⁶ Ibid Dorothy Whitelock, *English Historical Documents*, DOC 132 p 553.

and Ældorman an English one. This document opens with the King writing that he is ‘*ruler and Basileus of the noble and fair race of the English*’ and is attributed to the year 1019 and is a repetition of the same phrase used by Æthelred in a grant some two decades previously.¹²⁷ Significantly this is a year after Cnut sent his army home and shows that in public at least he was more than willing to praise his newly adopted populace while also setting himself apart from them. The substance of the document is that the King admits that he was ‘*duped by a daring and inconstant youth*’ and restores the land that had been previously taken. Cnut appears to be bending over backwards to accommodate the church even to the point of admitting that he was the victim of a charlatan. We can also see this repeated in The Grant Of Land In Cornwall To Burhwold, Bishop of Cornwall from 1018¹²⁸ which is a ratification of arrangements made by Edward Ironside. This document is a very public show of Cnut’s desire to rule in the manner of his Saxon predecessors and is witnessed by both Danish Earl and English Ældorman.¹²⁹ The last twenty four witness names are arranged in four columns with six representatives of each rank¹³⁰ and both Saxon and Danish are equally represented; the document appears to be at pains to display an equal spread of Anglo-Saxon and Danish authority.

¹²⁷ Ibid Dorothy Whitelock, DOC 117 p 525.

¹²⁸ Ibid Dorothy Whitelock, DOC 131 p551.

¹²⁹ Earl Thorkell, Eilaf and Eric alongside Ældorman Ranig, Æthelweard and Godwine. It is worthwhile to note that Godwine was at Cnut’s bedside when he died and had been supported by him throughout his reign.

¹³⁰ Ibid Dorothy Whitelock, DOC 131 p 552 note 2.

The manuscripts are a physical manifestation of the movement of the secular individual and in a broader sense society itself from being a consumer of the written word, both ecclesiastical and secular works, to being an active user and participant in their creation. Here we have the physical act of the dictation of a narrative by a secular non-native to a clerk and the clerk recording this narration, albeit the manuscript speaks in the third person. Its testimony is that Thurkil himself caused it to be placed '*let settan on ane cristos boc*' or 'in a Christ's Book' after riding to the cathedral immediately after the decision was ratified by the moot with the leave of the people, and so presumably before the moot had been completed. It would appear from the internal logic of the manuscript that the clerk was on hand in order to accede to the wishes of Thurkil and recorded this matter essentially on the day that it was decided. Within this action we can see that the clerisy has been to some measure commodified by the laity and here exists in order to record the actions in respect of the decision around land ownership. It is important that we look at what is not apparent within the manuscripts and then pose ourselves the question as to why certain ubiquitous facets of the structure of legal documents created at this time are not found in Doc A and B.

If we examine a contemporary selection of the small number of documents that we have, we can find a similar document in the form of another law suit brought to a different shire moot. Within this are some of the same

characters that we have met in Doc A and B as Bishop Aethelstan is this time the accused in a matter of a land transaction and a Danish Thegn is the accuser. It reveals much about the role of the Shire Moot and the practical manifestations of the application of law by the local state apparatus, in particular the investigative and inquisitorial functions of the moot as represented in the Hereford Gospel record and also in the related suit where Bishop Aethelstan was accused of the misappropriation of land.¹³¹ The suit was brought by Danes against the Bishop and the Bishop was exonerated of any wrong doing. The judgement that was made here was not only done but had the necessary element of having been seen to be done. Despite the presence of the Danish King on the throne, the conquering of England by Cnut had been by no means been a straight forward affair. The armies of Cnut had not been totally victorious and the peace had been bought by partition of the country. As short lived as this was, it was a national compromise and one that cannot be forgotten when considering the delicate application of law in a mixed Danish and English locality.

¹³¹ Ibid Robertson doc 83 Lawsuit About A Worcesteshire Estate p 163.

Conclusion

In *Viking London* Thomas Williams speaks of the ‘liminality of London making it a dangerous place, between two Kingdoms’.¹³² A situation that can be ascribed to Hereford and Mercia as a whole, sandwiched as it was between Wales and seats of power to the South and East. The Danelaw to the East and Wales to the West with the ancient and ascendant Wessex situated to the South. Being in the geographical centre of the country the area of West Mercia had less Scandinavian encroachment from the seafaring *scaegthman*¹³³ than other areas.¹³⁴ To illustrate this we can examine Domesday which shows us that in Herefordshire and Worcestershire there is one of only twenty Danes to hold land prior to Domesday and between them all they have only modest holdings.¹³⁵ There is also a great continuity in the ecclesiastical community both pre and post the Viking age within Western Mercia and in ‘The Church In Anglo-Saxon Society’ John Blair forcefully puts forward that the intrusions by those going ‘a Viking’ were minimal in the area of the Welsh Marches.¹³⁶ These factors coming together may have led to the local Danish settlers lacking in the self confidence that they have shown in other parts of the country and embracing the already strongly attenuated systems of societal control that were in place. In the context of the MS under discussion here, not only the

¹³² Thomas Williams, *Viking London*, (London: William Collins, 2019) p. 87-116.

¹³³ See doc A for Winsige Scaegthman as a racial appellation and not merely a name.

¹³⁴ John Blair, *The Church In Anglo Saxon Society*, (Oxford: Oxford University Press, 2005) p. 307-308.

¹³⁵ Elizabeth Van Houts in *Invasion and Migration* in Julia Crick and Elizabeth Van Houts (Eds), *A Social History Of England 900-1200* (Cambridge: Cambridge University Press. 2011) p. 210.

¹³⁶ Ibid Blair p. 308.

continuance and adoption of the traditional systems, but also by being part of a wider commodification of the ecclesiastical community by utilising them to record the land transactions in order to strengthen the Danes position within the local society.

All of the above are visible in the documents that we have been examining, the geographical liminal space of Mercia reflected in the manuscripts resting between the freedom of the narrative story and the strictures of the charter hovering between fiction and fact, formulaically legal but stylistically a breathless story. Legalistic and traditional phrases of order surround the chaos of the unordered, bringing it to heel and tempering the wildness in the quenching water of necessary bureaucracy. They tell the story of Thurkil a Dane landlocked in an Anglo-Saxon county far from his natural homeland of the sea and his very words held in a fastness of vernacular English. A single Danish loan word '*Scaegthman*'¹³⁷ (the Shipman, the Viking) leaps from the centre of the text as a metaphor for the foreigner in a strange land.

In the record we can see that Thurkil over represents the number of Danish witnesses and we can read in to this a desire to fit in, or a desire to stand out. We must remember that despite the defeat and partition of England the two races were powerful opposing forces with the Danish nominally able to conquer

¹³⁷ A member of the crew of a *scegð*, a Dane, a pirate (cf. *wícing*, *sæ-man*, *flot-man*, *scip-her* and similar terms applied to the Danes) from Bosworth Toller's Anglo-Saxon Dictionary online <https://bosworthtoller.com/26658?fbclid=IwAR0srISv25KpyqoZtBLjLA0Tlc7ayr0hlp0xTNlx4r4or2VMxFaAnLUfu> accessed 22/01/2022.

and the English certainly able to resist. It is this see-saw of opposing forces that drove Thurkil to ride from the Court that day straight to the Great Church in Hereford and have the clerics write his words in the sacred book, utilising his neighbour's faith to secure the lands of his family against an uncertain present and an unknown future.

We can see the major differences in structure between the two documents, A and B, and their contemporaneous counterparts; the most striking is the lack of any homiletic within the documents. Both begin conventionally enough with 'here is written' or 'here is set down' but the entreaties to the heavenly punishment of any who would go against the written word are missing. Also the attendant tripartite copying of the document and for it to be held in three different places is absent. We can find a human ghost of the practice of copying a document in to three and holding it at different locations in the use of three Thengly class minor aristocrats, Leofwine of Frome, Ægelsige the red and Winsige Scaegthman two Anglo-Saxons and one Danish Thegn, to record the words of the defendant. Here the reputation of the three Thegns is the parchment and safekeeping of the information. We can also see that important information was held within individuals if we revisit the Bishop Æthelstan court case.¹³⁸ The crux of the matter was the boundaries of land in a sale and the only way to prove the Bishop's version of events was to recall the witnesses and have them retrace their boundary walk which had taken place

¹³⁸ Ibid Robertson doc 83 Lawsuit About A Worcesteshire Estate p. 163.

before the original sale. The decision was set down in a textual version but the actual information required to substantiate the decision remained within the memory and reputation of the witnesses. In his ‘Sermon of the Wolf’ Archbishop Wulfstan (d.1023) bemoans that men’s spoken oaths were worth less than they had been “the widespread loss of trust in the spoken word” to use his own.¹³⁹ With Doc A and B we have both the textual and the reputational safeguards in place to prove the decision of the court. Charter production was normally a top-down activity¹⁴⁰ whereas here we have a bottom up derivation for our documents, or if not bottom then certainly middle.

In recognising the documents worth as being emblematic of the position of females within the society that produced them, we must accept that the experience of these two is not typical of the experience of all females within that society. Women were used, bartered, bought and sold as we can see from the evidence, once again, of Wulfstan in his polemic sermon but also from the ‘History of the Estates of Sunbury and Send’ which begins matter-of-factly with the theft of a woman and is principally concerned with who owes what for her!¹⁴¹ In 1046 only 7 miles from Leoflaed and Thurkil’s homestead, Sweyn Godwinson abducted the Abbess of Leominster and kept her for two years,

¹³⁹ Daniel Donoghue, *Old English Literature: A Short Introduction* (Oxford: Blackwell, 2004), p. 6.

¹⁴⁰ Levi Roach, *Forgery and Memory at the End Of the First Millenium*, (Princeton: Princeton University Press, 2020) P.7.

¹⁴¹ Robertson Anglo-Saxon Charters XLIV.

fathering two children on her before finally returning her.¹⁴² The experience and societal power of the two females that we have discussed here is not the experience of all females but is the experience of these two and can be indicative of the wider societal position of those who have or have attained rank.

The medievalist Marc Bloch stated that in ‘in every literature a society contemplates its own image’.¹⁴³ Unfortunately one of the main problems in the analysis of the documents is that in trying to analyse the cultural references within them we have to use other texts that are more recent than the ones we are attempting to analyse to construct the culture whose references we are attempting to uncover. Whether it is seeking the judicial framework that Edwin sought to place on his mother within the laws of Hywel Dda, or Thurkil’s believed culture producing a structure to the free narrative sections of the document. We are faced with the brick wall that Dda’s Laws or the Icelandic Egil’s Saga for example are only available in their earliest form from the 13th century. Dafydd Jenkins puts forward that there may be a core of the laws going back many centuries, or only back to the time of Hywel Dda.¹⁴⁴ The 13th century copies that we have may have suffered accretions or subtractions that have rendered their originals beyond our reach and the copies we have beyond our

¹⁴² Whitelock, Douglas and Turner, *The Anglo-Saxon Chronicle, A revised Translation*. Entry for 1046, it is in the C version that the author states, rather sardonically, that Svein kept the Abbess ‘as long as it suited him’.

¹⁴³ Marc Bloch, *Feudal Society*, Translated by L.A Manyon, (Chicago: Chicago University Press, 1961) p 102.

¹⁴⁴ Jenkins, Dafydd. "The Medieval Welsh Idea of Law." *Tijdschrift Voor Rechtsgeschiedenis / Revue D'Histoire Du Droit / The Legal History Review* 49.3 (1981): p. 323-48.

understanding. Within this thesis texts have been used that were not in existence until over two hundred years after Doc A and B were written in order to examine and analyse them.

It would be a common and easily entered into misconception to assume that all laws were common to all people throughout the Anglo-Saxon England of the 11th Century. It is true to say that the application and knowledge of these laws boiled down to the level of the individual, with each person's individual circumstances having an effect on both the effectiveness and the reach of the statutes. It would be unwise to apply national legislation to the Mercian experience with too great a rigour. We can however demonstrate the reach of a centralised administration in the figures present at the moot and must therefore accept a degree of co-operation and undertaking of national standards within this administrative area. It is true to say that the Normans discovered three sets of law when they spoke of Mercia: that of the Roman, that of the Anglo-Saxon and that of the Mercian. To this we may have to add the law of the Dane as þurkil would have understood it.

Some may say that in this work too much has been made of individual loan words or too much meaning has been fashioned from inconsequential tableaux. Within these slips, deliberate or otherwise, and homely set pieces, are the reflections of the everyday relationships and realities that were present a thousand years ago in this corner of England. Theoretical constructs of societal

structure are all well and good but here we see something much more important and much more tangible, the actual practical application of the societal norms in action.

Scandinavian culture hyper-intensifies a reverence for family history and the idea of reputation yet the language of the documents, vernacular English, and their outlook being forward and outwards is to a ruling caste that Thurkil wished, and needed, to be seen as part of.

Encaustam is the name of the ink used on Vellum, it means ‘the biter’ for the way it sinks its teeth in to the material. We have seen here how the Danish Wolf sank his teeth in to England but also how England sank its teeth in to him! Weapon-Dane, Sword-Dane, Spear-Dane becomes Word-Dane on entering the legal arena.

Appendix A

Leoflaed's holdings.

PLACENAME ORIGINAL	MODERN TRANSLATION	WORTH	OWNER IN DOMESDAY BOOK	PHILLIMORE REFERENCE
HETFELDE	HATFIELD	£4		1,11
BERTOLDEST	BARTESTREE	90s	NIGEL THE DOCTOR	7,1
BOLELEI	BOWLEY	20s	NIGEL THE DOCTOR	7,2
SUTUNE	SUTTON	50s	NIGEL THE DOCTOR	7,3
MAGE	MAUND	30s	ST. GUTHLAC'S	7,5
TORNELAUS	THORNLAU	20s	HUGH THE DONKEY	29,3
TORNELAUS	THORNLAU	10s	HUGH THE DONKEY	29,4
SUTUNE	SUTTON	30s	HUGH THE DONKEY	29,5
BELTROU	?	HALF A HIDE	HUGH THE DONKEY	29,6
WLUTONE	?	2 HIDES	HUGH THE DONKEY	29,7
WILMESTUNE	WILMASTONE	30s	HUGH THE DONKEY	29,8

Appendix B

Thurkil's holdings.

PLACENAME ORIGINAL	MOD ERN TRANSLATION	WORTH	OWNER IN DOMESDAY BOOK	PHILLIMORE REFERENCE
FAWLEY	FOWNHOPE	£16	HUGH THE DONKEY	29,2
WALINTONE	WELLINGTON	£7	HUGH THE DONKEY	29,11
ETONE	STRANGFORD	?	HUGH THE DONKEY	29,20

It is fair to say that there are several more landholdings which may be attributed to Thurkil but the ones above are the only ones which are explicitly attributable.

Reference List

- Adams, H., *Essays in Anglo Saxon Law*, (Boston: Littlebrown and Co. 1905)
- Blair, John, *The Church In Anglo Saxon Society*, (Oxford: Oxford University Press, 2005)
- Bloch Marc, *Feudal Society*, Translated by L.A Manyon, (Chicago: Chicago University Press, 1961)
- Brown Michelle P, *Anglo Saxon Manuscripts*, (London: The British Library, 1991)
- Brown Michelle. P. and Peter. Furniss, 'The Hereford Gospels Reappraised', in *Art and Worship in the Insular World. Papers in Honour of Elizabeth Coatsworth*, Edited by Gale R. Owen-Crocker and Maren Clegg Hyer (Leiden: Brill, 2021)
- Cartwright, Jane, 'Virginity and Chastity Tests in Medieval Welsh Prose' in Bernau, A. et al. *Medieval Virginites* (Cardiff: University of Wales Press, 2003)
- Clanchy, M T, *From Memory to Written Record England 1066-1307* (Blackwell Publishing, 2003)
- Coplestone-Crow, Bruce, *Herefordshire Place-Names*, (Oxford: British Archaeological Records, British Series, 1989)
- Ellis Davidson, H.R., *Gods and Myths Of Northern Europe*, (London: Penguin, 1964)
- Fell, Christine, *Women In Anglo-Saxon England and the Impact of 1066*, (London: Colonnade Books, 1984)
- Furniss, Peter, *The Hereford Gospels: A Calligraphers Viewpoint*.
- Gameson Richard, 'The Insular Gospel Book at Hereford Cathedral', *International Review Of Manuscript Studies*, Tome LVI (2002)
- Gelling Margaret, *The West Midlands In The Early Middle Ages*, (Leicester: Leicester University Press, 1992)
- Higham Michael and Martin Ryan, *The Anglo-Saxon World* (London: Yale University Press, 2013)

- Jenkins, Dafydd. "The Medieval Welsh Idea of Law." *Tijdschrift Voor Rechtsgeschiedenis / Revue D'Histoire Du Droit / The Legal History Review* 49.3 (1981)
- Jenkins, Dafydd and Morfydd Owen, 'Welsh Marginalia in the Lichfield Gospels', *Cambridge Medieval Celtic Studies* 5 (1983) Ed. Patrick Sims-Williams
- Johansson, Christer, Place Names In A Herefordshire Charter, *Studia Neophilologica* 49, January 1977 issue 2
- Judge, Cyril Bathurst, *Anglo Saxonica in Hereford Cathedral Library* by (Harvard: Harvard Press, 1934)
- Lawson M.K. *Cnut England's Viking King 1016-1035*, (Stroud: The History Press, 2011)
- Leyser, Henrietta, *Medieval Women; A Social History Of Women In England 450-1500* (London: Orion Books Ltd, 1995)
- Lewis, C.S., *The Discarded Image; An Introduction To Medieval And Renaissance Literature*, (Cambridge: Cambridge University Press, 1964)
- Loyn H.R. *Anglo-Saxon England and the Norman Conquest*, (London: Longman, 1981)
- Mack, Katherine, Changing Thegns: Cnut's Conquest and the English Aristocracy, *Albion*, 16 (1984)
- Metcalf, Frederick, *The Englishman and the Scandinavian A Comparison Of English And Norse Literature*, (London: Turner and Co. 1880)
- Murray Jones, Peter and Lea T Olsan, , Performative Rituals for Conception and hildbirth in England 900-1500, *Bulletin of the History of Medicine*, 2015
- Parkin, Sally. "Witchcraft, Women's Honour and Customary Law in Early Modern Wales." *Social History* 31.3 (2006)
- Roach, *Forgery and Memory at the End Of the First Millenium*, (Princeton: Princeton University Press, 2020)
- Robertson, A.J. (Ed), *Anglo-Saxon Charters*, (Cambridge: Cambridge University Press, 1956)

- Shapland, Michael G. *Tower-naves, lordly towers, and the Anglo-Saxon aristocracy; Anglo-Saxon Towers of Lordship*. : Oxford University Press, January 24, 2019
- Sims-Williams Patrick, *The Book of Llandaff as a Historical Source*, (Woodbridge: The Boydell Press, 2019)
- Stafford Pauline, *Unification and Conquest: A Political and Social History Of England in the Tenth and Eleventh Centuries*, (London: Hodder, 1989)
- Stenton, Frank, *Anglo Saxon England*, 3rd Edition (Oxford: The Clarendon Press, 1985)
- Telford Lynda, *Women In Medieval England*, (Amberley Publishing: Stroud, 2018)
- Thornton, David, 'Some Welshmen in Domesday Book and Beyond: Aspects of Anglo-Welsh Relations in the Eleventh Century', *Britons in Anglo-Saxon England*, in Nick Higham (ed), (Woodbridge: The Boydell Press, 2017)
- Thorpe, Benjamin, *Diplomatarium Anglicum Aevi Saxonici*, (London: Macmillan, 1865)
- Thorsson, O. (Ed), *The Sagas of Icelanders* (London: Penguin, 2000)
- Treharne, Elaine in Textual Communities (vernacular) in Julia Crick and Elizabeth Van Houts (Eds), *A Social History Of England 900-1200* (Cambridge: Cambridge University Press, 2011)
- Treharne, Elaine, *Living Through Conquest* (Oxford: Oxford University Press, 2012)
- Treharne, Elaine, *Living Through Conquest* (Oxford: Oxford University Press, 2012)
- Van Houts, Elizabeth in Invasion and Migration in Julia Crick and Elizabeth Van Houts (Eds), *A Social History Of England 900-1200* (Cambridge: Cambridge University Press, 2011)
- Von Fellitzen, Olof, Old Welsh Enniaun and the Old English Personal Name Element Wen, *Modern Language Notes* Vol. 62, No. 3 (Mar., 1947)
- Whitelock Dorothy, *English Historical Documents i*, Gen Ed David Douglas, (London: Eyre and Spottiswode, 1955)

Whitelock Dorothy, David Douglas and Susie Tucker (Eds), *The Anglo-Saxon Chronicle, A revised Translation*, (London: Eyre and Spottiswode, 1955)

Williams, Thomas, *Viking London*, (London: William Collins, 2019)

Wood, Juliette, 'The Calumniated Wife in Medieval Welsh Literature', *Cambridge Medieval Celtic Studies*, 10 (1985)

Primary Sources Textual

Anglo-Saxon Charters, A.J. Robertson, (Ed and Trans), (Cambridge: Cambridge, University Press 1956)

Anglo-Saxon Poetry, S.A. Bradley, (London: Everyman, 1991)

Anglo-Saxon Wills, Whitelock, Dorothy, (Ed and Trans), (Cambridge: Cambridge University Press, 1930)

The Anglo-Saxon Chronicle: A Revised Translation. Whitelock, Dorothy, (Ed), David Douglas and Susie Tucker (Eds) (London: Eyre and Spottiswoode, 1965)

Domesday Book, Gen Ed J. Morris (various county volumes), (Chichester: 1975-1986)

The Earliest English Poems, Michael Alexander, (London: Penguin, 1977)

English Historical Documents, Vol.1 c. 500-1042, David Douglas, (Ed), 2nd edn (London: Eyre and Spottiswoode, 1955)

English Historical Documents, Vol. 2 c. 1042-1189, Douglas, David (Ed), 2nd edn (London: Eyre and Spottiswoode, 1953)

Hereford Insular Gospels. Hereford Cathedral Library P.I.II. Folio 134 R-V.

The Ricemarsh Psalter 1064-1068 Dublin, TCD MS 50

The Sagas of the Icelanders, O. Thorsson (Ed), (London: Penguin 2000)

Select English Historical Documents of the Ninth and Tenth Centuries, Florence : Cambridge University Press, 1914)

Electronically held primary sources and primary source search resources.

Avalon Project (Yale Law) Documents in Law, History and Diplomacy.

<https://avalon.law.yale.edu/default.asp>

British Library digitised manuscripts.

<https://www.bl.uk/#>

Electronic Sawyer.

<https://esawyer.lib.cam.ac.uk/about/index.html>

Encomium Emma Reginae, Alistair Campbell, (London, RHS 1949).

<https://archive.org/details/in.ernet.dli.2015.185337/page/n7/mode/2up>

Euro docs.

[https://eudocs.lib.byu.edu/index.php/Britain from Antiquity through 1065](https://eudocs.lib.byu.edu/index.php/Britain_from_Antiquity_through_1065)

National Archives.

<https://www.nationalarchives.gov.uk/help-with-your-research/research-guides/?letter=&search=&research-category=online>

Open Domesday. Online Phillimore from University of Hull.

<https://opendomesday.org/>

National Library of Wales.

<https://www.library.wales/index.php?id=1>

PASE Prosopography of Anglo Saxon England.

<https://pase.ac.uk/>

Bibliography

Blair, John, *The Church In Anglo Saxon Society* (Oxford: Oxford University Press, 2005)

Carlin, M, and Crouch, D, *Lost Letters of Medieval Life, English Society 1200-1250*, (Pennsylvania: University Of Pennsylvania Press, 2013)

Cheney, C.R, *A Handbook Of Dates For Students of British History*, Revised Edition 2000, (Cambridge: Cambridge University Press, 2000)

Clanchy, M. T, *Charters, Cartularies, and Archives: The Preservation and Transmission of Documents in the Medieval West, Speculum*, 80 (2005), 247-248

Clanchy, M. T, *From Memory to Written Record*, (Oxford: Blackwell, 2003)

Duckett, Bob, *The Cambridge History of the Book in Britain. Volume 1: C.400-1100*, Edited by Richard Gameson, (Cambridge: Cambridge University Press, 2012).

Dyer, C, *Making a Living in the Middle Ages: The People of Britain 850–1520* (London: Yale University Press, 2009).

E. B Pryde, D E Greenway, S Porter, I Roy Ed *Handbook Of British Chronology*, 3rd Edition 2003, (Cambridge: Cambridge University Press, 1941).

Fell, Christine E, *Women in Anglo-Saxon England* (London: British Museum Publications, 1984).

Gameson Richard, *The Insular Gospel Book at Hereford Cathedral, International Review Of Manuscript Studies, Tome LVI 2002 1*. (Brussels: Centre de'tude Des Manuscite).

Hamerow, Helena, *Rural Settlements and Society in Anglo-Saxon England*, First edition, (Oxford: Oxford University Press, 2012).

Hindley, G., *The Anglo Saxons; The Beginnings Of The English Nation*, (London: Constable and Robinson, 2006).

Holland Tom, *Dominion* (London: Hachette, 2019).

- Johns, Susan, Reynolds Susan and Janet L. Nelson, *Gender and Historiography: Studies in the Earlier Middle Ages*, in Honour of Pauline Stafford (University of London Press, 2012).
- Laing, Lloyd R, *Anglo-Saxon England* (London: Routledge and Kegan Paul, 1979).
- Leyser, Henrietta, *Medieval Women : A Social History of Women in England, 450-1500* (London: Orion Books Ltd, 1995).
- Mack Katharin, Changing Thegns: Cnut's Conquest and the English Aristocracy, *Albion: A Quarterly Journal Concerned with British Studies*, vol. 16, no. 4, 1984, pp. 375–387.
- Marafioti, Nicole, Secular and Ecclesiastical Justice in Late Anglo-Saxon England, *Speculum*, 94 (2019), 774-805.
- Power, E, *Medieval People* 10th edn (London: Routledge, 1924).
- Rabin, Andrew, Law and Legal Culture in Anglo-Saxon England, *History Compass*, 18 (2020).
- Roach, Levi, Law Codes and Legal Norms in Later Anglo-Saxon England, *Historical Research: The Bulletin of the Institute of Historical Research*, 86 (2013), 465-486.
- Stenton, F. M, *Anglo-Saxon England*, 2nd ed. edn (Oxford: Clarendon Press, 1947).
- Scammell, Jean, Freedom and Marriage in Medieval England, *The Economic History Review*, (1974) 27 (4), 523-527.
- Sharpe, R., The Use of Writs in the Eleventh Century, *Anglo-Saxon England* 32 (2003).
- Stafford, Pauline, *Unification and Conquest: A Political and Social History of England in the Tenth and Eleventh Centuries*, (London: Hodder, 1989).
- Treharne, Elaine, *Living Through Conquest*, (Oxford, Oxford University Press, 2012).

Walker, I. W, *Mercia and the Making of England*, (Stroud, 2000).

Whitelock, Dorothy, *History, Law and Literature in 10th-11th Century England*, (London, Variorum, 1981)

Whittock, M, *Life In The Middle Ages*, (London: Constable and Robinson, 2009).