

Sociolinguistic Variation in Old English

Records of communities and people

Olga Timofeeva

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Sociolinguistic Variation in Old English

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Records of communities and people

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For Matti Kilpiö

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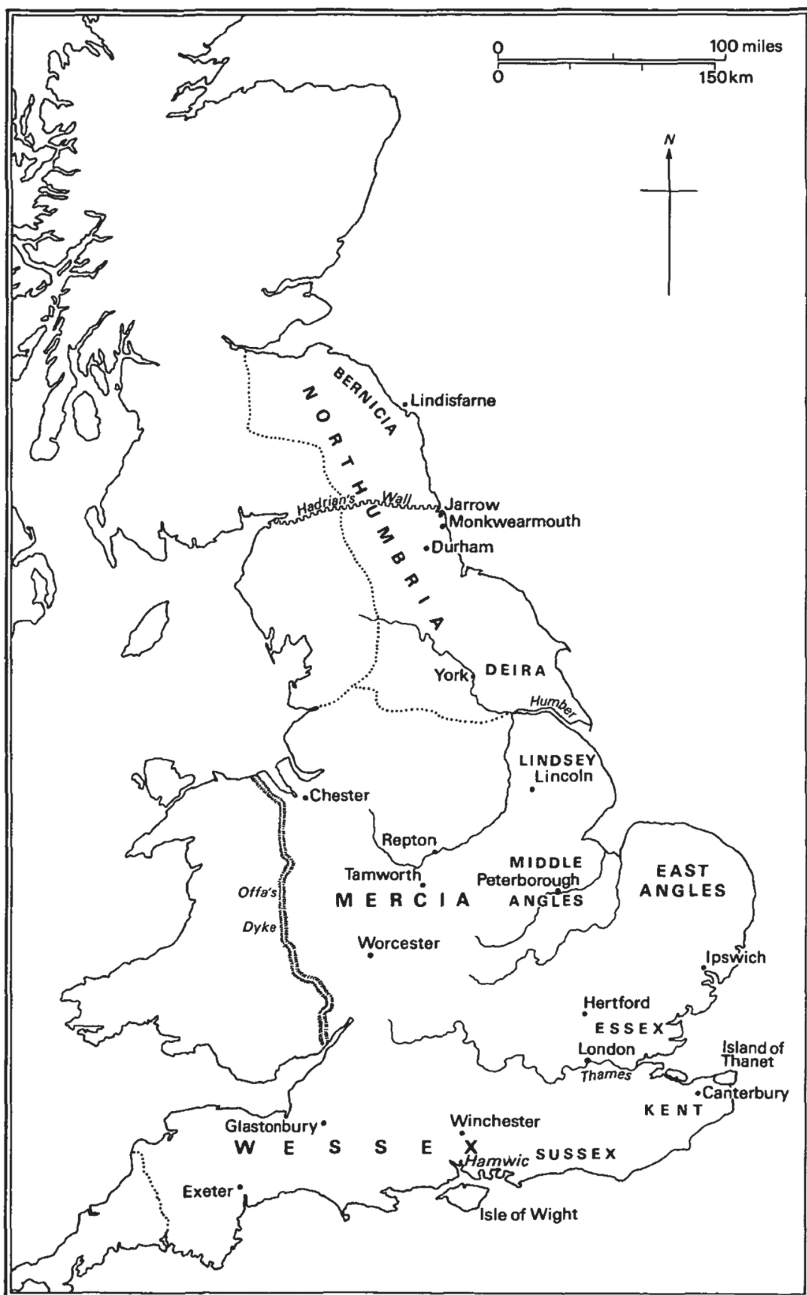


Figure 1.1 Anglo-Saxon England, 700–900

Map from the New Cambridge Medieval History, vol. 2

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CHAPTER 1

Sociolinguistic approaches to the study of Old English

The Old English period, stretching from the middle of the fifth to the middle of the twelfth century, is the longest period in the history of English. Highly eventful at the political, economic, and demographic levels, it is also the one that is the most fragmentary in its documentation. Not only do we lack any record of spoken language, but also find ourselves confronted with numerous social biases within the surviving written evidence: Our Old English texts are largely products of privileged religious classes and male speakers, of politically dominant (supra)regional varieties, and chronologically limited cultural movements (cf. Lenker 2017: 141). Nonetheless, the corpus of Old English is a rich collection of genres, text types, registers, and styles that still awaits its full sociolinguistic appreciation. The intention of this introductory chapter is to show what has already been done by scholars with or without an explicit sociolinguistic agenda, how this volume is going to contribute to the existing debate of the sociolinguistics of Old English, and what can be done in the future.

1.1 A typology of approaches and earlier work

The most immediate question to be addressed at this point is whether a sociolinguistic analysis is at all possible for the Old English period. While it may be obvious that the sociolinguistics of Old English is different from the sociolinguistics of present-day English, it is instructive that the most comprehensive diachronic corpus of English (from before 850 to 1710), *The Helsinki Corpus of English Texts*, does not tag any sociolinguistic parameters that are earlier than 1150:

[T]he importance of the parameters giving sociolinguistic information on the authors is greater for the later sections of the corpus. These parameters apply from Middle English on: even if we possess some information on such Old English authors as King Alfred or Archbishop Wulfstan, this information is too occasional to offer a basis for sociohistorical generalizations.

(Kytö & Rissanen 2011[1993]: 4.3)

This statement suggests that Old English can only be studied *en masse*, as an anonymous corpus of texts, and that occasional information on individual actors should better be put aside as unsafe and non-representative, which, as is shown below, holds true as long as we have that totality of Old English in mind but less true when we attempt to reconstruct its smaller units. This book is essentially about these smaller units: genres and registers of Old English in relation to communities that used them and, whenever possible, in relation to the neglected occasional individuals. Thus, it concerns itself not only with the sociology of language, as has been mostly done until very recently, but also with social dialectology¹ and, within that subfield, with correlational and interactional sociolinguistics. A summary of these approaches and previous work is given in the following sections.

1.1.1 Sociology of Old English

Progressing from societal to linguistic factors, the sociology of language seeks to explain status and function differences between languages and language varieties that are used in human societies. For the Old English period, these problems have frequently been tackled from a language-contact perspective. A good example is Dick Leith's 1983 *A Social History of English*. Although not always factually accurate, this history was the first to apply the concepts and insights of sociolinguistics to the long diachrony of English, exploring historical sociology of the language, social dynamics between communities that maintained English as their first language or shifted into English from Celtic, Scandinavian, and Norman, and the interplay between external history and linguistic change. Leith was also among the earliest authors to offer a sociological account of the relationship between English and minority languages on the British Isles, to include the evidence of regional dialects, and to examine the development of post-colonial varieties of English in a comprehensive way. The book sections dedicated to Old English are of necessity short and simplified but contain insightful, marxistically informed discussions

1. Traditionally, two other paradigms are distinguished in sociolinguistics – interactional sociolinguistics and ethnography of communication (Dittmar 1997: 98–102; Nevalainen 2012: 1440–1442). Even more than the first two, these depend on fieldwork, on observation and analysis of interactional and ethnographic data, and, of course, on that impossible ideal of historical linguistics, spoken language. They also require an understanding of what is construed as norm or standard in both verbal and non-verbal behaviour, which can be observed during fieldwork, clarified by means of questionnaires or reconstructed from manuals of conduct. Although in principle, it should not be impossible to find written texts that could serve as proxies for modern fieldwork data even in the medieval period, most of the historical studies that take the interactional or ethnographic approach have so far focused on the Late Modern period (1700–1900).

of such notions as linguistic prestige and stigma, variation and standardisation, lexical, grammatical, and phonological change triggered and defined by external, political, and economic factors. The majority of studies surveyed below are more linguistic in scope but the agenda of emancipating marginalised historical varieties remains topical.

Without necessarily acknowledging that their work belongs with historical sociolinguistics, many scholars have attempted to reconstruct Old English as a sociological entity in relation to other languages: Brythonic (e.g. Vennemann 2001, 2011; Filppula, Klemola & Paulasto 2008; Filppula & Klemola, eds. 2009; Filppula & Klemola 2014), Old Norse (e.g. Townend 2002; Dance 2003, 2011; Pons-Sanz 2007, 2013; Skaffari 2009; McColl Millar 2016), Latin (e.g. Gneuss 1955, 1968, 1993; Timofeeva 2010a, b, 2013a, b, 2017, 2018), Greek (e.g. Gneuss 1993; Feulner 2000; Timofeeva 2016b), and Old French (e.g. Gneuss 1993; Skaffari 2009). Others have openly claimed the term ‘historical sociolinguistics’ to write a new history of Old English in contact with Brythonic and Old Norse (e.g. a series of publications by Robert McColl Millar, summarised in his *English Historical Sociolinguistics* for the EUP, 2012). In both cases, scholars typically adopt the premise that “[contact] between two (or more) populations speaking different languages is rarely socially equal” (McColl Millar 2012: 129), with one of the speech communities always taking on a politically and/or culturally dominant role. This role does not only determine linguistic outcomes of contact but also defines the description and rhetoric of contact in linguistic historiography. Not surprisingly, in the history of English, several trends of enquiry have taken a politicised approach to language contact and addressed social inequality of historical varieties directly, by seeking to enfranchise and to re-evaluate substratum, adstratum, and, sometimes even, superstratum contributions to the history of English.

Nowhere is this attitude felt more strongly than among the Celtic Hypothesis supporters who challenge the Victorian assumption of the mass extermination and replacement of the Celtic population of post-Roman Britain and that of the subsequent purity of Anglo-Saxon blood (Filppula & Klemola, eds. 2009). Indeed, this assumption is no longer tenable on either genetic, demographic, economic, archaeological, or linguistic grounds. What we can reconstruct from the various and rich material data and from the paucity of linguistic data (the lack of Brythonic loanwords in Old English) is a Celtic population of up to 1.5 million, frustrated by the political and economic decline of the post-Roman period, gradually, over the course of many centuries, giving up their identity and language and shifting into English varieties.² This gradual shift into English is indeed not expected to be

2. For a summary of extralinguistic evidence, see Green (2012) and references therein.

accompanied by lexical borrowing, but rather by structural transfer effects, well attested today in adult second-language acquisition and in subsequent interlanguage varieties of the post-shift generations. Among the phonological features of Old English, Celtic substratum effects have been suggested to explain the fronting of prehistoric Old English *ā* to *æ*, the early phonemicization of *i*-mutation allophones of long and short *u* and *o* (Schrijver 2002, 2009; but see also a recent review of Old English vocalic developments in Laker 2018), the early phonemicization of voice contrast in fricatives (Laker 2009). In morphosyntax, substratum-induced influence has been suggested to explain functional specialisation of the *b*-paradigm of the verb 'to be', the development of *do*-support, progressive, internal-possessor, *it*-cleft and other constructions (Lutz 2009; McWhorter 2002, 2009; Filppula 2003, 2009; Ahlqvist 2010; Vennemann 2001, 2002). Many of these structural contact effects are attested already in Old English, but even more so in Middle English, a backlog that several scholars have associated with the prescriptive role of the Late West Saxon standard (see below), its collapse after 1066, and the consequent re-emergence of dialectal variation with uncensored Celtic-substratum features in Middle English (Tristram 2004; Vennemann 2002, 2009).

Another major reorientation of focus and methodology is taking place in the field of English–French contact in the Middle English period. Following Thomason & Kaufmann's influential 1988 account of this contact situation, it was commonly and far too long believed that the knowledge of the French of England was limited to the elite portions of the population, who gave up their mother tongue as early as c.1250. At the same time, it was also (professional) common place that the peak of lexical borrowing from French dated to between 1350 and 1400. That this peak (thousands of French words, including core loans) could not have happened without French native speakers and, even more importantly, English–French bilinguals was, strangely, ignored both by the two theorists who actually maintained that widespread bilingualism is a prerequisite of large-scale lexical borrowing (Thomason & Kaufmann 1988) and by language histories written in their wake. Today, however, a different understanding of the interfaces between English and French is emerging: we know, for instance, that Anglo-Norman developed distinct insular features (Kibbee 1991; Rothwell 1998a, b, 2001; Trotter 2003; Short 2007; Ingham 2012), that it was used by many artisans and administrators (Ingham & Marcus 2016; Ingham, Sylvester & Marcus 2019), and that it was acquired by English children early enough for them to display native-like competence (Ingham 2012, 2015). The final research chapter in this book contributes a small fragment to this discussion, by looking at the languages of the royal chancery immediately after the Norman Conquest through the lens of social dialectology.

The second most fundamentally elaborated field of sociological enquiry into Old English has been the study of its normative systems and processes. As with

language-contact approaches, sociolinguistic frameworks are seldom used explicitly in such reconstructions, even though the notion of a standard or standardised variety would presuppose a reference point against which other varieties can be linguistically compared and socially evaluated. Also, given that scholarly contributions to this field often rely on a wide array of historical and philological methods and combinations thereof, many of them can conceivably be described as belonging to social dialectology (see next section), although only a few systematically employ quantitative tools to measure the similarity or difference between dialects or sociolects.

Several instances of standardisation have been identified by scholars and related to certain dialectal areas, communities, institutions, or manuscript clusters. For instance, Alistair Campbell in his *Old English Grammar*, referred to the language of the ninth-century Kentish charters as “a local *Schriftsprache*”, while characterising later documents from this area as “a south-eastern *koinē*, which had gained prestige by use at Canterbury” (1959: § 21; cf. Toon 1983 and Hogg 2006: 406). Several decades later, Elmar Seebold compared a dataset of eleventh-century religious terms from Canterbury versus Winchester. He argued that Canterbury lexical norms were ‘missionary’ in character, built upon a distinct tendency to avoid Kentish regionalisms and to use supraregional terms instead, while Winchester norms were reform-oriented and promoted local usage (Seebold 1989: 59–60).

The so-called ‘Mercian literary language’ is often described as another locally restricted and chronologically robust norm. It is most strongly associated with the mid-ninth-century interlinear gloss to the *Vespasian Psalter*, the early-twelfth-century *Life of St. Chad* (Vleeskruyer 1953), and the early-thirteenth-century text cluster that includes *Ancrene Wisse*, the *Katherine Group* and the *Wooing Group* of religious texts known as the ‘AB language’ (Tolkien 1929; Dobson 1976 and earlier publications). The continuity of this norm is displayed at several levels, e.g. spelling conventions, a preference for forms with Second Fronting³ or a lower proportion of negative contractions than in West Saxon, e.g. *nīs* vs. *ne is* ‘isn’t vs. is not’ (Hogg 2006: 402–405, 409–411).

The language of Old English poetry is often described as a *koinē*. Most of its surviving corpus, approximately 30,000 lines (see below), was presumably composed in Anglian in the seventh century and recorded in West Saxon around 1000. Many of its phonological, morphological, and syntactic features exhibit Anglian as well as Kentish input, e.g. the Second Fronting (as above), unsynopated forms of the second and third persons of strong verbs (*bindeþ* vs. West Saxon *bint* ‘he binds’),

3. A sound change “which caused short front vowels to front and raise so that original /æ/ and /a/ changed to [ɛ] and [æ] respectively (the best phonemic analysis is hazardous), with the corresponding new spellings <e> and <æ>” (Hogg 2006: 403).

and the use of the preposition *mid* with the accusative (rather than the dative as in West Saxon) (Fulk 2017: 237–243). This poetic lect was native to no one place or community, which makes it tantalizingly akin to Homeric Greek, also in its vocabulary displaying unique words, connotations, derivational and metaphorical strategies. Since Northumbria and Mercia “were the chief centers of power and culture in the early years of the Anglo-Saxon period” – the formative time of Old English heroic poetry – Anglian linguistic elements continued to carry greater prestige and closer association with ancient traditions and a legendary Germanic past into the period of West Saxon domination (Fulk 2017: 237).

1.1.2 Social dialectology

1.1.2.1 *Correlational sociolinguistics*

The problematic of this approach has already been pointed out in the quotation from Kytö & Rissanen (2011[1993]) in the beginning of this chapter. Can we indeed establish any correlations between language-internal variables and independent external variables, such as gender, class, education, age, ethnicity, etc? It is true that the great majority of Old English authors have to be tagged as anonymous, and the only plausible sociolinguistic generalisation to infer from the Old English data is that they were produced by the upper-class adult male informants, albeit today we know that linguistic change is promoted by the upper working to lower middle class, by early to middle adolescents, and by socially active women (Labov 2001). One must, of course, bear in mind that the existing sociolinguistic models (Labov 2001; Trudgill 2000; Milroy 1987) are based on studies of modern urban communities. In applying these models to historical settings, scholars have to extrapolate, to a greater or lesser extent, from the (post-)colonial and (post-)industrial to the early feudal and agricultural. But how safely can this be done in the absence of the working and middle class, with shorter life expectancies and different generation dynamics, and urban life and urban linguistic norms essentially non-existent? Indeed, we have to move on to Late Middle English or Early Modern English to get at least some idea of gender and social-class linguistic trends, although the latter have been justly scrutinised by Terttu Nevalainen and Helena Raumolin-Brunberg in a series of publications on language change in Tudor and Stuart England (e.g., Nevalainen 1996; Nevalainen & Raumolin-Brunberg 2017; cf. Bergs 2012). Gender, on the other hand, as the most salient of sociolinguistic parameters (Labov 2001), seems to be more reliable in historical research, and several studies have shown that modern predictions also bear out in older data: women lead language change in the 16th and 17th centuries (Nevalainen & Raumolin-Brunberg 2017); 15th-century men are more conservative and dependent on the language norms of their mothers (Bergs 2005, 2012).

But all this is of little use for Old English, as we have no texts that can be ascribed to female authors – at best dictated or written on their behalf (see Chapter 6). Hypothetically, we could overgeneralise and say that the surviving Old English texts are all, to an extent, representative of female language of the previous generation...? However, more problems would emerge: how do we date these texts? There is frequently a discrepancy between the composition and manuscript date of a text, and both dates are likely to be only approximations by a decade, 25, 50 years or even a century. The upper-class bias would still be insurmountable. And we would still have to argue on the basis of written documents, which are only a proxy to oral production, with much of the surviving record being conventionalised for specific genres and discourse communities. It may be too early to say, alas for Old English though, for it is precisely the last two parameters that offer something resembling a sociolinguistic agenda. In Section 1.2 we shall survey quantifiable linguistic facts – word counts and their relation to genres – and then argue how far we can interpret these facts to arrive at meaningful sociolinguistic reconstructions of the language period that produced them.

On a different level, however, social-dialectology accounts of Old English have also been offered. Among the earliest, was Thomas E. Toon's 1983 *The Politics of Early Old English Sound Change*, published by William Labov and David Sankoff in their at the time newly established series *Quantitative Analyses of Linguistic Structure*. Approaching Old English vocalism with a variationist toolkit and using a corpus of early glosses and charters from c.700 onwards as informants, Toon was able to relate the period of Mercian political dominance in the eighth century to the diffusion of phonological change from the West Midlands to the east and south. For instance, he demonstrated how the development of West Germanic **a* before nasal consonants from *a* to *o*, attested as a majority <o> spelling in the earliest Mercian charters, had started in a small subset of the lexicon, diffused on a word-by-word basis, and become complete in the first decades of the ninth century, not only in Mercia but also in Mercia-dominated Kent. After political hegemony had shifted to Wessex in c.825, however, the change was reversed and the conservative <a> spelling invaded documentary texts in West Saxon dependencies. Toon's study gave more precision to dating and chronology of sound change in early Old English, traced its progression within the lexicon, and highlighted important interdependencies between "language and politics, literacy and the political – social establishment" (1983: 118).⁴

4. But see important criticism by Lowe (2001). For the Early Middle English period, Nicole Studer-Joho has recently offered an interesting application of modern diffusion models to another phonological change from *ā* to *ō* as well as to the reduction of ablaut grades in strong verbs and the decline of dual pronouns (2014). Her study is based on the 2.1 release of the *Linguistic Atlas of Early Middle English, 1150 to 1325* (LAEME).

Other scholars have tried to relate several instances of language-standardisation phenomena to influential communities, courtly and monastic circles, that were also involved in other non-linguistic reforms. Ursula Lenker, for instance, defined the *Winchester School* of the late tenth–early eleventh century as a “closeknit, localised network cluster functioning as a mechanism of norm-enforcement” (2000: 236). This cluster was shaped by the dominant position of its key figure, bishop Æthelwold of Winchester, and the institutional support of the Benedictine reform movement by King Edgar. Through cultural focusing, the Winchester network engaged in the “formation of recognisable sets of norms ... apparent in the standardisation of monastic life and the liturgy. ... of manuscript art and, linguistically, of the ‘Winchester Vocabulary’” (Lenker 2000: 237). The lexical norms of the Winchester network both emerged in and later on were maintained by the tight structures and links within the network, supported by its institutions (schools and monasteries), hierarchies and manuscript-dissemination channels. The results of this standardisation could be felt even after the Norman Conquest, when the manuscripts initially produced by the Winchester School continued to be copied by early Middle English scribes. Lenker’s study is unique in using a social-network approach explicitly, but her work was enabled and inspired by earlier investigations of Winchester norms and standardising practices by Helmut Gneuss (1972), Mechthild Gretsch (1999, 2001, 2003, 2006, 2009), Walter Hofstetter, whose database of the Winchester vocabulary she uses (1987, 1988), and Elmar Seebold (1989).⁵

In my recent work, I propose that several other communities in the history of Old English – the Alfredian circle of scholars or the emerging royal chancery – can be reconstructed as social networks and communities of practice synchronically and as discourse communities diachronically (Timofeeva 2018). This train of thought is also pursued in the present book but on a wider scale. Because the communities under scrutiny ‘specialise’ in a limited number of genres, this study is divided into chapters that deal with those genres. Thus, the first chapter analyses the emergence of several lexical norms in vernacular statutory and nonimaginary-narration texts (see 1.3 below) in the late ninth century and their complex association with the circle of scholars and a scribal office at the court of King Alfred. Both text categories develop further in late Old English and (partly) in Early Middle English, but later on discontinue and switch into Latin, precisely because the discourse communities once involved in their maintenance change too much or even dissolve under the political and cultural pressure of the post-Conquest period. The rest of the book

5. It is remarkable that just as the West Saxon scholars they studied, these researchers formed a distinct community, the Munich School of Old English philology, dominated by an Æthelwoldian figure of Helmut Gneuss. For an insightful summary of their work, see a publication by another Munich alumna, Lucia Kornexl (2017).

focuses on legal genres (charters, writs, and wills) and explores their correlation with professional and lay communities within the context of such institutions as the church, local courts, and the royal chancery.

1.1.2.2 *Interactional sociolinguistics*

This subfield of linguistics is interested in how language users create meaning via social interaction. Speech is social interaction by definition, but how is it possible to study spoken variation of the past if we have no spoken data? For most of the period before audio recording, that is, well into the Late Modern English period, speech has been studied by proxy. Texts that can be used as proxies have been categorised into several types, most consistently by Culpeper and Kytö in their 2010 study of Early Modern English dialogues:

- (1) *speech-like* genres (e.g. personal correspondence, prose fiction with speech presentation, plays, handbooks in dialogue form, trials, witness depositions with direct speech presentation) are “neither based on nor designed to be like speech” although they contain features that are speech-like, such as second-person pronouns or discourse markers;
- (2) *speech-based* genres (e.g. trials, witness depositions with or without direct speech presentation, parliamentary records) “all those that are based on an actual real-life speech event” even though they may not be an accurate recording thereof;
- (3) *speech-purposed* genres (e.g. plays, handbooks in dialogue form, sermons, proclamations) “are designed to be articulated orally” or performed as a monologue or dialogue.

(Culpeper & Kytö 2010: 17–18)

The categories are interrelated, and many of the genres can be both speech-like and speech-purposed (e.g. plays) or speech-like and speech-based (e.g. trials), and should best be seen as representing a cline between speech-related and writing-related genres (Culpeper & Kytö 2010: 17–18; 398–405). This approach will be particularly relevant in the present study.

In the Old English period, speech-like genres are represented by instances of direct speech in fictional texts, e.g. in poetry and homilies. Ælfric’s *Colloquy*, written in Latin and glossed in Old English, is a dialogue between a teacher and several pupils who represent medieval trades (Lenker 2017: 141–142). Most of the genres analysed in this book are speech-related in one or several ways: the *Chronicles* were probably read out to audiences of local assemblies in the shires, and legal documents always included a performative element, being either a record of a public announcement (such as the will) or a script used for the purpose of announcement, and very often a combination of both.

In fact, orality permeates Old English texts, as traces of spoken performance come to light through the verbal rituals of such genres as charms and prayers (Arnovick 2006) or through such speech acts as insults, boasts and curses, or promises, requests and commands (Arnovick 1999; Danet & Bogoch 1992, 1994; Kohnen 2000, 2008a, b, 2017a, b). Within these sociopragmatic approaches to Old English, the work of Thomas Kohnen is particularly illuminating in demonstrating that the status of speech acts can change over time and develop from canonical to non-canonical and vice versa. For example, the status of boasting, once perceived as respectable among Anglo-Saxon warriors, became non-canonical with the advance of Christianity and its ideals of modesty and humility. Apologising, on the other hand, followed the reverse trajectory: from being “incommensurable to the spirit of Germanic warriors” (to the extent that Old English had no vocabulary for apologies) towards canonical in contemporary Western societies (2017a, 2017b: 316). These findings highlight the fundamentally culture-specific nature of politeness and the relativity of contemporary politeness norms. Thus, in spite of the challenges of data retrieval and the tentative character of conclusions based on proxy genres, interactional approaches to Old English texts have immense scholarly and cultural value (cf. Lenker 2017: 144).

So far, we have mainly considered linguistic approaches to the social dialectology and sociology of Old English. The next section focuses on how philological, archaeological and codicological description can inform us about the social history of medieval texts, text types, and genres.

1.2 Old English text categories and their suitability for sociolinguistic research

1.2.1 Text categories and genres

According to the count of *The Dictionary of Old English Web Corpus* (DOEC), Old English survives today in 3,033,142 digital words. Although not all the copies of the extant Old English texts are included in this count, and more data may be hiding in unedited manuscripts, Old English is the best documented (and the most studied) of the Germanic languages at this early stage of their history, i.e. from c.600 to c.1150. Its record is also quite varied, in that Old English comes down to us in legal documents, medical treatises, historical writings, homilies, poetry, riddles, etc. The relative portions of these genres in the three-million total are, however, not equal. This is how the overall count is broken down in the DOEC (Table 1):

Table 1.1 Major text categories in DOEC

Category	N words	%
A: Poetry	177,480	5.85%
B: Prose	2,128,781	70.18%
C: Glosses	699,606	23.07%
D: Glossaries	26,598	0.88%
E: Runic inscriptions	346	0.01%
F: Non-runic inscriptions	331	0.01%
Total	3,033,142	100.00%

The DOEC divides Old English texts into six categories: poetry, prose, glosses, glossaries, runic and non-runic inscriptions. I briefly survey these six categories and comment on how far they can enhance sociolinguistic research into Old English.

1.2.2 Runic and non-runic inscriptions

The smallest two categories – Runic inscriptions (E) and Non-runic inscriptions (F) – taken together, account for a little less than 700 words. Category E consists of forty-five runic inscriptions ranging in size from 1 to 78 (the Ruthwell Cross, c.750 AD) words carved on stone, bone, metal, clay, or wood. Category F comprises sixty-one non-runic inscriptions from 1 to 46 (the Kirkdale Sun-Dial, c.1060) words (Okasha 1971). The size of this sub-corpus in itself is clearly not enough to enable any sociolinguistic analysis. However, if these minitexts are studied in a wider socio-political and socio-religious context, they allow us to make credible generalisations about the linguistic symbiosis of the two orthographic paradigms and the social groups that stood behind them – professional carvers, goldsmiths, and other artisans in relation to upper-class warriors and priests. For instance, a recent reconstruction of the social history of runic writing by Michael Schulte (2015) associates the emergence of runes towards the end of the first century AD with their role as the marker of status and group identity amongst the Germanic elites that felt themselves distinct from and threatened by the Roman world they came to encounter. In Anglo-Saxon England, on the other hand, and, in particular, in Northumbria after 650 AD, this contradistinction was abandoned and Old English runes began to be used in Christian contexts and influenced by the contemporary Roman-based scripts, with many objects containing inscriptions in both Latin and Old English, in runic and non-runic characters (cf. Okasha 1971; Page 1999; Seiler 2014).

1.2.3 Glosses

Almost a quarter of the surviving Old English texts (on parchment) is represented by Glosses (C), mostly of the interlinear type, in which Old English word-for-word translations are inserted above the lines of a Latin text, such as the Psalter, Gospels, monastic rule, or school textbook. These fragments of Old English are auxiliary texts that were meant to be read or consulted only in relation to that other, superior text, mainly for educational purposes, although other functional domains have also been suggested (Keefer 2007). Though functionally restricted, glosses were not necessarily confined to the monastic scriptoria that produced them. As all other manuscripts, they could be carried short and long distances, borrowed and exchanged, bequeathed and given as gifts, just as their authors could relocate between scriptoria or be commissioned to gloss a manuscript for another monastery. More immediately, not all gloss texts are anonymous – several scribes left their names in the colophons of the manuscripts they had glossed – and quite a few point to diffusion of glossatorial practices from one locality to another. For example, on completing his Northumbrian gloss to the luxurious Lindisfarne Gospels in the 950s or 60s, Aldred of Chester-le-Street added a series of colophons at the end of the book (BL, Cotton Nero D.iv, f. 259r) that provide his name, a few biographic details, and the circumstance of his work. From Aldred's colophon in the *Durham Ritual* (Durham A.IV.19, f. 46v), we know that around 970 he was at Oakley in Wessex, accompanying his bishop Ælfsige and glossing the manuscript of the *Ritual* (of southern origin), which he may have obtained during the same visit. Around this time, his earlier gloss was used by two other scribes, Farmon and Owun, to produce an interlinear translation in the Rushworth Gospels (Oxford, Bodleian Library, Auct. MS D.2.19), now into the Mercian dialect (Brown 2003: 90–104; Stanley 2017). Thus, through accidental marginalia and careful palaeographic and codicological study of the sources, we can get valuable insights into the geographical mobility of scribes, the appreciation and adoption of their work and glossatorial practices by their counterparts in other, more or less distant, scriptoria across the country.

1.2.4 Glossaries

Related to Glosses is category Glossaries (D), collections of hard words. These can be organised alphabetically (by first letter or on the *ab* or *abc* principle), resembling modern dictionaries; thematically, somewhat similar to modern thesauri; or as word lists derived from individual curriculum texts. Glossaries, just like glosses, are overwhelmingly Latin–Latin, but word lists with Latin lemmata and Old English interpretamenta survive as well, and some glossaries are both Latin–Latin and Latin–English. The Latin–English subcategory accounts for a little less than one per cent of

the recorded Old English. Glossaries are educational tools that enabled their users to read Latin texts and to write lexically more sophisticated Latin. For students of Old English these collections also work the other way – recording rare Old English words and hapax legomena. Their social context is primarily monastic schools and scriptoria. As with glosses, the scope of the linguistic data in glossaries may look somewhat limited, but a comprehensive description of glossatorial practices and social networks that produced and disseminated these texts, today still a desiderandum, will greatly enhance our understanding of the sociolinguistics of the period, both in England and in the Latin West more generally. The manuscript history of the *Épinal-Erfurt Glossary* can illustrate the potential of such a sociolinguistic reconstruction. The origins of this glossary are associated with the influential Canterbury school of archbishop Theodore (602–690) and abbot Hadrian (630x37–709) in the late seventh century, probably reflecting the way hard words were explained in class by the two great magistri (Lapidge 1986, 2007). Although the original glossary was lost, the two surviving copies attest to its importance within the social network of Canterbury students and alumni (cf. Thornbury 2014: 136–160). The earlier among them is *Épinal* (Bibliothèque municipale, MS 72 (2), fols. 94–107), written in southern England c.700, possibly, at Canterbury and still during the lifetime of Theodore. The closely related Erfurt copy (Erfurt, Wissenschaftliche Allgemeinbibliothek, Codex Amplonianus F. 42, fols. 1–14v) was written at Cologne by a German scribe c.825. Around 850 yet another copy of the hypothetical *Épinal-Erfurt* exemplar, the *Corpus Glossary* (Cambridge, Corpus Christi College, MS 144, fols. 4–64v), appeared at Canterbury. A more distant cousin, the *Leiden Glossary* (Leiden, Bibliotheek der Rijksuniversiteit, Voss. lat. Q. 69, fols. 7–47) was produced at St. Gall c.800 (Herren & Sauer 2016). All the four manuscripts attest not only to the prominence and diffusion of the Canterbury-school tradition in Britain and on the continent, but also provide numerous details on the study of classical and patristic authors at Canterbury and on the involvement of the individual scholars (e.g. Theodore himself, but also his most accomplished pupil Aldhelm (d. 709/10)) in the compilation of these educational gloss-tools (Lapidge 2007).

1.2.5 Verse

About six per cent of the Old English corpus is Verse (A). It survives in 177,480 words, which is a uniquely rich tradition of Germanic poetry in this period. However, this tradition is, perhaps, even more difficult to reconstruct sociolinguistically than the previous four, not only because the social information we find in these texts is extremely limited and the dating of individual texts is highly disputed (e.g. *Beowulf* has been dated to anywhere between c.650 and c.1025 (Fulk, Bjork & Niles 2008: clxii – clxxx)), but also because many of the reconstructions of the social

role of poetry and poets offered in the nineteenth and twentieth centuries were loaded with assumptions, tastes and sentiments central to contemporary themes and debates in poetry, literature and literary criticism, such as the rude tribal *bard* developing into the esoteric poet-courtier in the Romantic period, or the ruler's eulogist working with a predetermined set of topics and poetic devices, advanced by those applying the oral-formulaic theory and comparative anthropology to Old English (and Anglo-Latin) verse in the twentieth century (cf. Frank 1993).

As with the four categories discussed so far, Old English poetry is largely anonymous. Only four names can be associated with particular verse texts with any certainty, however short they may be: Byrhtferth of Ramsey (fl. c.986–c.1016) with two hexameters in his *Enchiridion*, Caedmon (fl. c.670) with his *Hymn* of Genesis, quoted in several manuscripts of Bede's, *Historia ecclesiastica gentis Anglorum* (iv.24), Cynewulf (fl. 9th century) with at least four long poems (*The Fates of the Apostles*, *Elene*, *Christ II*, and *Juliana*), and Owun (fl. c.970, see above) with three alliterative verses of his colophon. Three more authors are reported to have composed in Old English: Although none of his English poems survive, Aldhelm of Malmesbury (d. 709/10) had a reputation as a vernacular poet and used alliteration of the Germanic kind in his Latin verse, King Alfred (848/9–899) is sometimes reputed with the *Metres of Boethius*, and the Venerable Bede (673/4–735) with *Bede's Death Song*. The anonymity of the vernacular verse reflects its origins in the oral tradition – most of the scribes that preserved these poems for us did not know who had composed them and did not consider themselves part of the creative process. Understandably, attempts to reconstruct localised audiences of individual poetic texts and manuscript collections that contain them or poetic libraries of individual monastic centres (e.g. Bredehoft 2009) have received a mixed response. One needed the ambition of the ninth-century poet Cynewulf to transmit new Christian narratives into the old pagan forms and to encode his creations with a runic signature. Precisely this ambition makes his works more akin to the Anglo-Latin verse tradition, which was keener to preserve the names of the authors and more daring to try out different metres and poetic devices. These educated poems by Anglo-Saxon scholars and teachers (by the same Aldhelm and Bede among dozens of others) also provide a much better documented verse corpus for a sociolinguistic analysis, since, when we know the names and biographies of authors, we can also reconstruct their social networks and literary production in relation to other poets. Based on earlier philological work by Michael Lapidge (1996, 2007) and Andy Orchard (1994), among others, such a reconstruction has been recently proposed by Emily V. Thornbury, who discusses the network of the Canterbury school alumni, Aldhelm, its most celebrated representative, and his ties to the teachers, fellow students, pupils, and imitators of his verse. Concentrating then on octosyllabic poems in particular, Thornbury shows how they were used in the epistolary exchanges of the network as acts of identity and social cohesion (2014: 135–159).

For interactional approaches (discussed in 1.1.2.2) poetic texts such as *Beowulf* or the *Battle of Maldon*, with their boasting monologues and confrontational dialogues, offer rich, albeit not very extensive, data (Jucker & Taavitsainen 2000; Kohnen 2017a, b). As mentioned above, sociopragmatic studies allow us to reconstruct (or rather to get snapshots of) the politic behaviour in this period and to interpret (or rather to speculate on) the social status of interactants and their relation to each other. Although these poetic speech-like passages are clearly fictional, they can give us some indication of their audience's expectations of linguistic and social norms, at least those norms that were associated with heroic ideals within the military elite of the Anglo-Saxon society.

1.2.6 Prose

Finally, the overwhelming majority, just over 70 per cent, of the surviving Old English record makes up Prose (B). This is the most heterogeneous category which includes all the texts that do not fall into verse, glosses, glossaries, or inscriptions. More specifically, these texts differ greatly in their sizes, proportional weight within the prose record, as well as authorship and audience design, so far as those can be reconstructed. To illustrate the latter points in more detail, I have compiled two tables based on the DOEC word counts of individual texts and grouped them into several sub-categories (Tables 1.2 and 1.3). These can be calculated on the basis of the DOEC text tag B followed by a number, e.g. B1 for Ælfric as author, B1.1 for Ælfric's *Catholic Homilies, First Series*, etc.⁶

Table 1.2 A sample of major prose genres in DOEC

Genres	N words	%
Homilies*	530,137	24.90%
Saints' lives*	239,220	11.24%
Charters	193,286	9.08%
Biblical translations*	182,156	8.56%
<i>Anglo-Saxon Chronicle</i>	125,379	5.89%
Monastic rules & confessionals*	106,813	5.02%
Medical treatises	84,817	3.98%
Laws	46,356	2.18%
Other	620,617	29.15%
Prose total	2,128,781	100.00%

6. For more details, see: <https://tapor.library.utoronto.ca/doecorpus/wordcount.html>.

A more detailed analysis of category B (Table 1.2) shows that about a quarter of the surviving Old English prose is represented by just one genre, homilies. If we further group homilies together with three other religious genres (marked with an asterisk *), saints' lives (11 per cent), biblical translations (8.5 per cent), and monastic rules and confessionals (5 per cent), we realise that at least 50 per cent of prose comprises religious writings (a total of 1,058,326 words, nearly a third of the DOEC). Three other numerically important genres are charters (9 per cent), historical narrative represented by the *Anglo-Saxon Chronicle* (6 per cent), medical treatises (4 per cent), and laws (2 per cent). The category Other includes Alfredian translations (see Table 1.3) and several minor categories, e.g. liturgical texts in Old English and manuscript marginalia and scribbles.

Table 1.3 A sample of major prose authors in DOEC

Major authors	N words	%
Ælfric's works	482,468	22.66%
Alfredian translations	386,517	18.16%
Wulfstan's works	44,778	2.10%
Byrhtferth's <i>Enchiridion</i>	20,316	0.95%
Other	1,194,702	56.12%
Prose total	2,128,781	100.00%

In Table 1.3, prose texts are tabulated by author: 18 per cent of Old English prose are translations associated with the court of King Alfred in the late ninth century, and nearly 23 per cent were written by just one prolific man, Ælfric of Eynsham (c.950–c.1010). These two portions greatly exceed contributions by other influential writers, e.g. Wulfstan of York (d.1023) or Byrhtferth of Ramsey, both Ælfric's contemporaries.

The vast corpus of Old English prose is clearly unbalanced and non-representative, reflecting the interests and biases of the educated elite. Nevertheless, it is precisely the overrepresentation of Ælfric's writings that has enabled the Munich School to study standardising processes of the late tenth–early eleventh century (see 1.1.2.1) or Malcolm Godden to demonstrate intra-speaker variation (as sociolinguists would call it) in young vs. mature Ælfric (Godden 1980). Wulfstan's prose has been used as a source for Old English lexicology; in particular, he has been shown to be an early adopter of Scandinavian vocabulary due to his professional move from Worcester to York (Pons-Sanz 2007). The overrepresentation of the religious register in Old English as well as in later periods has inspired Thomas Kohnen and his collaborators on the *Corpus of English Religious Prose* project to investigate the diachronic developments within such genres as sermons, prayers or monastic rules, and the evolution of politeness norms and speech acts into the

eighteenth century.⁷ It is typically prose, translated prose in particular, that is used in corpus studies of L2 contact effects in Old English and informs our understanding of the sociology of Old English in relation to Latin (Kilpiö 1989; Timofeeva 2010b). In this book, charters and the *Anglo-Saxon Chronicle* will serve as data for correlational and interactional case studies, and their potential as speech-related genres will be explored.

The diversity of the studies discussed in previous sections, with their focus on individual authors or groups of authors, and on texts and genres, suggests that the minor categories – inscriptions, glosses, and glossaries – have distinct functions and can largely be equated with genres. Verse and Prose, on the other hand, are too multi-faceted to allow a comprehensive sociolinguistic description of the period, without further division into subcategories. In the DOEC, prose is divided into 28 subcategories. Some of them overlap with genres, e.g. B23 is a short title for “charms”, while others tag authorship rather than genre, e.g. short title B1 is used for Ælfric’s works. Other categories still seem to combine author and genre information, e.g. B2 is a short title for Wulfstan’s homilies, while B13 is that for his legal works. Although author annotation is extremely useful for the study in inter- and intra-speaker variation, both broader and more specific categories are preferable when we focus on diachronic, diatopic, and diaphasic variation. Therefore, a different (albeit related) approach to text categorisation developed in the Helsinki tradition is introduced in the next section along with some key concepts, and a few adjustments are made to Helsinki terms to better situate the corpus of the present study within text-based frameworks.

1.3 Concepts and definitions

1.3.1 Texts and textual categories

The fact that the history of Old English is essentially a history of texts, registers, and genres in Old English cannot be overstated. This history, with its peaks of textual production around 900 and 1000, is far from random. Both the peaks and more quiet periods are well motivated by the major developments in the political and religious spheres, as the most prolific periods coincide with reform movements and increased involvement of the political and cultural elites in the vernacular (as well as Latin) written culture – the reforms of King Alfred in the late ninth century and the Benedictine Revival of the late tenth. The evolution of many registers and

7. For an introduction to the project and publications, see CoRD database: <https://varieng.helsinki.fi/CoRD/corpora/COERP/>.

genres is correlated with these subperiods, e.g. legal documents and historical writing in Old English have a strong association with the Alfredian period, albeit both genre traditions also continue beyond the death of Alfred in 899; homilies in Old English are best documented from the Benedictine period onwards, although they have precursors in some translations of the late ninth century and strong affinities with the preaching practices of the Early Middle English period. Consequently, if the text-based approach to the chronology of Old English is adopted, the dating of the end of this period would very much depend on textual continuity of the individual registers: legal Old English does not survive after 1070, when the Norman bureaucracy switches into Latin, historical Old English expires in 1154, when the last annals are entered into the *Peterborough Chronicle*, while religious Old English is probably still in use in the West Midlands as late as 1200 when the *Lambeth* and the *Trinity Homilies* are compiled (Swan & Treharne, eds. 2000; Swan 2006, 2007; Treharne 2006).

The inter-relationship between linguistic history and text history has not escaped language historians.⁸ Recent decades have seen a spate of publications that deal with genre and text types in a historical perspective and offer theoretical and methodological foundations for future studies. Several of them provide accounts of generalised diachronic developments, describing history of English as an evolution and expansion of genres (Diller & Görlach, eds. 2001; Moessner, ed. 2001; Diller 2001; Görlach 2001, 2004; Kohnen 2001; Claridge 2017a, b). More commonly however, researchers focus on individual periods of English, most often on Modern English (e.g. Biber 2001; Biber & Finegan 2013; Kohnen 2012), or on individual registers, text types, and genres (e.g. Hiltunen 1990; Nevalainen et al. 1998; Taavitsainen & Pahta, eds. 2010; Stenroos & Thengs, eds. 2020). A particularly helpful summary of textual approaches to English historical linguistics has been offered by Claudia Claridge (2017b), whose definitions I adopt in this book.⁹

In the *Helsinki Corpus* tradition, Old English texts are divided into six prototypical text categories (encoded <Z>): *statutory*, *secular instruction*, *religious instruction*, *expository* (= scientific texts), *nonimaginative narration*, and *imaginative narration*. These prototypical categories further include around twenty ‘text types’ (<T>), some of the latter featuring in at least two categories, as suggested by Table 1.4, based on the documentation of the *Helsinki Corpus* (Kytö & Rissanen 2011[1993]: 4.4).

8. See Kohnen (2001: 115), registers “are catalysts of language change” or Lange (2012: 401), register “lies at the heart of every kind of [historical] corpus linguistic endeavor.”

9. For a recent overview of theoretical literature on text categories, see Mäkinen (2020).

Table 1.4 Prototypical text categories and text types included in the Old English part of the *Helsinki Corpus*

Prototypical text category	Text type
Statutory <STA>	Law, document
Secular instruction <IS>	Handbook (astronomy/medicine), science (astronomy), philosophy
Religious instruction <IR>	Religious treatise, homily, rule, preface/epilogue
Expository <EX>	Science (astronomy)
Nonimaginative narration <NN>	History, biography (saint's life), religious treatise, travelogue
Imaginative narration <NI>	Fiction, travelogue, geography

The practical incentive of both tags is to enable diachronic comparison of text categories. The six prototypical categories, as well as nine text types (law, handbooks, science, philosophy, history, travelogue, biography, fiction, and the Bible) are represented in all the three historical sections of the corpus. Some text types, however, are placed outside the prototypical categories: verse, some documents, some philosophical treatises, some prefaces and epilogues, and the Bible (Kytö & Rissanen 2011[1993]: 4.4). The Helsinki tradition, thus, departs from the DOEC, conflating glosses (e.g. the *Vespasian Psalter* or *Lindisfarne Gospels*) and prose (e.g. the *Paris Psalter* or *West-Saxon Gospels*) into one category ‘the Bible’, but splitting the majority of the prose into several prototypical categories and text types and adding such register qualifications as ‘religious’ or ‘medicine’ (Claridge 2017b: 220). So, let’s be clear about the application of these important terms and concepts here.

The terms ‘genre’ and ‘register’ will be understood as categories of text that are primarily based on text-external criteria such as functions, presentational conventions, and audience expectations (Claridge 2017b: 219; Kytö & Smitterberg 2015: 330). Genre includes the aspects of text structure and shape and the ways those are linked to the prototypical functions and features of texts as perceived by competent text users. For example, Old English *charters* (and their subtypes) will be understood as genres whose function is to record various types of legal transactions. Register, on the other hand, “is a more general term, comprising both oral and written productions based in particular on situational, social and professional contexts and the field and domain of discourse” (Claridge 2017b: 219). The domain of law constitutes the legal register and comprises such Old English genres as laws and charters.

Unlike the previous two categories, “text type” is defined by text-internal criteria, in particular, “in terms of linguistic co-occurrence of patterns” (Mäkinen 2020: 26). For example, the *Anglo-Saxon Chronicle* belongs to the “narrative” text

type and is characterised by such typical linguistic features as past tense verbs and time adverbials. We may wish to specify this text type as “historical narrative”. As long as we discuss lexical and grammatical features of the chronicle or compare them to those of other narratives, we stay at the level of text type. When we move on to the interpretation of the function and agenda of the chronicle, we switch to the level of genre, e.g. the genre of chronicle, or, more specifically, “annalistic genre”. Together with other texts in the domain of history (such as the Old English translations of Bede’s *Ecclesiastical History of the English People* or Orosius’s *History against the Pagans*), the *Anglo-Saxon Chronicle* constitutes the register of history writing. A summary of text-category affiliations of the texts used in this study can be found in Table 1.5. For our reconstruction of the social networks and communities of users of Old English, both text-internal and text-external parameters will be useful, for together they generate a “horizon of expectations” (‘Erwartungshorizont’) in the audience and guide its “attention, understanding, and reception of texts” (Mäkinen 2020: 26; see *discourse community* below).¹⁰

Table 1.5 Text-category affiliations of the texts in this study

	Genre	Register	Text type
<i>Anglo-Saxon Chronicle</i>	annalistic	historical	(historical) narrative
Anglo-Saxon charters	charter sub-genres: diploma, writ, will	legal	documentary

1.3.2 Texts and social networks

As pointed out in 1.1.2, Ursula Lenker’s article on the ‘Winchester School’ is the earliest attempt to apply a social-network approach to Old English data (Lenker 2000). However, because several intellectual communities of Anglo-Saxon England and their linguistic practices are often singled out and referred to by the names of their key figures (e.g. the “School of Theodore and Hadrian” (Lapidge 1996) or the “Alfredian Circle” (Disenza & Szarmach, eds. 2014)), Lenker suggests that the concept of a network or community as such is not exactly new to Anglo-Saxon studies, although its systematic application depends on the rigidity of definitions and analysis. If the term “social networks” is defined broadly as “identifiable groups within a society” (Preston 1987: 693) or as the aggregate of relationships contracted by an individual with others (Milroy & Llamas 2013), its applicability to medieval

10. The term “horizon of expectations” was introduced by Hans Robert Jauss in the late 1950s to include the dimension of audience into literary theory (Jauss 1970).

data may look straightforward: as long as we can identify groups and individual actors within them, we can also use social networks as a concept. If, however, we introduce quantifiable parameters, such as frequency of interaction, degree of integration in a social network, network density, role-relations within a network, network clusters, etc. (Milroy 1987; Milroy & Milroy 1992; Milroy & Llamas 2013), we find ourselves confined to historical reconstruction and guesswork.

Lenker reconstructs the ‘Winchester School’ as a monastic community with high density and multiplexity of ties – the monks know each other by direct contact being territorially attached to the same house, they share most of their activities, many are also connected by class and family ties, and all of them are expected to take part in their common goal: to serve God and to adhere to the Benedictine Rule. She concludes that the “Winchester School” is a cluster within a wider network of reformed monasteries (2000: 234). At the linguistic level, it generates “Winchester Vocabulary” whose local maintenance is supported by the strong ties within the cluster. The leading figures of the community, Æthelwold and Ælfric, can thus be seen as lexical innovators. As Winchester School members take up positions in other parts of the country, Winchester lexical norms can spread to new localities. For example, when Ælfric moves to Cerne Abbas, Dorset and later on to Eynsham, Oxfordshire, he provides the weak ties, necessary for the adoption and diffusion of Winchester innovations, between his alma mater and possible early adopters in the other abbeys. At the same time, Winchester features can also spread along with influential books, when the latter are borrowed, bought, donated, or commissioned to be copied, which may be the case with two interlinear gloss texts from Canterbury (to Defensor’s *Liber scintillarum* in London, BL, Royal 7 C.iv and a collection of prayers in London, BL, Arundel 155). Thus, book migration creates a special type of ties between human networks (Lenker 2000: 235).

Since genres are central for our understanding of language dynamics in the Old English period, it seems necessary to consider sociolinguistic approaches that can integrate text categories and social networks. Among these, the concept of “discourse communities” is particularly relevant (cf. Diller 2001: 19–24). A discourse community is defined by the following criteria: (1) *a communality of interest*, a public goal; (2) *participatory mechanisms* which together with (3) *information exchange* provide both information and feedback through meetings, correspondence, newsletters; (4) *genre-specific discursal expectations* (a discourse community utilises and owns one or more genres); (5) *a dynamic towards specialized language*, controlled by the expert members; and (6) *a critical mass of expertise* (Swales 1987: 4–6; Fitzmaurice 2010: 108–11). For example, a scholarly community, such as that of historical linguists, is a discourse community. Its members own several academic and bureaucratic genres and have a very clear idea of what constitutes an article, presentation, grant application, lecture, or project report. Importantly,

discourse communities “are perceived as medium-neutral and unconstrained by place or time” (Sairio 2009: 33). Indeed, historical linguists can work at different universities, live in different countries, be in the early stages of their doctoral research, act as professors or work in retirement, and still belong to the discourse community; even when they die their professional writings continue to be part of the discourse community.

This later *distant* aspect of discourse communities is relevant for the kind of incomplete data and poorly reconstructible social ties that we encounter in early medieval material. We do know though that the surviving texts from the Old English period were produced by a clearly delimited professional group. And reconstructing Anglo-Saxon clergy as a discourse community may look inevitable – after all, the whole Old English and Anglo-Latin corpus was produced by them, they owned all the available written genres (including many secular ones), and they controlled education and production of all written texts. Yet their discourse practices were not the only practices that united them, just like historical linguists are united by a lot more than conference papers, referee statements, and peer reviews. At our local levels we engage in the life of an office, department, or faculty, we have joint meals, we celebrate communal feasts and public holidays; at an international level, too, we engage with colleagues in many different professional and social ways.

An approach that takes “a range of social practices” into account is that of *communities of practice* (CoP) (Meyerhoff 2002: 526). Anglo-Saxon monastic communities can be reconstructed as communities of practice (Timofeeva 2013b). This suggestion is based on three important premises adopted in the definition of a CoP in cognitive anthropology: such communities are characterised by mutual engagement, joint enterprise, and shared repertoire (Wenger 1998; Meyerhoff 2002; Eckert 2006). One would imagine that monastic life, which consists of many communal activities (studying, working, taking part in religious observances), could easily foster a feeling of mutual engagement, establish collaborative relationships, and local monastic norms. The monastery, its locality, its rule, all create a shared understanding of the joint enterprise that binds the monks (or nuns) together. As they engage in joint activities, maintaining old and inventing new ones, members of monastic communities also produce a shared repertoire of practices (Timofeeva 2013b, 2016a, 2016b). These practices also include linguistic norms.

Even though monasteries seem to be distinctly defined and localisable units, one could also see them and their members as taking part in a wider community of practice, one that involves larger administrative units (sees or kingdoms) or larger ideological units (monasteries that adhere to the Rule of St Benedict), with church synods and councils, and the mobility of clergy promoting the exchange of ideas and practices between monasteries, provinces, and even between countries. To an extent one could argue that the church of Anglo-Saxon England as a whole is a

community of practice with mutual engagement, joint enterprise, and shared repertoire of practices. Taking this approach in Timofeeva (2013b and 2016b), I have shown how Anglo-Saxon lexical and syntactic practices of constructing the notions of ‘Latinity’ and ‘Romanity’, and ‘Greek’ and ‘the Greek language’ are shaped by the common Christian ideas about the role of Romans and Greeks in history and the role of the Latin and Greek languages in Christian schooling and written culture more generally. These common ideas are first adopted by the Anglo-Latin writers of the late seventh century and, as the vernacular tradition develops in the late ninth century, they are re-coded in Old English creating almost identical meanings and connotations. The advantage of the CoP approach in the description of such communities as the School of Theodore and Hadrian or the Alfredian Circle, is that it allows us to take their agenda into account. Indeed, an educational programme or a religious reform movement can be envisaged as a joint enterprise that recruits the best among the literati, brings them together, and encourages them to collaborate with each other for the shared goal. The practices that they adopt and cherish both confirm their membership and distinguish the CoP as a social unit (Eckert 2006: 683–685).

As Lenker (2000) has observed, it is impossible to separate diffusion of features due to weak ties through the relocation of actors from diffusion of features due to the circulation of manuscripts. Similarly, in his study of communities involved in grammar writing in eighteenth-century Britain, Richard Watts remarks that on the one hand they develop “astounding structural and conceptual similarities across time, space and between authors” (2008: 44), yet on the other hand they demonstrate no mutual engagement with fellow grammar writers (2008: 51). Whatever similarities of practices they have, those are conditioned by the circulation of grammar books, by publishers’ practices of copyright and book marketing, classroom reproduction of grammar rules, but not by face-to-face discussion and collaboration. Quite on the contrary, grammar writers compete against each other for a share of the market. Thus “the grammarians had a common, but not a shared enterprise, ... they developed a common but not a shared repertoire of discursive moves, and ... they were commonly engaged rather than mutually engaged in grammar writing” (Watts 2008: 54) – in other words they constituted a discourse community.

These characteristics can to an extent be applied to Anglo-Saxon religious communities. Although market competition is not such a concern here, reproduction of common language practices over time can be explained both by mutual engagement by fellow scribes working within the same scriptorium and by common engagement in similar or adjacent practices by scribes working in different scriptoria in terms of both geographical location and time. In the coming chapters, I am going to show that many practices of professional communities can remain quite stable sometimes for centuries. However, it would be wrong to assume that they are necessarily

preserved by several generations of professionals working within the same scribal office. Rather these norms can be picked up from monastic and royal archives by potentially any scribe who has access to relevant documents regardless of his provenance, affiliation, and degree of bureaucratic training. Thus, perhaps what has to be distinguished is synchronic communities of practice that have all the *mutual* characteristics with the face-to-face interaction component and conscious involvement in the joint enterprise, versus diachronic discourse communities that can maintain *common* characteristics and norms without physical and social proximity to their colleagues and sometimes with the impossibility thereof. Both approaches differ from social networks in that discourse communities and CoPs bring people together (literally or metaphorically) for a purpose, a common/shared goal that is known to its members, while social networks exist without them. “[M]embership in a social network may be involuntary, characterised by chance or circumstance” (Sairio 2009: 33; cf. Meyerhoff 2002: 531). To an extent, social networks just happen to their actors, when they are born into a certain family or brought up in a certain neighbourhood; access to the other two types of communities is more restricted and regulated. The aim of this book is then to demonstrate how social networks, discourse communities and CoP approaches can be harmonised to achieve a better understanding of sociolinguistic practices in the Old English period.

Social networks at the court of King Alfred

In this chapter,¹ we are going to apply sociolinguistic concepts discussed in the introduction to Old English data. Our focus here is the network of social actors associated with King Alfred in the late ninth century, one of the most influential communities in the history of the Old English period. My aim is to describe this community in sociolinguistic terms and to see whether these approaches can throw some light on the debate of Alfred's authorship. First, I rehearse a list of the members belonging to this network based on the information in the contemporary late-ninth-century sources and then establish relations and hierarchies among them. After considering the individual people, I also address their links to the anonymous body of clerks working for King Alfred in an office roughly equivalent to the later chancery, a concept that will be relevant in later chapters as well. In the final step, I discuss these two communities (the court and proto-chancery) and draw tentative conclusions about their sociolinguistic roles in the network, with an eye on how these can contribute to our understanding of whether King Alfred authored, co-authored, supervised, commissioned, or inspired the *Pastoral Care* and other texts connected with his canon (Bately 2003, 2009; Godden 2004, 2007; Discenza & Szarmach, eds. 2014). My analysis is supported by case studies of two lexical features which can be seen as originating in the Alfredian network and then disseminating both geographically and across genres: *Angelcynn* 'English-kin, English-people' and *here* 'band, troop' in historical narratives.

1. This chapter is an extended version of the paper originally published in 2018 as "AELFRED MEC HEHT GEWYRCAN: Sociolinguistic concepts in the study of Alfredian English." *English Language and Linguistics* 22(1): 123–148. DOI: <https://doi.org/10.1017/S1360674316000435>. I thank Cambridge University Press for permission to re-use parts of this article.

2.1 Towards a definition of the Alfredian network in sociolinguistic terms

2.1.1 Individual actors

In the second half of his reign, in the late 880s and 90s, enjoying relative stability and peace after decades of campaigns against the Vikings, Alfred embarked upon a programme of religious and educational reforms, whose aim was to restore ecclesiastical life in England and to enhance the country's governance by schooling competent lay and church leaders. Taking example and inspiration from the reforms of Charles the Great, almost a century earlier, Alfred invited scholars to his court to advise him on his undertakings. He also founded a court school for young aristocrats and decided to provide them with textbooks in the vernacular. These measures are described in the preface to the Old English translation of the *Pastoral Care* (*Regula*, or *Cura, Pastoralis*) by Pope Gregory the Great (c. 540–604). Written in the first person, this preface also claims that Alfred himself was the translator of this work.

The clergymen who arrived at the court came to be known as the 'Alfredian circle of scholars', and the revival of learning in which they participated is often referred to as the 'Alfredian Renaissance'. The scholars of this circle are mentioned by name in the texts surviving from this period. Alfred, famously, names four of his advisers in the preface to the *Pastoral Care* (CPLetWærf 58), stating that he has learnt the interpretation of Gregory's text from

1. Archbishop Plegmund (d. 914), of Canterbury,
2. Bishop Asser (d. 909), of St David's, Wales, later bishop of Sherborne,
3. Mass-priest Grimbald (d. 901), of St Bertin, Flanders,
4. Mass-priest John (fl.c. 885–904), the Old Saxon, later abbot of Athelney.

Further, it is suggested by the opening lines of the surviving manuscripts of the *Pastoral Care*, mentioning the name of the recipient of an individual copy in the preface, that the translation was circulated to at least five people (Keynes & Lapidge 1983: 293–294; Lapidge 2008; Schreiber 2014: 175–178):

5. Werferth (d. 907x915), bishop of Worcester,
6. Heahstan, bishop of London (867x896–7),
7. Wulfsgie, bishop of Sherborne (879x889–890x900),
8. Swithulf, bishop of Rochester (868x880–894x897),
9. Plegmund, archbishop of Canterbury (already mentioned in the preface).

It is conceivable that five or more manuscripts were prepared and distributed to the remaining bishops and important monastic centres (Keynes & Lapidge 1983: 294). Further, Asser's account of the educational project in the *Life of King Alfred* (Chapter 77–78), written around 893, gives the list of advisers as largely

overlapping with that in the *Pastoral Care* (indicated by the same numbers as above: 1, 3, 4, and 5) and also adding two more names (9 and 10):

1. Plegmund,
3. Grimbald,
4. John,
5. Werferth, identifying him as the translator of Gregory the Great's *Dialogues*,
9. Æthelstan, priest and chaplain, probably bishop of Ramsbury from c.909,
10. Werwulf, priest and chaplain, a friend and associate of Werferth (according to charter S1279; Keynes & Lapidge 1983: 259, fn. 166).

Asser claims that all of them had a reputation as scholars and intellectuals, describing Plegmund, Werferth, Æthelstan, and Werwulf as *luminaria* 'outstanding persons, luminaries' (Chapter 77) and Grimbald and John as *magistros* 'instructors' (Chapter 78). Since Wulfsgie, Heahstan and Swithulf (and possibly other bishops) are mentioned only as recipients of the *Pastoral Care*, they are probably only marginally relevant to the immediate Alfredian network, attesting however to the intention to circulate the core texts of the educational reform widely and providing the links to their local episcopal communities and writing offices (Keynes & Lapidge 1983; Schreiber 2014; Irvine 2014a). The remaining seven names – Plegmund, Asser, Grimbald, John, Werferth, Æthelstan, and Werwulf – pointed out in the preface to the *Pastoral Care* and by Asser explicitly as advisers and associates emerge as more relevant. They come from a variety of places, where education and scholarship were in a better state than in Wessex. As Asser testifies, Werferth, Plegmund, Æthelstan, and Werwulf are from Mercia, Asser himself is from Wales, Grimbald and John come from Gaul, although their home places are identified as Flanders and Saxony, respectively. What is conspicuous: not one of the actors, except Alfred himself, is a West Saxon (a point to which I return below). Moreover, whether Grimbald's vernacular was Germanic or Romance is not exactly certain (Pfaff 2004). Thus, in the centre of this community we have King Alfred connected in multiple ways to seven scholars, three of them being foreigners and four Mercians. Within the Mercian group friendship and monastic-community ties have been suggested (Keynes 1998b: 28–29), so we might be dealing with a cluster of closer ties within a bigger network of the Alfredian court.² Socially, all the advisers bear asymmetrical ties (in terms of social rank and economic resources) to King Alfred, who can summon them from other places, pay compensation for their services, and promote them to high-office positions (e.g. the appointment of John as Abbot of Athelney or Plegmund as Archbishop of Canterbury, although after Grimbald had refused to accept the see). Alfred is probably also older than his associates as

2. For an analysis of Mercian identity, also in the tenth and eleventh centuries, see Cumberledge (2002).

most of them survive him by 5–15 years. Given the various ecclesiastical obligations that the actors of the Alfredian network had to perform both in Winchester and in their respective sees and monasteries, with frequent and prolonged absences (e.g. Asser was expected to be in Winchester only six months a year (*Life of Alfred*, Chapter 79)), it seems difficult to imagine that the frequency of interaction within the network was stable. Even though its members continued to stay in touch through correspondence and messengers, periods of intensive interaction at the court (when the translations were selected, discussed, or even produced?) probably alternated with periods of reduced interaction. So, they were a network of people who formed a goal-oriented community only intermittently. Let us now consider another important player, the proto-chancery.

2.1.2 Proto-chancery as actor

Although education and, hence, literacy in Anglo-Saxon England were only available in monastic and cathedral schools, Anglo-Saxon written documents were not necessarily produced by the scribes affiliated with those institutions, at least not all genres were produced by them. Those whose circulation could have emanated from the royal quarters are charters³ (Snook 2015) and the *Anglo-Saxon Chronicle* (Brooks 2010), with the same hands sometimes being responsible for both (Ker 1957: lix). The origins of the royal chancery can be traced to at least Winchester and the court of King Alfred, with its Carolingian precursor and likely model being based on similar institutions employed by the Merovingian kings and Roman emperors (Keynes 1980: 30–31). Charter material (discussed in detail in the later chapters) shows that the issue of these documents becomes increasingly centralised, especially in the first half of the tenth century. In the Alfredian period, Winchester charters display strong influence of the Mercian diplomatic tradition, but towards the 930s new norms develop that reflect both their Mercian origins and West Saxon adaptation. During the reigns of Edward the Elder (899–924) and Æthelstan (924–939) stylistically flamboyant charters become potent symbolic manifestations of the effectiveness of the West Saxon political and administrative machine that controls both land property and the legal means of its regulation (Snook 2015: 5–7, 30–33, 41–46). Although it is impossible to say where royal scribes came from, with the Mercian connection being obvious only for the first few generations, where they were trained, whether or not they were obliged to stay at the chancery for their entire career, etc., the existence of a professional bureaucratic community employed more or less permanently by the West Saxon kings is very important for our understanding of the production and circulation of not only functional but also of

3. The hypothesis about the royal chancery or scriptorium is over a century old. For a brief survey of the debate, see Keynes (1980: 14–19).

literary texts (cf. Dumville 1994: 186–187). In particular, common royal-chancery provenance has been suggested for the *Anglo-Saxon Chronicle* (ASC) (Brooks 2010). This central office was responsible both for the annals of the Common Stock, i.e. the material that is largely the same in all the surviving manuscripts of the ASC as far as c. 892, and, significantly, for the subsequent continuations. Nicholas Brooks argues that the ASC was written centrally in Winchester and disseminated in instalments to other important localities, in an attempt to control public opinion of prominent social leaders across the West Saxon dependencies (Brooks 2010: 49–62; Timofeeva 2016a, b). Even if we plot only the surviving copies of the ASC on a map (Figure 2.1, created in Carto software and colour-coded by time⁴) and take the earliest MS A (dark blue, Winchester) as our starting point, we observe that its approximate reach in Southern and Central England was quite extensive. The other reference points are Abingdon (MS B and C), Worcester (MS D), Canterbury (MS F and A, which was transferred there in the early eleventh century), and Peterborough (MS E).

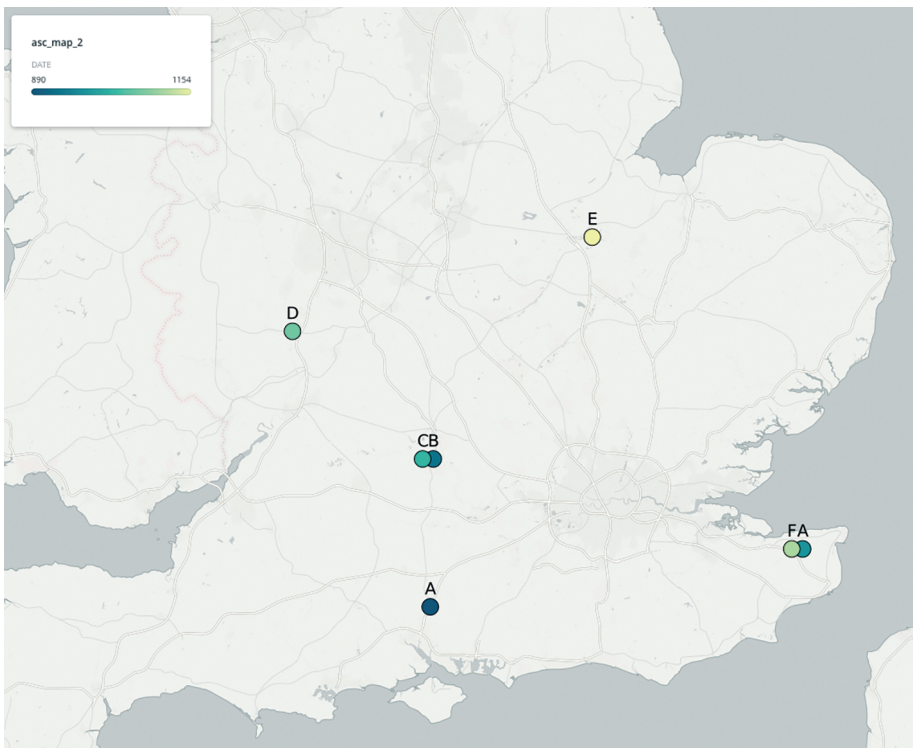


Figure 2.1 Distribution of the surviving manuscripts of the ASC between 890s and 1154 (colour-coded by time)

4. <https://carto.com/>.

The proto-chancery offers itself most readily for the community-of-practice (CoP) analysis, with mutual engagement, joint enterprise, and shared norms being envisaged and reconstructed for a small professional community employed to carry out a definitive scope of tasks and localisable to Winchester or to wherever the king and the court were at any given time. Founded under the auspices of Alfredian reforms to provide copies of charters and the ASC for circulation, it may well also have been responsible for copying other Alfredian texts. With the Mercian influence being strong in Latin charter material, it seems reasonable to assume that the four Mercian advisers of King Alfred (Plegmund, Werferth, Æthelstan, and Werwulf) were also involved in the organisation and work of the proto-chancery. Further, if the royal office was capable of producing eloquent and sophisticated Latin documents (Snook 2015), its scribes may also have been employed to perform literary tasks such as Old English translations. To what extent their influence can be felt in surviving texts is demonstrated in the case studies in Section 4 of this chapter.

2.1.3 King Alfred's network and its ties

How and how far can we apply sociolinguistic theory of social networks, CoP, and discourse communities to the Winchester circle of scribes and associates at the king's court? Section 2.1 has described it as a social network with King Alfred as its central figure. Socially superior to other actors he promotes his "own" people, such as Plegmund and Asser, to key positions and contracts ties with foreign advisers. From the educated discussions within this network spring the translations of the *Pastoral Care*, *Boethius*, Augustine's *Soliloquies*, Gregory's *Dialogues*, and *Prose Psalms*, and, possibly, *Orosius*, Old English *Martyrology* and Bald's *Leechbook* (see Discenza & Szarmach, eds. 2014). The assumption that we are dealing with a network of actors and a network of texts allows us to reunite the social structure of this community with the problem of individual authorship, for ultimately it does not matter who wrote what and whether Alfred translated anything or offered his patronage to a group of scholars who decided to sanction their own work with his name. Importantly, copying provisions were made to circulate some 'authorised' texts to other cultural centres (Canterbury, London, Rochester, Sherborne, Worcester and maybe others), extending the ties beyond the immediate group named in the prefatory letter to the *Pastoral Care*. Similar provisions were made for the distribution of the ASC and other official texts. With the social ties between the key members being contracted for a particular goal (political consolidation and religious revival) and for a limited period of time (Fitzmaurice 2000, 2010), the most fitting term to define the Alfredian network appears to be *coalition*. The two case studies below are going to show that some of the linguistic norms produced by the coalition (politically important terminology) may be seen as *cultural focusing*,

through which politically motivated terms were selected, invested with partly new meanings, and promoted in the texts circulated by the coalition network(s).

To go back to the problem of the first language of the coalition members: As has been remarked, among the people we know by name, only Alfred was a speaker of the West Saxon variety, while other actors spoke Welsh, Mercian, and continental Germanic (or, possibly, even Romance). Is it conceivable that such a heterogeneous group could produce a corpus of idiomatic texts in West Saxon? Or was their language rather the result of accommodation and compromise between the West Saxon of the king and his local entourage and Mercian and second-language varieties of the other advisors?

In his *Life of King Alfred*, Asser describes the Mercians, Æthelstan and Werwulf, as *sacerdotes et capellanos* ‘priests and chaplains’ (Chapter 77). The editor of Asser’s text, W.H. Stevenson, suggests that the second term could have applied to clerks of the royal chapel (1959 [1904]: 305–306; cf. Barrow 2015: 241–245), although this use is not common before the mid-eleventh century (cf. DMLBS, s.v. *capellanus* and Chapter 7). If Æthelstan and Werwulf indeed became Alfred’s personal clerks, they would serve as the likeliest link between the scholarly network and proto-chancery and would also be responsible for the introduction of Mercian norms into chancery Latin. Another Mercian, Plegmund, who was elevated to the archbishopric of Canterbury from the royal household (Matthews 1995: 20–21), must have served as another strong link. It would follow that Alfred’s scholarly advisers might have coordinated their work with the royal scribes – Æthelstan and Werwulf and, perhaps, with their West Saxon colleagues. Some of the coalition texts, such as Gregory’s *Dialogues* in Werferth’s translation would unambiguously display the dialectal provenance of their authors, while others would be more of a compromise. The variety that emerged from the collaboration with the Mercians must have undergone a degree of accommodation, resulting in a mixed and, possibly, somewhat levelled language that was adopted as a new norm (Schreiber 2014; cf. Keynes 1998b), suitable for the political and cultural agenda of the kingdom extending its influence over Kent and Mercia.

If we are to bestow a modern term on the proto-chancery, the one to describe it best is probably a CoP. Charged with production and copying of legal, historical, and literary texts in Latin and Old English, its members developed a distinct professional identity, a sense of a shared enterprise and mutual engagement in the tasks and duties entrusted to them. Their shared repertoire must have included many practices related to their professional duties. Some of those related to language can be deduced from the textual and historical context. For example, it has been suggested that the *Old English Orosius* was dictated, possibly by Asser himself (Bately 1966; but see Russell 2011), which could have happened during one of his residence terms at the court. English boundary clauses in Latin charters were

arguably derived from locally-produced drafts and incorporated into clean copies at the court (Schendl 2011). It is likely that both writing to dictation and compilation of bilingual charters from Latin documents in the royal archive and English boundary clauses prepared elsewhere were among the many practices routinely performed by the proto-chancery.

Although CoP theorists have paid attention to how communities and their practices evolve over time, and what dynamics are introduced by technology (mobile phones or social media), no studies have so far taken long-term diachronic data into account. As discussed in the introduction, regular contact and exchange and co-locality of members (be it physical or virtual) are the defining features of a CoP. Taken synchronically, these features do apply to the situation at Alfred's court, and the proto-chancery (and perhaps any writing office) can qualify as a CoP. In the diachronic perspective, however, "discourse community" appears to be more appropriate. Even though some chancery practices may survive generations upon generations of scribes (as the case studies in Chapter 5 show), and even though they may continue to exhibit mutual engagement at every subsequent stage in the evolution of the chancery office, in the long run the individual CoPs would not have the same loyalties (cf. Brooks 2010) and their vision of the joint enterprise would depend on political and cultural developments of the respective period.

To sum up this discussion, I give a visual representation of the Alfredian network as Figure 2.2 (generated by Gephi software). The shades of red indicate the prominence of individual actors, as reconstructed from the sources. The pale circles in the periphery of the figure mark monastic and episcopal communities, to which the actors belonged or which they headed, pointing to potential paths of contact with other networks. I have grouped Plegmund, Werferth, Æthelstan, and Werwulf a little apart from the rest of the network to mark out the Mercian cluster and the proto-chancery CoP and their prominence in the diffusion of Alfredian norms. King Alfred's decisive social role in the network merits central position despite the doubts about his authorship (Godden 2004, 2007). Even though he might not have translated or written anything himself, the impetus for the foundation of the court circle and the economic and political means to sustain it came from the king. Its best epitome is perhaps the inscription on the Alfred Jewel:⁵ + AELFRED MEC HEHT GEWYRCAN 'Alfred ordered me to be made'. Would we have the jewel without that order?

5. The Alfred Jewel (c. 6 x 3 cm), made of gold, enamel, and rock crystal, is believed to be one of the *aestels* mentioned by the king in the preface to the translation of the *Pastoral Care*. Such *aestels*, or reading pointers, were intended to accompany the manuscripts of the Alfredian translations. <https://www.ashmolean.org/alfred-jewel>.

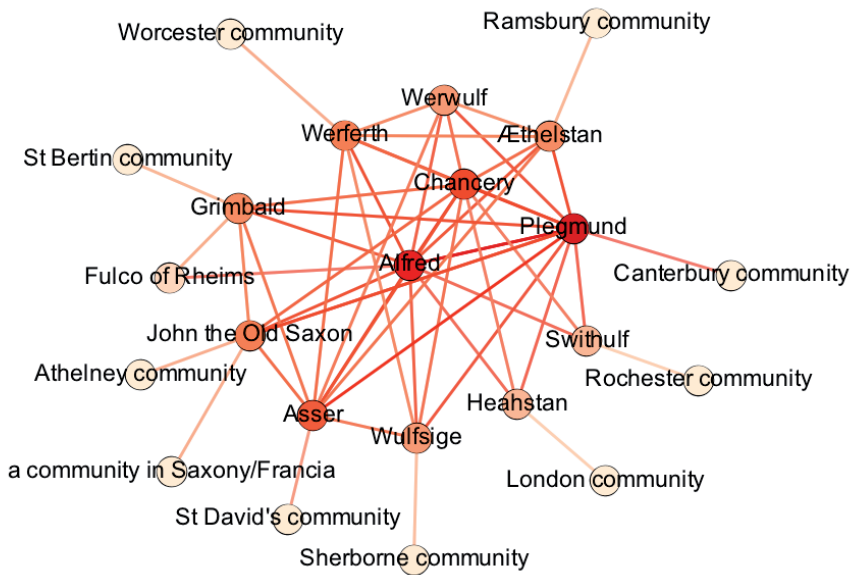


Figure 2.2 Alfredian network and its actors

2.2 Case studies

This section explores two linguistic norms that arguably originate within the Alfredian network. They were chosen to illustrate the processes of lexical selection and linguistic focusing among the members of the court coalition and the subsequent diffusion of their lexical norms through the proto-chancery. The selected features are *Angelcynn* ‘English-kin, English-people’ (to refer to the ingroup) and *here* ‘band, troop’ (outgroup). The data for the case studies come from the DOEC and DOE.

As mentioned in Chapter 1, the Alfredian period marks one of the two prolific peaks in the history of the Old English written word. Both peaks – the Alfredian Renaissance and the Benedictine Revival – are periods of political centralisation and cultural reform. Most of the surviving early prose dates to the first peak in the late ninth century, and several texts originate within the coalition that we have just discussed. The major cultural investment of this coalition went into translations of popular medieval classics from Latin. Among their projects with a wider political appeal, we find a compilation of legislative texts known as the *Laws of Alfred* and the *ASC* (Keynes & Lapidge 1983: 39–41; Irvine 2014b; Richards 2014). In this section, I concentrate on historical narratives of the Alfredian period, in particular

on the terms *Angelcynn* and *here* that were selected as labels to define the ingroup and outgroup of the First Viking Age. I also allude to legal texts (laws and charters) both contemporary with Alfred and later and discuss several more occurrences of the two terms in Ælfric's works. My aim is to trace their spread and development across time and genres, testing the sustainability of Alfredian norms within discourse communities that continued to be associated with Winchester and the proto-chancery.

It has been observed that historical and legal texts of any period inevitably have a political agenda (Wodak et al. 2009). Together with a canon of vernacular literature they are often seen as a prerequisite of national self-identification and a statement of community's place in political history and geography (Anderson 1983; Wodak et al. 2009). It is not surprising that the period of great political turmoil and direct military threat to the survival of an 'English' identity and polity, such as the Viking Age in England, triggered historical and legal writing at an unusually high scale. This spate of textual production can be seen as an act of political and cultural identity, an attempt by the Anglo-Saxon elite to secure a legitimate place in history and to create a narrative describing the contemporary situation in response to the threat from outside (Timofeeva 2016a, b). Common loyalties and enemies had to be clearly defined to pronounce the boundaries of the ingroup and its position vis-à-vis outgroups (most importantly the Scandinavian other). In this situation, having distinct terminology for the ingroup and outgroup in a community's rhetorical arsenal is always important (Duszak ed. 2002). I am going to argue that the Alfredian network invested into the lexical norms of their political-historical discourse to create a notion of commonality (both historical and contemporary) among subjects under West Saxon rule and to distinguish them from the otherness of the Scandinavians.

2.2.1 Angelcynn

Simon Keynes observes that *Angelcynn* "was one of the buzz words of King Alfred's court" (1998b: 25). First attested in a Worcester charter of 855⁶ and, etymologically, being specific to the 'kin of the Angles',⁷ in the 880s it came "to signify the

6. Charter S207 of Burgred of Mercia records a grant of the minster at Blockley to the church of Worcester, "freeing it from various obligations including that of lodging all mounted men of the English race (*æ ealra angelcynnnes monna*) and foreigners (*ælðeodigra*)" (Foot 1996: 29, fn. 25).

7. For the etymology and history of the terms *Angle*, *Saxon*, and *Anglo-Saxon*, see recent lecture by John Hines for the Society of Antiquaries of London (2020), <https://www.youtube.com/watch?v=sLLxKJ4WO2U>.

amalgamation of two political entities, namely the ‘Anglian’ kingdom of Mercia ... and the ‘Saxon’ kingdom of Wessex and its eastern extensions” (Keynes 1998b: 25; cf. Foot 1996). More recently, George Molyneaux has questioned the political significance of the term *Angelcynn* and Alfred’s ambition to promote English unification (Molyneaux 2015), which, to my mind, does not discard a chance that the lexicon of in- and out-group terms was a product of lexical focusing. Let us explore this possibility in more detail.

The *Anglo-Saxon Chronicle*, describing the events of King Alfred’s reign, prior to the extension of West Saxon domination to other parts of England, seems to acknowledge that there are two levels of Englishness, especially when an external perspective is relevant for the context, as in the example below (reproduced from the DOE, bold emphasis added):

- (1) ChronA 885.30: & þy ilcan geare forþferde se goda papa Marinus, se gefreode **ongelcynnes** scole be Ælfredes bene **Westseaxna** cýniges.

(C 886.27, DE, F 885.2 *angelcynnes*)

‘And this year the good pope Marinus passed away, who freed the school of the English [from payment of taxes in Rome] at the request of Alfred, king of the West Saxons.’

From the Roman perspective, all scholars and pilgrims speaking a Germanic variety from Britain are ‘English’, but in England, kingdom and kin identities are more topical. What makes the case of *Angelcynn* interesting, particularly in the context of this example, is that the generic sense of this term, ‘the English’, results from the semantic broadening of *Angelcynn* ‘Angle-kin, the race of the Angles’. That this broadening took place in Saxon (or Kentish) varieties does not look very plausible. Rather more likely, it was borrowed into them from Mercian or Northumbrian, after the semantic shift had taken place. Based on the higher frequency of the secondary sense, however, the *Dictionary of Old English* (DOE) defines *Angelcynn* as ‘the English race, English people, England’, reporting some 225 occurrences of the lexeme in its corpus, mainly in the ASC and the *Old English Bede*, and mentioning the more specific references to ‘Northumbria’ (sense 1e) and ‘the Angles’ (sense 2) only towards the end of its entry. Etymologically, this decision may appear wrong, but methodologically, it is dictated by the fact that the majority of our sources are West Saxon and date to the period after 900. Those before this date (and following the first attestation in 855) include the *Old English Martyrology*, which accounts for nine occurrences of *Angelcynn*. All of them refer either to the population of Northumbria or an individual character’s descent from among the Angles of Northumbria (Molyneaux 2015: 204–205), as can be seen in the example on the commemoration of Benedict Biscop (c. 628–689), the founder of Wearmouth monastery, on the 12th of January.

- (2) Mart 5 Ja 12, A.1: on twelftan dæg þæs monðes bið sancte Benedictes tid þæs halgan abbodes, se wæs **angelcynnes** man.
 ‘on the twelfth of the month is the day of St Benedict, the holy abbot, who was a man of the Anglian/English race’

The distinction between *Angelcynn* and other peoples is even more pronounced in the 597 annal of the ASC, describing the succession and reign of Ceolwulf.

- (3) ChronA 597.1: her ongon Ceolwulf ricsian on **Wesseaxum** & simle he feaht & won, opþe wiþ **angelcyn**, opþe uuif **Walas**, opþe wiþ **Peohtas**, opþe wiþ **Scottas**.
 (CE *angelcynn*)
 ‘This year, Ceolwulf began to reign over the West Saxons, and he fought continually and contended either against the English/Angles/Mercians (?), or the Britons, or the Picts, or the Scots.’

What people is meant by the *angelcyn* is not immediately clear. The ASC records only one battle fought by King Ceolwulf – in 607 against the South Saxons – so, both broad and narrow interpretations of the term are possible. A detail that deserves particular attention, though, is that this annal depicts a West Saxon king fighting against the *angelcyn*, although one must admit that the claim made by this chronicle entry is very general.⁸

Overall, it stands to reason that the sources written before the unification of Wessex and Mercia under one ruler or describing the events preceding this unification should still use *Angelcynn* in its original specific meaning. One could also argue that before the establishment of the Mercian cluster at King Alfred’s court, the term had not been particularly frequent. The strongest support for its association with Mercian influence is the absence of any reference to *Angelcynn* in King Alfred’s will, even though the document includes bequests of estates in Sussex and Kent. The will was made in the pontificate of Plegmund’s predecessor Æthelred, possibly, as early as 873, and may, thus, pre-date the summoning of advisers to Winchester. In fact, the only member of the court circle mentioned among the beneficiaries is Werferth.

From the mid 880s, the use of *Angelcynn* in the generalised sense ‘the English people’ seems to reflect a new political reality. Example (4) quotes the annal for 886,

8. The meaning of *angelcyn* is not the only problem in this annal. Barbara Yorke has suggested that Ceolwulf’s encounters with the Picts and Scots are unlikely, and that the annal does not belong with Ceolwulf (1990: 135). In addition, the use of *Wesseaxum* is anachronistic for this period, as the term ‘West Saxon’ is not attested before the late seventh century, the sources before this date referring instead to ‘the Gewisse’. What the sequence of the peoples resembles is a similar list in Bede’s *Historia ecclesiastica gentis Anglorum* (i.1), also present in the Old English translation of the *Historia*, and in the prologues of D and F manuscripts of the ASC.

recording the occupation of London and subsequent submission to King Alfred of ‘all the English’:

- (4) ChronA 886.2: þy ilcan geare gesette Ælfred cyning Lundenburg, & him all **angelcyn** to cirde, þæt buton deniscra monna hæfniede was.

(E *angelcyn*, C 887.4, F *angelcynn*, D *ængelcyn*)

‘The same year King Alfred occupied London fort, and all the English-kin turned to him, except those captured by Danish men.’

The truce made between King Alfred and the Danish leader Guthrum at around the same time is an agreement that also involves ‘the witan of all the English-race’ and the inhabitants of East Anglia, who have now become Guthrum’s subjects and have to be singled out as a group distinct from the *Angelcynn* (Example (5)).

- (5) Dis is ðæt frið, ðæt Ælfred cyninc & Gyðrum cyning & ealles **Angelcynnes** witan & eal seo ðeod ðe on **Eastænglum** beoð ealle gecweden habbað & mid aðum gefeostnod.

(LawAGu Prol)

‘This is the truce that King Alfred and King Guthrum and the witan of all the English and the folk that inhabit East Anglia have together pronounced and confirmed with oaths.’

Sarah Foot emphasises that the immediate implication of the new political term *Angelcynn* was to reflect West Saxon overlordship of Mercia and Kent, which is also seen in Alfred’s adoption of the title *rex Angul-Saxonum* in charters (in contrast to the previously common *rex Saxonum*) (Foot 1996: 27–28). Indeed, Example (4) demonstrates that the inclusion in *Angelcynn* is a matter of loyalty to King Alfred.⁹ That the vernacular term chosen to convey the idea of West Saxon hegemony has explicit Anglian connotations requires an explanation. Keynes proposes two possible reasons. The first is the authority of Bede’s *Historia ecclesiastica* and his generic use of *gens Anglorum* already in the first half of the eighth century, that rested on a widespread belief in common ancestry and common identity shared by the speakers of all Old English varieties (1998b: 25; cf. Molyneaux 2015: 203). The second reason is the influence of Mercian culture at King Alfred’s court, which led to the predominance of ‘Anglian’ terminology for collective identity over ‘Saxon’ (Keynes 1998b: 25; Wormald 1983; Foot 1996).

9. Having been controlled by the Mercians and Vikings intermittently over the 870–80s, London is now occupied by Alfred and his men, and the locals formally affirm their allegiance (Keynes 1998b: 24–25; Wormald 1999). The West Saxons take over and pan-English claims are sealed by the entrustment of London to the control of Ealdorman Æthelred, ruler of the Mercians (d. 911), and his marriage to Alfred’s daughter Æthelflæd (d. 918), marking “the emergence ... of a new political order” (Keynes 1998b: 35).

Both the Anglian origin of the term and the high regard for Bede's oeuvre explain a particularly high occurrence of *Angelcynn* in the vernacular version of the *Historia ecclesiastica*, the *Old English Bede* (Rowley 2011: ch.2). Almost a quarter of all attested mentions of *Angelcynn* come from this text, by scholarly consensus attributed to a Mercian translator. They typically render *gens Anglorum*¹⁰ of the Latin original, so translation-induced transfer is another key factor in the statistics of this text.

- (6) Bede 1 16.74.21: all þas þing þære neowan ðeode **ongolcynnes** in Godes geleafan gedafenað cuð habban. (CaO *ongelcynnes*, B *angelcynnes*; cf. BEDA. Hist. eccl. 1.27, 88 *quae omnia rudi Anglorum genti oportet habere conperta*)
'all the things that are necessary to be known to the race of the English-kin, (still) new in the faith of God'

In this particular instance, *Anglorum genti* is rendered by a tautological phrase *ðeode ongolcynnes* 'the race of the English-kin'. Other collective nouns, such as *peod*, *folc*, *mægðe* and even *cynn*, frequently collocate with the genitive form *ongolcynnes* in *Bede*, which contrasts markedly with other contemporary texts where *Angelcynn* stands on its own (Rowley 2011: 67–68) and may point to a semantic bleaching of *Angelcynn* as a compound in at least some varieties of Mercian. What seems to be even more important is the presence of two other *Angel*- compounds in the *Old English Bede*: *Angelpeod* and *Angelfolc*. Although the frequencies of *Angelcynn* and *Angelpeod* in *Bede* are about equally high (52 and 49 respectively), it is *Angelpeod* (without collocates) that stands most often for *gens Anglorum* of the Latin original (Rowley 2011: 68). Given that *Angelpeod* occurs only once outside *Bede* (in a spurious charter S914), its use appears to be author-specific.¹¹ The second compound, whose use is also restricted to *Bede*, is *Angelfolc*. This term occurs only two times in the text (and the entire Old English corpus), both rendering *populus Anglorum* of the source. Sharon Rowley has observed that these two terms are not the only discrepancies between *Bede* and Alfredian texts. The translator of *Bede* also prefers *Breotone* 'Britain' (95 occurrences) to *Engla land* 'England, the land of the English' (2 occurrences) (Rowley 2011: 67). She concludes that together with the lack of any

10. Bede's implication was a religious rather than a political one – "the unity of a Christian [English] people in the eyes of God" (Keynes 1998b: 25).

11. Interestingly though, *Angelpeod* has a single attestation in the Middle English period, in the *Ormulum*: & tatt daz3 iss New 3eress daz3 / Mang Ennglepeode nemmedd (4230–1) 'and that day is called New Year's day among the English people'. I am grateful to Anne Gardner for this observation. Orm also uses exactly the same spelling *ennglepeod* for the 'host of angels, angel-folk', 13 occurrences.

contemporary documentary evidence that would connect the *Bede* to Alfred (prefaces or mention in Asser's *Life of King Alfred*), these terminological idiosyncrasies mark its text as independent of the Alfredian network (Rowley 2011: 68–70), although it is not impossible that this translation was outsourced to someone outside the reach of new Winchester norms.

In centrally produced texts, the notion of common ancestry, in part derived from Bede's influential work, continues to find its expression in *Angelcynn*.

- (7) ChronE 979.4: ne wearð **angelcynne** nan wærsa dæd gedon þonne þeos wæs syððon hi ærest Brytonland gesohton (ref. to the murder of Edward the Martyr; DF *angelcynne*).
'a more horrible crime than this one had never been committed among the English-kin, since the time they had first sought Britain'

Even during the settlement period, the English had a shared destiny, a common role to play in their conquest of the land from the Britons, emphasised explicitly by the juxtaposition of the terms *Angelcynn* and *Brytonland* in (7). After the time of Alfred, the surviving copies of the ASC continue to use *Angelcynn* well into the eleventh century, with the generalised meaning of the term being extended to also account for the contemporary situation (Foot 1996: 46–48). The last annal to employ this term is found in the Peterborough version of the ASC for the year 1096 (thirty years after the Norman Conquest):

- (8) Ðis wæs swiðe hefigtime gear geond eall **Angelcyn**, ægðer ge þurh mænigfealde gylða & eac þurh swiðe hefigtymne hunger þe þisne eard þæs geares swiðe gedrehte. (ChronE 1096.23)
'This was a very grievous year for everyone among the English-people, both through the manifold tributes, and also through the very grievous hunger that severely oppressed this earth in the course of the year.'

Furthermore, William the Conqueror uses the same term to address his English subjects in one of the statutes issued soon after the Conquest, known as *Willelmes cyninges asetnyssse* (Bates 1998: 445–447):

- (9) Wilhelm cyng gret ealle þa þe ðys gewrit to cymð ofer eall Englalund freondlice & beot & eac cyð eallum mannum ofer eall **Angelcynn** to healdenne, þæt is. (LawWILad 2)
'King William greets all those throughout England to whom this writ comes in a friendly manner, and enjoins and instructs everyone among the English-people to observe the following.'

Thus, the generic reference to ‘all the English’ continues to be a prominent feature of the political discourse long past King Alfred’s reign. The centrality of *Angelcynn* as a term for ‘the English’ is also evident in other key texts of the Alfredian network: the *Laws of Alfred* (LawAfEl 49.7–9) (Richards 1997: 48–49), the prefatory letter to the *Pastoral Care* (7 occurrences) (cf. Foot 1996: 30–36), and the *Treaty of Alfred and Guthrum* (LawAGu 1) (Richards 1997: 49; Timofeeva 2016a, 2016b). But the two text types that attest to the sustainability of this lexical use diachronically are historical writings and laws.

Outside these texts, *Angelcynn* is also employed in religious writings (23 occurrences, of these 16 in Ælfric’s texts) and in charters (5 occurrences). One charter in particular, a will (S1508) preserved by the archive of Christ Church, Canterbury (Example (10)) and written in the later 880s, provides interesting insights into the ways in which linguistic norms could spread from one place to another along with the documents that contained them. The will of Ealdorman Alfred features one mention of *Angelcynn* towards the end of the document.

- (10) Ond sio ðis lond gewriten & unbefliten eft̃er Eadredes dege in Aelfredes reht-meodrencynn ða hwile þe fulwih̃te sio on *Angelcynnes* ealonde.

(Ch 1508 (HarmD 10) 44)

‘And let this (piece of) land be ascribed and without dispute after Eadred’s day to (ealdorman) Ælfred’s direct maternal kin, as long as there be baptism on the English people’s island.’

The will is a rare witness of the diplomatic practices in the late ninth century as it survives as a contemporary single sheet. It was written by two scribes: The first of them is responsible for a major part of the document, including the citation above. According to the reconstruction by Simon Keynes, he was employed at the central level, when the will was announced in front of King Alfred, his councillors, and other interested parties. The second hand took over in Canterbury and added a witness list to the will.¹² This implies that the bequest was announced a second time at the local assembly (Keynes 2013: 73). We can hypothesise a similar transmission path for other linguistics norms: from and through the royal chancery to other writing offices and the attendants of local assemblies.

Finally, the term can also be found in texts that are not directly related to political discourse and the king’s clerks. In Ælfric, *Angelcynn* comes up in his homily on St Gregory and the mission of St Augustine (e.g. 7 occurrences in ÆCHom II, 9) and in lives of English saints (e.g. 4 occurrences in the lives of St Swithun and

12. Two digital images of the will can be viewed at the British Library, *Digitised Manuscripts*: http://www.bl.uk/manuscripts/FullDisplay.aspx?ref=Stowe_Ch_20.

St Edmund). This, on the one hand, may suggest that Ælfric was familiar with Alfredian lexical norms – as a student at Winchester School he would have had access to all of its archives (Hill 2009: 44–51). For example, MS A of the ASC was present at Winchester during Ælfric’s time there. His debt to other Alfredian writings is explored by Malcolm Godden, who concludes that Ælfric “knew at least four of the Alfredian works and seems to have been so familiar with them that he could recall particular sentences and passages and even quote them unconsciously. Possibly these were texts on which Ælfric had been trained in his youth” (Godden 1978: 104–105; cf. Huppé 1978).¹³ On the other hand, the frequency with which Ælfric uses *Anglecynn* – 16 occurrences in total, including one in his *Grammar* – also demonstrates that the term was spreading from political genres to religious ones, although some political, or national, agenda is probably unavoidable in religious texts, if they deal with the Christianisation of English kingdoms or with English saints and martyrs.¹⁴

Before we conclude, it is also worth looking at the diachronic distributions of *Anglecynn*. Figure 2.3 displays absolute numbers for a selection of texts and genres, including (on the category axis from left to right) the preface to the *Pastoral Care*, *Old English Bede*, early laws (before 900), late laws (after 900), early charters, late charters, early ASC in manuscript A (i.e. Common Stock, before 892), late ASC A (after 892), early ASC E, and late ASC E. The series show *Anglecynn* (left blue) and *Englisc* (right red). The figure takes into account the distributions of *Anglecynn* in relation to its most frequent lexical rival, the adjective *Englisc*, used either as a nominalised form or in combination with such nouns as *menn* or *folc*. The divide between early and late texts is placed at 900 for laws and charters and at 892 for the ASC. Two manuscripts of the chronicle are included in the figure to check whether the tendencies observable in the earliest A manuscript, discontinued soon after the Norman Conquest, would also hold for the post-Conquest period, documented in E from Peterborough.

There is a strong correlation between the date of the text and the frequency of *Anglecynn*: it is the only term for ‘the English people’ in the preface to the *Pastoral Care* and the preferred option in the ASC entries written during the lifetime of King Alfred. The *Old English Bede*, predictably, shows a clear preference for *Anglecynn*.

13. The four works are translations of Gregory’s *Dialogues* and *Pastoral Care*, Boethius’ *Consolatio*, and Bede’s *Historia* (which Ælfric also attributes to Alfred). In his recent reassessment of Ælfric’s use of Alfredian works, Godden adds the ASC to the list, suggesting that “[t]here is a clear debt to the Anglo-Saxon Chronicle in Ælfric’s *Grammar*” (2009: 141).

14. Foot observes that Ælfric “showed signs of national pride” when he wrote about the saints from among the English nation (1996: 46).

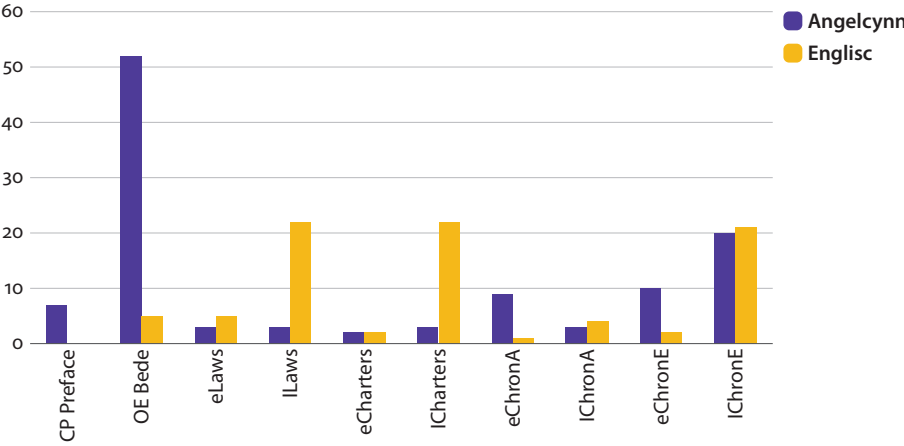


Figure 2.3 Diachronic distributions of *Angelcynn* and *Englisc*

In the early laws and charters, both options are used at about the same rate. After 900, however, *Englisc* is much more frequent.¹⁵ Only in the ASC, *Angelcynn* remains in wide use, although a small preference for *Englisc* is visible there, too. Moreover, many of the ASC instances are found in fossilised adverbial phrases *on/geond/ofor Angelcynn* ‘among the English, in England’.

Overall, it appears that *Angelcynn* as a lexical norm for ‘the English people’ was enforced among the Alfredian network, in particular among the coalition formed around the Mercian cluster and promoted in the texts that had a pronounced ideological component (the preface to the *Pastoral Care* and the ASC). This term served the political agenda of their period but later on could also be adjusted to new historical circumstances to include greater territories and more peoples, e.g. when Cnut addressed his English subjects in 1018 (in a text that is traditionally referred to as his proclamation), *Angelcynn* must also have included “not only the East Anglians and Northumbrians but men of Danish parentage, born or settled in England” (Foot 1996: 47). Its attestation in a Canterbury will (S1508, Example (10)) may suggest that the norm spread outside Wessex together with the manuscripts of the early charters, the ASC and other Alfredian texts, possibly along with several

15. The influence of the *Angelcynn* term outside Wessex may also be supported by the occurrence of the term *Angligena* ‘English-kin’ in Latin charters between 941 and 1018 (14 instances mostly in charters preserved in Abingdon and Shaftesbury), as searches in the *Electronic Sawyer* database reveal. Of these 8 come up in collocations *rex Angligenarum* ‘the king of the English nation’. With the conventional title being *rex Anglorum* (cf. over 250 occurrences in *Electronic Sawyer*), it appears that the use of *Angligena* may be triggered by first-language transfer based on the *Angelcynn* model.

scribes who had relocated to new monastic communities and scriptoria. Despite the continuous decrease in use in all of the attested genres, this lexical norm proved to be rather robust diachronically, surviving the Norman Conquest into the late Old English period. It was probably forgotten only in the 12th century when English as a language of political and legal documents was largely abandoned in favour of Latin (Kibbee 1991: 5–8), in which domain, again, English scribes could still offer their services and did not have to be replaced all at once (see Chapter 7). Whatever their employment may have been, the norm of using *Angelcynn* to designate ‘the English people’ was abandoned at some point in the early Middle English period, the MED recording no attestations of the term.

2.2.2 here

The word *here* ‘band, troop’, too, is not an Alfredian coinage as such, as the availability of Old Germanic cognates (of both *here* and such derivatives as *heretoga* ‘the leader of an army, herzog’) and attestations in the Old English poetry suggest (OED; DOEC); rather it is appropriated by the Alfredian network and invested with new political meanings (Timofeeva 2016a, b). We can trace the first Alfredian use back to several texts: the *Laws of Ine* (selected and copied at the court of Alfred), the earlier portions of the ASC, and the *Treaty of Alfred and Guthrum*. The *Laws of Ine* define *here* as consisting of more than thirty-five thieves. Those guilty of taking part in a *here* were subject to wergeld redemption or slavery (§§ 13–15), which marks the crime as one of the heaviest offences (Wormald 2014: 127 and n. 58). In the ASC (especially in pre-1016 annals), *here* refers to Scandinavian war-bands, West Saxon troops and their allies being distinguished from them by the term *fyrð* ‘army; expedition’.

- (11) Her hiene bestēl se **here** into Werham Wesseaxna **fierde**, & wiþ þone **here** se cyning friþ nam ... (ChronA 876.1)
 ‘This year the *here* stole away from the West Saxon *fyrð* into Wareham. And the king (afterwards) made peace with the *here*’

This example illustrates two discourse strategies that are quite consistent in the descriptions of military encounters with the Vikings, particularly in the annals of the Common Stock: the first is to employ *here* instead of any ethnic or religious label to designate the outgroup (Timofeeva 2016a), and the second is to use circumlocutions and euphemisms to talk about the defeat of the ingroup, e.g. *friþ nam* ‘took peace’ means that King Alfred lost the battle to the Vikings and had to pay them a tribute (Konshuh 2015; Timofeeva 2016a). Given the strong association between the legal texts and the ASC – the *Laws of Ine* are appended to the *Laws of Alfred* and

preserved in the same manuscript as the earliest surviving copy of the ASC, MS A (Wormald 1999: 103–106)¹⁶ – the choice of a term with criminal connotations and its consistent application to the Scandinavian outgroup appears to be a deliberate strategy (Timofeeva 2016a, b).

Another legal text (12), the *Treaty of Alfred and Guthrum*,¹⁷ stipulated that the border between the lands controlled by Alfred and the Danish leader Guthrum might not be passed without a special permission:

- (12) & ealle we cwædon on <ða> dæge ðe mon ða aðas swor, þæt ne ðeowe ne freo ne moton in ðone *here* faran butan leafe, ne heora nan ðe ma to us.

(LawAGu 5)

‘and we all pronounced on the day when the oaths were sworn that neither slave nor freeman is allowed to go to the *here* without permission, no more than any of them (is allowed to go without permission) to us.’

In Example (12), the term *here* also refers metonymically to the lands under Danish control, once again emphasising the distinction between *here* and *us*.

The strategy of contrastive juxtaposition of Scandinavian *here* and English *fyrð* is consistent until the early eleventh century. In post-1016 annals, that is those added after the Danish prince Cnut was crowned king of England, *here* becomes less unequivocal, e.g. it can refer to the Anglo-Saxons raiding Scotland and Wales (1054 and 1056, see Swanton 1996: xxxiv), with its meaning shifting towards “any army intended for attack rather than defence ... not merely ... hostile viking armies” (Swanton 1996: xxxiv; cf. Pulsiano & McGowan 1990: 6–7). Were the criminal connotations of *here*, originally linked only to the Viking outgroup, obscured by later semantic developments? Or did the proto-chancery somehow abandon this lexical norm in favour of new more direct or powerful terminology? In fact, both options seem to play a role. On one hand, *here* and *fyrð* become interchangeable, with both ‘English *here*’ and ‘Scandinavian *fyrð*’ being attested in the latter portions of the ASC (Pulsiano & McGowan 1990). Pejoration of *fyrð* has also been suggested as contributing to the erosion of semantic distinctions between *here* and *fyrð* (Kiernan 1986). On the other hand, new norms evolve: eleventh-century annals refer to the Vikings as *flota* ‘fleet’ (a term that was seldom used before) or as *unfriþ-here* ‘hostile army’ (a redundant precision by Alfredian standards) (Timofeeva 2016a). “Additional evidence of this ambiguity in the use of the words *here* and *fyrð* can be found in various other places in the corpus of Old English” (Pulsiano & McGowan

16. Together with other legislation produced between c.600 and 1215, *The Laws of Ine* can be explored at the *Early English Laws* project website: <https://earlyenglishlaws.ac.uk/laws/texts/ine/>.

17. For an introduction and manuscript images, see <https://earlyenglishlaws.ac.uk/laws/texts/agu/>.

1990: 5). Pulsiano and McGowan quote several examples from Ælfric's letters and homilies, and from poetic texts to support this point (1990: 5–12), with the most conspicuous perhaps being *heofonengla here* 'the host of heaven-angels' from *Christ III* 1277a (second half of the tenth century). Ælfric's *Life of St Maurice* offers an interesting case in point. On two occasions, Ælfric's usage seems to conform to Alfredian norms: *here* refers to the heathen army of Emperor Maximian (13), while *fyrð* denotes the Christian legion of St Maurice (14):

- (13) Ða wæron on þære fyrðe fela Cristene men (ÆLS (Maurice) 8)
'There were many Christian men in that army'
- (14) and se manfulla wolde ... his hæþengild habban, and het him to clypian ealne
þone here (ÆLS (Maurice) 23)
'and the wicked one [Maximian] wanted to perform his heathen-worship and
told his men to gather all his army'

However, as soon as Ælfric departs from the basic lexemes and uses derivatives, we find the same ambiguity as in other late Old English sources, e.g. a *fyrðinge* 'army' is commanded by the persecutor of the Christians Maximian (ÆLS (Maurice) 1). Pulsiano and McGowan (1990) observe a similar tendency in their data on *here* and *fyrð* in derivatives and compounds.

This section has shown that Alfredian texts sought to appropriate the term *here* and to construe the outgroup associated with it as criminal. Although this norm was sustained within the discourse community of the proto-chancery for a few generations after Alfred, eventually it did not survive the Second Viking Age. This can partly be accounted for by the changing political circumstances of the tenth and, especially, early eleventh century. With the Scandinavian kings established on the English throne and with settled and Christianised Scandinavians living in the Danelaw, the distinctions between the in- and outgroup were not as clear-cut as before (cf. Pulsiano & McGowan 1990). On the other hand, the evidence from outside the ASC and other Alfredian sources, e.g. from Ælfric's homilies and from poetic texts may suggest that this norm failed to spread beyond the genres produced and controlled by the royal scribes. Even those who, like Ælfric, had access to Winchester archives and could imitate their practices were probably unable to resist the pressure of uncensored and evolving vernacular usage and to stay consistent in their own use of *here* and its antonyms and/or synonyms.

2.3 Conclusions

This chapter has reconstructed the Alfredian network as consisting of at least twelve actors (see Figure 2.2), although the number of its more immediate members should probably be reduced to nine. Within this later group, defined as a *coalition*, a cluster of Mercian actors is further discerned. Historical sources and charter evidence suggest that Mercian scribes worked for West Saxon kings and may have taken part in the establishment of the proto-chancery at the royal court. This writing office had strong connection to the Alfredian coalition, but a more relevant term to describe it is a *community of practice*. Across space, Alfred and his men aimed at reaching a wider community, e.g. the Old English *Pastoral Care* may have been sent to ten religious centres, and provisions for the circulation of the ASC and other translations may have been equally wide-reaching. In this reconstruction, Alfred's role is seen primarily as that of the social leader whose patronage of a network of Winchester-based scholars gave them the means and stimulus to embark upon a cultural programme that included several extended translations (no matter how many and by whom) and a number of vernacular texts. Their aims were educational and political; the effects of the strive to create an Old English prose canon and to control the public opinion of regional ecclesiastical and secular leaders resulted, among other things, in the distribution of Winchester-adopted lexical norms to other localities. Of these *Anglecynn* and *here* seem to be associated with political and legal discourse. The diffusion of legal norms and their relation to royal clerks will be surveyed in the coming chapters. Throughout the Old English period, monastic and chancery archives played as important a role in maintaining linguistic norms as the discourse communities themselves; for even if communities discontinued or abandoned old norms, the latter could still be restored by people who had access to the archives. This seems to be the case with Ælfric's use of Alfredian norms and with post-1066 survival of *Anglecynn* in the Peterborough Chronicle.

Thus, however fragmentary the surviving record of Old English, and of Alfredian English in particular, sociolinguistic reconstruction of this remote language period seems to be both possible and meaningful. Is this reconstruction free from anachronism though? Alexander Bergs warns that sociolinguistic descriptions (including social-network approaches) of pre-standard stages of language must remain tentative, as overtly prestigious language norms were simply unavailable; so, the degree of innovation cannot be determined in relation to a conservative standard (Bergs 2012: 93–96). He remarks, however, that “close-knit networks must have had norm-enforcing power in their very small, local communities such as villages and parishes, or perhaps even guilds or religious groups” (Bergs 2012: 95). This assumption seems to reflect in Alfredian English quite accurately: Alfredian norms are the norms selected, enforced, and promoted by the Winchester elite network.

CHAPTER 3

Legal Old English and its communities

This chapter explores the potential of legal documents for the study of the sociology of Old English. It gives a rationale for the use of legal genres and text types and introduces research databases and tools that can elucidate the interconnections between users of legal Old English, their social networks, and linguistic practices. A series of short case studies illustrate what these resources can tell us about the sociology of names, occupations, and gender roles in relation to written communication, as well as about the prominence of these categories and of individual social actors in the surviving text corpus. The categories of legal texts and the structure of subsequent chapters are explained in conclusion.

3.1 Legal documents as acts of identity

Legal documents record the most fundamental thing in the economic and social foundations of any society – who owns land and other wealth and property and by what authority, e.g. conquest, gift, or purchase, and how transgressions against person, property, authority, and divinity are regulated. Legal transactions and collections of laws can be found among the earliest (and often the only) surviving written documents in the recorded history of a language, such as *The Code of Urukagina* in Sumerian, c.2380 BC; *The Code of Hammurabi* in Akkadian, c.1790 BC; Hittite Laws, c.1650 BC; the *Kang Gao* in Old Chinese, c.11th century BC; *Draconian Constitution* in Old Greek, c.620 BC; *The Twelve Tables* in Latin, c.450 BC; *The Laws of Manu* in Sanskrit, between c.200 BC and 200 AD, to name only a selection. Law put on stone, clay, wood, papyrus, or parchment is both the symbol of power (sometimes as impressive as a copy of the Laws of Hammurabi carved on to a 2.25-metre-tall stone stele) and the means by which this power is delegated and controlled, and by which a societal status quo is preserved. In all legal cultures mentioned above, the sophistication or simplicity of written law is a reflection of the political and economic development of the legislating society, which relies on earlier codified laws as well as on oral legal practices.

In the Germanic world, law-sayers committed common law to memory and could recite the appropriate law in assembly courts long before any written codes were available. Frankish, Frisian, and Icelandic sources confirm that law-sayers

took part in court procedures and were expected to enounce laws and offer their opinion, although we cannot equate them with ‘professional lawyers’ at this stage. In principle, all free men entitled to take part in the assembly were ‘experts’ who had a right to vote and pronounce sentence and the experience of previous courts to help them pass the right judgement. Among them, wise old men were particularly esteemed as guardians of legal knowledge and arbiters. Young boys would be taken to court sessions from an early age to receive apprenticeship in legal affairs (Bremmer 2014). In many parts of Germanic-speaking Europe, a king, a chief, or a local magnate would preside over a *thing* ‘assembly’ or *gemot* ‘meeting’ of free men, where, among other public matters, an offence or dispute would be heard. The assembly would solicit the opinion of the law-sayers and jointly pass judgement on the case (Baker 2019: Chapter 1).

An important aspect of the whole procedure was that once the judgement had been publicly pronounced before witnesses it became fact and law. Later, as legal practices were being committed to written media, they still depended on this oral protocol, with Anglo-Saxons charters, for instance, opening in the king’s name, closing with a list of witnesses, and coming into effect once they were read out to the court. The transition from memory to written record, as Michael Clanchy shows, was slow, and for a long time the borderline between the two was fuzzy (2012), while aspects of performativity accompanied both orality and literacy of law transactions, as they continue to do today (Danet & Bogoch 1992, 1994). In transition to literacy, written legal documents became important acts of identity for social leaders and the communities they headed, which carried social meaning and replicated relations of power and property already implied in the oral performance of law. Written law became their bid for legitimacy: a statement of sovereignty and control over a territory, and, furthermore, an identification with legislators of Rome and the Old Testament (Oliver 2002).

3.2 Anglo-Saxon legal documents

Anglo-Saxon England, as many other parts of Europe at the time (Visigothic Spain, Burgundian Gaul, the Frankish kingdoms, or Lombard Italy), knew two basic types of legal documents: collections of laws that outlined various offences against persons and property and the *wergild* payable as restitution to the victims or their families (Wormald 1999: 33–53); and charters that recorded various gifts of land and privileges, mostly to churches and monasteries (Halsall 2005: 70–73). The first English law code (and, in fact, the earliest vernacular Germanic law code) was compiled in the reign of Æthelberht of Kent (d. 616). Although the laws survive

in an early-twelfth-century copy (as part of *Textus Roffensis* collection of English laws), their authenticity is confirmed by two references: the Venerable Bede attributed the code to Æthelberht in the *Historia Ecclesiastica* (ii.5), completed in 731, and King Alfred claimed to have consulted it when compiling his own laws in the late ninth century. In Kent, this legislation was followed by two more vernacular codes: by Hlothhere (673–685) and by Wihtred (690–725), and in Wessex by Ine (688–726) (Wormald 1999: 93–106). Church leaders were involved in all four legislative events: the arrival of St Augustine’s mission from Rome in 597 and subsequent conversion of King Æthelberht prompted the production of the earliest laws; the appointment of Theodore of Tarsus as archbishop of Canterbury in 668 and the administrative reforms and grants of land to the church that followed his appointment triggered the issue of new legislation and diplomas in Kent; Hædde, bishop of Winchester, and Earconwald, bishop of London, are mentioned by Ine in the proem to his laws as contributors. Church officials worked closely with the royal courts, on whose patronage they had to rely, especially in Kent where the archbishopric was founded. The newly established church had a vested interest in the law codes and charters that protected ecclesiastical property and privileges. Accordingly, the first paragraphs of the Laws of Æthelberht and of Wihtred deal with compensation for the loss of ecclesiastical property and with tax exemption for the church (Baker 2019: Chapter 1; Oliver 2002).

Apart from these immediate concerns, the church also supplied scribes who wrote the laws down, witnesses who legitimised their enunciation, and archives where such documents were preserved. The close cooperation between the political and cultural elites benefited both: the former commissioned production of documents with which their polities could identify, and the latter secured written guarantees of their lands and privileges. Regular assemblies where public matters were discussed, and legal transactions announced and witnessed helped enhance these elite gatherings also as communities of practice and discourse communities. Thus, knowing verbal and non-verbal practices of royal and local assemblies, their hierarchies and etiquette became an act of identity in itself. Failure to use the right lexis, syntax, or politic strategy, as we are going to see in the following chapters, would automatically place such actors outside the community in question.

3.3 Legal documents as proxy genres in the study of social ties and sociolinguistic variables

In historical sociolinguistics, in which questionnaires and field work are not viable options, letters are commonly considered the best type of data, enabling scholars to study both social ties and individual linguistic usage in relation to those (see, among others, Rutten & van der Wal 2014, CEEC family of corpora, or CSC).¹ With the Old English period, we have to use proxy genres, because private letters do not properly exist, at least not in English, while the surviving corpus of epistolary fragments is a fuzzy collection in which elements of prefaces, religious tracts, official notices, proclamations, and legal documents often merge in a variety of ways. In the coming chapters, we shall use Anglo-Saxon charters, or legal documents, as a proxy because they share many of the formal aspects with letters and are much more numerous in our period. We shall also use the few epistolary compositions in English that do survive and examine them together with charters.

The advantage of using charters as linguistic evidence also rests on their close reliance on oral practices of legal declaration in this period.² The more important part of legal transactions recorded in charters was in fact the preceding or subsequent public announcement of their contents. Thus, charters were not only produced in order to be read out, as was the case with letters in the later periods, but they also served as transcripts of public announcements, and in this capacity, they are, arguably, more representative of oral practices, even though these practices are highly ritualised, as we are going to see. Moreover, unlike personal letters that typically contain information only on sender(s), addressee(s), and their immediate circles of friends and relatives, charters additionally include lists of witnesses, which allows us to reconstruct discourse communities associated with them sometimes in a very precise and detailed way.³ The full potential of these data is explored by the compilers of the *Prosopography of Anglo-Saxon England* (PASE) in which charters (both Latin and Old English) make up over a half of the sources (Table 3.1).

1. *Corpus of Early English Correspondence* (CEEC). 1998. Compiled by Terttu Nevalainen, Helena Raumolin-Brunberg, Jukka Keränen, Minna Nevala, Arja Nurmi, and Minna Palander-Collin. University of Helsinki, <http://www.helsinki.fi/varieng/CoRD/corpora/CEEC/index.html>; *Corpus of Scottish Correspondence* (CSC). 2007. Compiled by Anneli Meurman-Solin. University of Helsinki, <http://www.helsinki.fi/varieng/CoRD/corpora/CSC/index.html>.

2. See important work by Danet and Bogoch (1992, 1994) on speech acts in Old English charters.

3. Similar argumentation for the use of Middle English legal documents in sociolinguistic research has been recently advanced by Merja Stenroos and Kjetil V. Thengs in the introductory chapter to their co-edited volume *Records of Real People* (2020). The aptitude of this approach is documented abundantly by the whole collection, which is based on the *Corpus of Middle English Local Documents* (MELD), newly updated in 2020, <http://www.uis.no/meld>.

3.3.1 PASE database

This compendium of sociological information on Anglo-Saxon England is available at the website of the *Prosopography of Anglo-Saxon England* (<http://pase.ac.uk/>) and covers the period from 597 to c.1100. The resource is based on literary and documentary Latin and Old English texts of the period – chronicles, saints’ lives, charters, *libri vitae* of religious houses, inscriptions, Domesday Book, and coins. It lists all the names mentioned in those sources and allows to make searches in the database according to a variety of social criteria, such as name, authorship, education, occupation, office, personal relationship, property, geographic location, and so on. For example, the second edition of the PASE (PASE 2, made available in 2010) includes a total of 19,807 persons (named and anonymous) with 87,611 recorded names, and information on their office (112,055 entries), possession (42,827), and much more – 282,026 factoids altogether. The details on PASE records are summarised in Table 3.1.⁴

Table 3.1 PASE 2 Database Records: Statistics
(adopted from <http://www.pase.ac.uk/redist/pdf/statistics.pdf>)

Sources	N	Factoids	N
Source total	2,784	Factoids total	282,026
... of which Charters	1,445	Authorship	1,273
		Education	287
Persons		Event	9,604
Persons total	19,807	Occupation	3,127
Women	978	Office	112,055
		Personal relationship	6,589
Geographic locations		Personal information	9,996
Number of locations	15,072	Possession	42,827
		Recorded names	87,611
Domesday		Status	5,303
Estate records	26,733	Transaction	3,354
Landholder records	70,012		

In order to appreciate the potential of this resource for sociological enquiry, let us examine some of these categories in more detail and consider the record of names, occupations, and gender in PASE. The following chapters will also relate these findings to linguistic variables.

4. For a helpful introduction to PASE 1, see Tinti (2013).

3.3.1.1 Names in PASE

A close look at statistics on names displays interesting relations between popular and rare names, names and chronology of the Anglo-Saxon period, names and geography, names and professions, etc. A randomly selected list of names in Table 3.2 (arranged alphabetically), associated with prominent historical and literary personages of this period, may serve as an illustration.⁵

Table 3.2 Famous Anglo-Saxon names by frequency in PASE 2

Name	N	Name	N
Alfred	97	Edward	53
Ælfgifu	29	Geoffrey	14
Ælfric	205	Godwine	171
Æthelred	66	Harald/Harold	15
Beda/Bede	5	Leofric	130
Cnut/Knut	6	Orm	5
Cynewulf	14	William	40
Dunstan	8	Wulfstan	96

We can see that some names are extremely popular (*Ælfric*, *Godwine*, *Leofric*, *Alfred*, *Wulfstan*, *Æthelred*, or *Edward* (cf. Clark 1992a: 461)), and others infrequent (*Bede*, *Cnut*, *Dunstan*, or *Orm*). In a recent study of Anglo-Saxon personal names in the tenth and eleventh centuries, Arnaud Lestremau shows that in Domesday Book data, *Ælfrics* were particularly spread in Wessex, the South-East, parts of East Anglia, Nottinghamshire, and Cheshire, which corresponds to the expansion of West Saxon land ownership in this period. Similarly, the distribution of the name *Godwine* is strongly correlated with the lands owned by the powerful Godwine clan, especially in the South-East and East of the country (2018: 190–196).⁶

As to least frequent names, *Bede* does not appear after c.1000, and three out of five attestations are confined to Northumbria in c.700. Like other Celtic names, *Bede* was not fashionable among the Anglo-Saxons, and the last mention from Berkshire refers to a slave.⁷ The name *Cynewulf*, although not very common, is

5. For an excellent survey of the sociology of Anglo-Saxon personal names after 900, see Lestremau (2018); for a concise introduction, see Clark (1992a, b).

6. The overrepresentation of these two names in the data is so pervasive that Lestremau calls one of the subsections in his book *La société des Godwine et des Ælfric* (2018: 190), which is slightly misleading, since the second most frequent male name in PASE is *Leofwine* with 202 attestations, over a half of those belonging to moneyers. Lestremau’s data for the tenth and eleventh centuries may show somewhat different tendencies though.

7. Lestremau reports that only 62 individuals with Celtic names were recorded in Domesday Book, i.e. 0.8 per cent of Domesday individual name data (2018: 217, 224; cf. Clark 1992a: 463).

reasonably widespread geographically, its recorded life spanning from the early eighth to the late tenth century.

Scandinavian names are well correlated with the onset of the Viking Age: all *Cnuts* and *Orms* are attested after 900, and *Harolds* from the late tenth century. Until 1066, all three names retain their association either with the Scandinavian royalty and their retinue (*Cnuts* and *Harolds*) or/and with the lands in the Danelaw. Another interesting case is the name *Grim*, which appears in the sources after c.930 and is also associated with Scandinavian onomastics, even though the cognate adjective *grim* is available and fairly frequent in Old English (c. 175 occurrences according to the DOE, s.v.). Not only does *Grim* spread as far south as London and as far west as Shrewsbury, but it also develops a distinct connection to moneyers: 18 out of 32 *Grims* in the coin data are identified as moneyers, although it is possible that some of the references are to the same persons.⁸ According to Smart, “the distribution of the Scandinavian moneyers’ names agrees approximately with what we know of the settlement from other sources.” Scandinavian names are particularly widespread among the moneyers of the Danelaw. In York, they increase throughout the tenth century and take over English names before the Norman Conquest (1986: 183).

A similar proportion of *Dunstans* (5 out of 8) were moneyers in the eleventh century, the name as such not being attested before the time of Archbishop Dunstan (959–988). Elisabeth Okasha warns, however, against hasty interpretation of negative or little evidence, especially with female names, as many names could have been more popular than the surviving evidence would suggest (2011: 111–114). With Dunstan, it seems that rare names ran in the family: his father bore a name Heorstan, attested only two times in PASE. Given that names of persons below thegny rank appear seldom in the sources, a rare name in itself may be an indication of Heorstan’s low birth (cf. Lapidge 2004), or at least an indication of his family being fond of names particularly uncommon among the elite. Interestingly, Ælfric uses the name *Dunstan* in his *Grammar* as an example of a proper name:

Sume synd agene naman, swaswa is Eadgar, Dunstan; sume gemænlice: cyning, bisceop, *homo* man. (ÆGram 11.16)

‘Some are proper names, such as Edgar or Dunstan; and some are common nouns: king, bishop, or *homo* man.’

Although the connection between this example and the Benedictine reform against whose background Ælfric was writing is all too clear, a more frequent name is arguably more likely to become a grammar example, and for Ælfric, *Dunstan* was common enough to qualify as such. In the same vein, political preferences aside,

8. Lestremau’s findings are very similar (2018: 223–237; for a very helpful summary, see Figure 14 on p. 229).

Donalds or *Joes* have a higher chance of being used as grammar examples than *Baracks*, *Elizabeths* than *Rowenas*, even though influential politicians are known to trigger surges of names' popularity in the generation(s) following their ascent to power. The name *William*, for instance, seems to have been particularly popular among the Normans of the Conquest period. Together with *Geoffreys*, *Williams* appear in Anglo-Saxon name data from the mid eleventh century, starting with Geoffrey, count of Perche's, participation in the Battle of Hastings and with the consecration of William the Norman as bishop of London in 1051. Within decades after the Conquest, *Williams* spread down the social ladder and continued to be extremely popular for most of the Middle Ages (Clark 1992b: 560–561).

Some of the observed tendencies also apply to names of women, e.g. the most popular female names share the first element with the most popular male names (*Ælf*- 'fairy', *Æthel*- 'noble', *Ead*- 'prosperity', *Leof*- 'beloved', *Wulf*- 'wolf', and *Wynn*- 'joy'). These first elements are found among the most frequent names: *Ælfgifu* (29 occurrences), *Æthelflæd* (29 occurrences), *Ælfflæd* (26 occurrences), and *Eadgifu* (23 occurrences) (cf. Okasha 2011: 76–79). The second name-elements are generally a more reliable indicator of whether a name is specific to men or women: the most common second elements *-burg* 'dwelling', *-gyþ* '?battle', *-swiþ* 'strong', and *-þryþ* 'might' are grammatically feminine, and the bearers of such names are predominantly women, but the bigger picture is much more complex than that.⁹ French female names (e.g., *Adelida*, *Beatrice*, *Matilda*) are generally correlated with the second half of the eleventh century. The majority of female names refer to queens, abbesses, and other aristocratic women (Okasha 2011; Colman 2014), so, the same uncertainties surrounding the relation between attested names and popularity or attested names and social rank are valid for male as well as female names.

3.3.1.2 *Occupational terms in PASE*

Statistics on offices held by individuals are revealing about the general tendency of the overrepresentation of religious office categories in the record (Tables 3.3 and 3.4). Not only were the clergymen more involved in any kind of written transactions, but also more careful and consistent with the preservation of documents, with archives, too, being generally associated with monasteries and cathedrals (Table 3.3). The greater durability of coins over parchment, on the other hand, makes the records on moneyers overrepresented in the whole dataset (Table 3.4).

The tendency for greater record representation of the clergy is visible at the highest level of the Anglo-Saxon society: If we count church leaders (category abbeß, abbot, archbishop, and bishop), and then secular leaders (*comes*, *dux*,

9. For discussion and counter-examples, see Okasha (2011).

Table 3.3 Anglo-Saxon religious status/office/occupation in PASE 2

Office	N	Office	N
Abbeß	104	Deacon	301
Abbot	735	Mass priest	27
Archbishop	105	Monk	384
Bishop	877	Nun	120
Brother	614	Priest	1,088
Cleric	177	Sister	56
Total			4,588

Table 3.4 Anglo-Saxon secular status/office/occupation in PASE 2

Office	N	Office	N
Baker	4	<i>Minister</i>	1,362
<i>Comes</i>	235	Moneyer*	4,545
Cook	11	Noble	138
<i>Dux</i>	546	Poet	4
<i>Ealdorman</i>	96	Prostitute	4
<i>Eorl</i>	78	Queen	60
Goldsmith	19	Reeve	55
High-reeve	8	Sheriff	52
King	384	Slave	170
Mason	7	Swineherd	13
<i>Miles</i>	223	<i>Thegn</i>	307
Total			8,321
Total without moneyers			3,776

* Only two moneyers are mentioned outside coin data.

ealdorman, *eorl*, king, and queen) together, the ratio of the religious vs. secular offices is 1.3 to 1 (1,821 to 1,399). The same tendency holds, if we go down the social ladder: lesser clergy (brother, cleric, deacon, mass priest, monk, nun, priest, and sister counted together) outnumber secular offices (high-reeve, *miles*, *minister*, noble, reeve, sheriff, and *thegn*)¹⁰ with a ratio of 1.29 to 1 (2,767 to 2,145).

Going further down produces smaller absolute counts and more anonymity, as people of lower social status and occupation do not feature much in the sources. They are mentioned because of the goods, services, and status symbols they can produce for the elites. A selection of lay professions can be seen in Table 3.4. Of these, bakers, cooks, and goldsmiths also appear as relevant categories in Domesday

10. Many of these terms are equivalent, e.g. *ealdorman* and *eorl*, or *minister* and *thegn*, following PASE, however, I have kept them distinct.

Book (2 out of 4, 4 out of 11, and 5 out of 19, respectively). The category slave has 170 entries in PASE, including anonymous slaves, which is only a small fraction of the slave population, PASE figures being derived from manumission documents and manumission clauses in wills. In Domesday Book they number 28,164 people, or over 10 per cent of the population (for details and discussion, see Pelteret 1995: 109–240, statistics per county at 192–193). As already pointed out, moneyers are an exception in PASE by all counts, which is due to the skewing effect conditioned by the peculiarities of coin data.¹¹

3.3.1.3 *Women in PASE*

Gender distributions are equally interesting. While the number of the recorded abbot offices (735) vs. abbess offices (104), with a ratio of 7 to 1, is a rough reflection of the proportion of monasteries to nunneries, according to Russell (1944: 179–188), it is also an important reminder that women only got mentioned in the sources if they had an affiliation with a religious house. The ratio of monks (category brother and monk in Table 3.3) to nuns (sister and nun) in PASE shows a similar picture: 5.67 to 1 (or 998 to 176). At any given time, the gender difference within regular clergy is likely to have been somewhat less pronounced, especially in the later period. In the same study, Russell (1944) estimated the totals for monks and nuns in 1086 at 740 and 200 respectively, which gives a ratio of 3.7 to 1.¹²

Being married to a king did not increase the chance of one's name getting on the record – mentions of kings amount to 384 as opposed to 60 of mentions of queens or a ratio of 6.4 to 1 (Table 3.4). Thus, in spite of the fact that most Anglo-Saxon kings had wives, the legal and social status of queens was about 6.4 times less significant. They appear rarely on witness lists (although we shall deal with a number of exceptions below) and their legal records are few in general. Wives of other social leaders feature in the record only sporadically, the totals for all males and all females in PASE being 17,110 to 973, or 17.6 to 1.¹³

11. Although the importance of moneyers as economic and political players should not be underestimated, see e.g. Naismith (2012), Colman (2014), Lestremieu (2018: 48–52).

12. The figures are based on the number of known monasteries (50) and nunneries (10) multiplied by an estimated number of monks and nuns per house (between ten and twenty, depending on the size of the community) (Russell 1944: 179–188).

13. On the relation between personal names and gender, see Okasha (2011) and Colman (2014: 10–18).

3.3.1.4 *Individuals in PASE*

Finally, PASE can offer insights into social networks of individuals listed in the database. It is possible to see how active they were as social actors by looking at their record of offices, occupations, and, especially, events. For example, Ælfric of Eynsham, identified in the introductory chapter as the most prolific vernacular prose writer of the period, seems to have kept a low social profile if we take these parameters as indicators. While a note in the beginning of his entry says, “He also composed *Sermones Catholici*, two series of 40 homilies on the Gospels, saints, and doctrinal themes. PASE2 will deal with the rest of his connexions” (Ælfric 94), the data available at present (based on legal record rather than literary output), or rather the lack thereof, suggests that Ælfric was either never approached to witness a will or diploma or carefully avoided any involvement in legal transactions. This legal lacuna is the more surprising, since we know from other sources that Ælfric had both a reputation for his writings and influential patrons and commissioners (Cubitt 2009). Hence, this situation seems to stem more from his personal disposition (or indisposition) rather than social circumstance.

While allowances for archival losses and other ravages of time can and should be made, a comparison with two contemporary personages may serve as another illustration of Ælfric’s somewhat exceptional standing. For example, his teacher and spiritual father Æthelwold, Bishop of Winchester (963–984), is associated with 498 events. Among them, charter-witnessing amounts to 151 mentions, while the wealth of information on other events is largely due to two Latin *Lives of St Æthelwold* written in c.1000 by Wulfstan Cantor and Ælfric himself (PASE, Æthelwold 1). Ælfric’s contemporary and correspondent Wulfstan, Archbishop of York (1002–1023), is associated with 93 events, among them charter-witnessing alone amounts to 70 mentions (Wulfstan 41). That bishops were much more engaged in administrative and commercial dealings with other clergymen as well as laity than monastic teachers (e.g. Ælfric during his time at Winchester or Cerne) or abbots (e.g. the last decade of Ælfric’s career as abbot of the newly-founded Eynsham) is to be expected. However, the discrepancy between Ælfric’s profile and those of the other two writers, on one hand, and the discrepancy between the magnitude of Ælfric’s influence as a teacher and homilist and the lack of any records on Ælfric as a legal person, on the other, are too conspicuous to be accidental or entirely due to his lower status in relation to Æthelwold and Wulfstan.

3.3.2 Other databases

The richness and importance of PASE as a historical data-source cannot be overstated. For a sociolinguistic analysis, however, we also have to consider how this wealth of social and economic information can be translated or extrapolated

to linguistic data. Associated projects offer a partial solution to this task. The *Anglo-Saxon Charters* project (ASChart) is an XML edition of “charters written in Anglo-Saxon England before A.D. 900”.¹⁴ The individual charters can be browsed and searched according to chronology (by rulers and kings), region (e.g. rulers of the Mercians or kings of the West Saxons) or archive (e.g. Canterbury, Christ Church or Worcester). The diplomatic indexes also allow to compare the different types of charter protocol tagged at present, such as names, invocations, proems, dating clauses, dispositive words, curses, and places of promulgation¹⁵ and to group them by chronology or archive. The charters, identified by traditional Sawyer numbers,¹⁶ are linked to PASE, so that their witness lists can be checked against the individual profiles available in that database. To go beyond 900 as well as to access information on manuscripts, printed editions, and secondary sources related to charters, one has to turn to the *Electronic Sawyer*,¹⁷ which can be browsed by Sawyer number, date, king, archive, manuscript (including the number of manuscripts), bibliography, and translation; or searched by charter, manuscript, and bibliography. Among the latter options, Charter search allows one to make semi-linguistic searches by Title word, Text word, and Translation word.¹⁸ More sophisticated linguistic searches can be carried out in the *Dictionary of Old English Web Corpus* (restricted by Cameron number ‘B15’ or short title ‘ch’ to the subcorpus of charters). This, however, limits the corpus of charters to Old English documents, excluding the overwhelming majority of Latin texts.

In the coming chapters, I combine the available resources to describe sociolinguistic practices of actors involved in commissioning, production, dissemination, consumption, and preservation of documents referred to collectively as *charters*. I survey the known forms of charters and their characteristic elements in relation

14. <http://www.aschart.kcl.ac.uk/index.html>

15. <http://www.aschart.kcl.ac.uk/diplomatic/index.html>

16. These refer to the entries in Peter Sawyer’s seminal catalogue *Anglo-Saxon Charters: An Annotated List and Bibliography*, published by the Royal Historical Society in 1968 (London). “It was the first comprehensive listing of all surviving charters from the Anglo-Saxon period, containing over 1850 separate entries. The original 1968 catalogue soon came to be known in academic parlance as ‘Sawyer’, and references to charters are now conventionally given in the form ‘S 000’, where ‘000’ represents the number of the charter in Sawyer’s catalogue” (<https://esawyer.lib.cam.ac.uk/about/about.html>). This reference system is also adopted below.

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

18. <https://esawyer.lib.cam.ac.uk/searchfiles/chartersearch.html>. Of interest to landownership historians are also three other databases: *LangScape – The Language of Landscape: Reading the Anglo-Saxon Countryside* (<https://landscape.org.uk/index.html>), *DEEDS – Documents of Early England Data Set* (<https://deeds.library.utoronto.ca/>), and *Open Domesday* (<https://opendomesday.org/>).

to their discourse communities and individual community members, applying in my analysis, if retrievable, such sociolinguistic parameters as social status, gender, location, and date. The main categories of texts that make up this corpus are outlined in the next section.

3.4 Charter forms

Speakers of Old English did not always distinguish between subcategories of charters and epistolary texts, whose fuzziness is reflected at the level of terminology they used to describe them. The most general term *gewrit* could refer to diplomas, writs, wills, as well as ‘anything that is written’ from an ‘inscription’ to ‘the Holy Scripture’ (BT, s.v.). Other general terms include *carte*, *sweotolung*, and *gewiss* ‘deed, contract’, although *carte* can refer specifically to charters and title-deeds, and *sweotolung* to wills. Among more specific terms, we find *boc* and *landboc* ‘charter granting land’, *freols* and *freolsboc* ‘charter granting privileges’, *(ge)cwide* and *willa* ‘will, testament’, and *cirografum* and *geclofa* ‘a document produced in two or more parts’ (BT; DOE; Lowe 1991). While the technical terms refer to specific functions of the respective documents or parts of documents, the more general terms point to functional overlap between legal documents and letters, and between legal documents and oral agreements and announcements. Although we shall mostly deal with documents that serve a legal purpose, we are going to see that the genre boundaries are indeed fuzzy both inside and outside this functional category, and that the individual documents and their components are adjusted to specific objectives and audiences.

In this book, I adopt the technical definitions employed in recent work by Richard Sharpe (2003) and Mark Hagger (2009) and distinguish between the following:

1. *Diploma*

Function: a record of a transfer of land, property, or rights

Addressees: none (solemn invocations instead)

Producer: beneficiaries

Authentication: witnesses

Language: Latin (with or without English bounds), sometimes English

2. *Writ*

Function: a command, mandate, notification, or instruction, requiring the addressee(s) to take (or not to take) some action

Addressees: private individuals, royal officers, local courts

Producer: chancery

Authentication: the king’s seal

Language: English (before 1070), Latin (after 1070)

3. *Writ-charter*

Function: a notification of a transfer of land, property, or rights

Addressees: assembly – a shire court or courts

Producer: chancery

Authentication: the king's seal

Language: English (before 1070), Latin (after 1070)

4. *Charter* (in use only after 1066, increasingly after 1106)

Function: a notification of a transfer of land, property, or rights

Addressees: a generality of royal subjects (from archbishops and counts to all the faithful)

Producer: chancery and, less frequently, beneficiaries

Authentication: the king's seal

Language: Latin

5. *Will*

Function: a notification of a bequest of land or property

Addressees: the king or another patron

Producer: testators and scribes acting on their behalf

Authentication: witnesses, chirograph

Language: English

In Chapters 4 to 7, we are going to examine all these categories with the exception of charters proper ((4) that emerge after the Norman Conquest and are written in Latin only). The remaining four forms will be addressed in Chapter 4 on diplomas, Chapter 5 on writs and writ-charters (referred to collectively as writs, unless the difference should be made clear), Chapter 6 on wills, and Chapter 7 on early Norman writs and diplomas. For most of our period, diplomas were typically written in Latin, which greatly obscures the underlying vernacular oral practices. Writs and wills, on the other hand, surviving predominantly in Old English, give us a better understanding of how these commands and bequests were performed prior to their committal to parchment, for in all three cases an oral performance preceded and was intertwined with the written documents. This performance was undoubtedly much more diverse and multi-faceted, than the existing record may show, with legal transactions outnumbering all other types of written communication by charters.

3.5 Summary and outlook

In this chapter, we have considered the context of written law and compared the Anglo-Saxon situation with other known legal cultures, to understand how and why legal documents often survive more readily than other genres and registers. We have also appreciated that in the absence of vernacular letters, charters (as a generic category) may be the best proxy genre for the study of sociolinguistic parameters, social ties, and linguistic variables, and established that electronic corpora of Old English and databases on Anglo-Saxon legal heritage make this study feasible and efficient, due to the availability of automated and semi-automated searches.

In what follows, we shall see how a discourse community is formed of social actors who perform and, in various ways, take part in legal practices, and how their oral practices are translated into written ones, get crystallised during periods of stability but change and adjust during those of political and economic upheaval. The protocol of these documents is also a reflection of the social hierarchies of this age and of politic behaviour expected of different types of social actors.

Chapter 4 considers diplomas (category 1 above) and focuses on their dispositive clauses and witness lists in order to describe professional communities of scribes and assembly communities more fully in terms of their membership and hierarchies. This chapter is based on data extracted from Latin documents. In Chapter 5, our attention will switch to vernacular writs and writ-charters (categories 2 and 3) and the emergence of a proto-chancery community at the West Saxon royal court, introduced in Chapter 2. Chapter 6 tackles wills (category 5) and concentrates more on the relation between established linguistic norms, social status, gender, and individual actors. A full account of administrative and diplomatic practices must include a detailed analysis of Latin documents, which constitute a much larger portion in the extant corpus of charters, especially diplomas. Unfortunately, before the completion of the ASChart project, such an account is not feasible. While the case-study on dispositive verbs is limited in scope and chronology, it, nevertheless, demonstrates the potential and importance of Latin data for the understanding of regional variation also in vernacular charters. Chapter 7 is also a small step in the same direction, as it investigates the predominantly Latin corpus of charters from the reign of William the Conqueror from the language-contact perspective. Sociolinguistically, it is a study of the changes within the community of royal clerks and the wider legal community in England after the Norman Conquest.¹⁹

19. For a discussion of bilingual practices in charters, I refer the reader to work by Schendl (2011), Gallagher & Tinti (2017), Tinti (2018), and Gallagher, Roberts & Tinti, eds. (2021), among others.

CHAPTER 4

Diplomas

Members of the assemblies and variation by archive

In the previous chapter, we have identified diploma as one of the legal genres and defined it as a record of a transfer of land, property or rights. For most of our period, diplomas are predominantly Latin-language documents. Many of them contain English words and phrases, at least in the boundary clauses, and some are written in English (Schendl 2011; Gallagher & Tinti 2017; Tinti 2018). This chapter focuses on social practices of legal communities, as reflected in their formal written code, and reconstructs their ties and verbal and non-verbal behaviour largely on the basis of their performance in Latin. To this end, we, first of all, introduce the main elements of charter diplomatic, or the protocol, and then examine two of those elements in detail. To study the social composition of legal communities and the role of individual community members, we investigate charter witness lists. To study regional variation between different diplomatic traditions, we concentrate on dispositive verbs, i.e. the key element of any grant or donation. On the basis of the former study, we are also able to revisit the reconstruction of the Alfredian network in Chapter 2.

4.1 The protocol of diplomas

The first Anglo-Saxon diplomas date to the beginning of the seventh century and, as the first law codes, are associated with the time of St Augustine and King Æthelberht. Although the surviving documents from this early period are all spurious, it seems reasonable to accept that the practice of securing written evidence for land ownership by religious establishments should be contemporary with the early Christianisation period (Oliver 2002; Baker 2019). The earliest diploma, a post-Conquest forgery, compiled in the name of King Æthelberht, dates to 604 and records a grant of land at Rochester to St Andrew and his church (S1; Campbell 1973: xxii, 1). It is written in Latin with English bounds and displays a protocol that is common to most charters of the Anglo-Saxon period (whether authentic or suspect). The full text of the diploma goes as follows:

- (1) a. *Regnante in perpetuum domino nostro Iesu Christo saluatore. mense Aprilio. sub die iiii. kalendas Maias. indictione vii. ego Æthelberhtus rex filio meo Eadbaldo admonitionem catholice fidei optabilem. Nobis est aptum semper inquirere. qualiter per loca sanctorum pro anime remedio uel stabilitate salutis nostre aliquid de portione terre nostre in subsidiis seruorum dei deuotissimam uoluntatem debeamus offerre. Ideoque tibi Sancte Andrea tueque ecclesiae que est constituta in ciuitate Hrofibreui ubi preesse uidetur Iustus episcopus. trado aliquantulum telluris mei. Hic est terminus mei doni. Fram suðgeate west andlanges wealles oð norðlanan to stræte. & swa east fram st\l/r/æte oð Doddinghyrnan ongean bradgeat. Siquis uero augere uoluerit hanc ipsam donationem; augeat illi dominus dies bonos. Et si presumpserit minuere aut contradicere; in conspectu dei sit damnatus et sanctorum eius hic et in eterna secula. nisi emendauerit ante eius transitum quod inique gessit contra Christianitatem nostram. Hoc cum consilio Laurentii episcopi et omnium principum meorum signo sancte crucis confirmaui. eosque iussi ut mecum idem facerent. Amen.*
- ‘By our Lord Saviour Jesus Christ reigning perpetually, in the month of April, on the fourth day before the calends of May [28 April], in the seventh year of the indiction [604], I, King Æthelberht, to my son Eadbald, a desired reminder of the Catholic faith. To us it is always proper to examine how, by means of holy places, for the remedy of the soul and the steadfastness of our salvation, we ought to offer, a most devout wish, something from the share of our land for the relief of the servants of God. And, therefore, to thee St Andrew and thy church, which is located in the city of Rochester and where Bishop Justus is seen to be head, I hand over a small part of my land. Here is the boundary of my gift: from South Gate, west along the wall as far as North Lane, to Street, and so east from Street as far as Doddinghyrne opposite Broad Gate. If any man wishes to increase this very gift, may the Lord increase good days to him. And if he presumes to diminish or oppose it, may he be damned in the sight of God and his saints, here and into the centuries to come, unless he repents before his death that which he has done unjustly against our Christian faith. This, in counsel with bishop Laurence and all my principal men, I have confirmed by the sign of the holy cross and have commanded them in order that they might with me accomplish the same. Amen.’ (trans. adapted from Monk 2018)

The diploma consists of the following components (adopted from Keynes 1980):

- (1) b.
 - invocation: Regnante in perpetuum domino nostro Iesu Christo saluatore;
 - dating clause: mense Aprilio. sub die iiii. kalendas Maias. indictione vii;
 - donor: ego Æthelberhtus rex;
 - proem/religious motive: filio meo Eadbaldo admonitionem catholice fidei optabilem. Nobis est aptum semper inquirere. qualiter per loca sanctorum pro anime remedio uel stabilitate salutis nostre aliquid de portione terre nostre in subsidiis seruorum dei deuotissimam uoluntatem debeamus offerre;
 - main announcement: Ideoque tibi Sancte Andrea tueque ecclesiae que est constituta in ciuitate Hrofbreui ubi preesse uidetur Iustus episcopus. trado aliquantulum telluris mei;
 - bounds: Hic est terminus mei doni. Fram suðgeate west andlanges wealles oð norðlanan to stræte. & swa east fram st\ŕ\æte oð Doddinghyrnan ongean bradgeat;
 - penal/prohibition clause: Siquis uero augere uoluerit hanc ipsam donationem; augeat illi dominus dies bonos. Et si presumpserit minuere aut contradicere; in conspectu dei sit damnatus et sanctorum eius hic et in eterna secula. nisi emendauerit ante eius transitum quod inique gessit contra Christianitatem nostrum;
 - signature and witnesses: Hoc cum consilio Laurentii episcopi et omnium principum meorum signo sancte crucis confirmaui; eosque iussi ut mecum idem facerent;
 - acclamation/valediction: Amen.

Although the elements themselves are rather stable, there is a lot of variation in their order and content: The dating clause can also occur at the end of diplomas before the witness list; the exact formulation of the elements may differ, e.g. another very frequent invocation is *In nomine Domini* ‘in the name of the Lord’; dispositive verbs in the main announcement include *concedo*, *dabo*, *dabo et concedo*, *donabo*, *largitus sum*, *trado* (as in S1), etc.¹ (see below). Some elements may be missing in the surviving copies, especially, when we are dealing with those entered into cartularies (books containing copies of charters and other records of a religious house). The bounds are commonly given in Old English to provide precise details of the land grant, which was important both for the beneficiaries and for their immediate neighbours (Schendl 2004, 2011).

1. http://www.aschart.kcl.ac.uk/diplomatic/idx_dispositive.html.

Many charters also include English versions or English summaries or are composed almost exclusively in English. This practice is especially well represented in the Worcester archive (Gallagher & Tinti 2017; Tinti 2018). With vernacular documents, too, the overall protocol remains very similar, even though the individual formulations of the component parts differ considerably. For example, one of the charters (S333) from the reign of Æthelberht of Wessex (860–865) bears close resemblance to its Latin prototypes and includes (O'Donovan 1988: 22; Keynes 1994: 1125):

- (2) – two invocations (in Latin and Old English): *Regnante in perpetuum domino nostro Ihesu Christo. Ricsiendum urum Dryhtne hælendum Criste in ecnisse ...* 'Our Lord the Saviour Christ, who rules to all eternity...';
- donor: *ic Æþelbreht mid Godes gife Westsaxna kyning 'I, Æthelberht, by the grace of God King of Wessex';*
- proem/motive: *witoðlice ic þence & me on gemynde is mid þissum eorþlicum ðingum þa ecelican gestreon to begitanne ... for me selfne. & for mine þa liofestan lifiende frynd. & eac swylce for arwupnesse Æþelwulfes saule mines fæder. & Æþelbaldes mines broþor. 'I truly intend and have it in mind to procure the everlasting treasure by means of these earthly things ... on my own behalf and for my dearest living friends, and likewise in honour of the souls of Æthelwulf, my father, and Æthelbald, my brother...'*
- main announcement: *Ic forgyfo ... soþlice þisne freols. to þære halgan stowe æt Scireburnan ðær Æþelbaldes cyninges lichama hine resteð. þæt hit sy fæstlice & unanwended & ecelice gefreod. alra cynelicra & alra domlicra þeowdoma. ge ðeoffenges. ge æghwelcre ieðnesse ealles worldlices broces. nymþe fyrde & brycge weorces. 'I openly grant this freedom ... to the holy foundation at Sherborne, where the body of King Æthelbald rests, that it be firmly and immutably and eternally freed from all royal and judicial services, including the arrest of thieves and all the irksomeness of secular labour, with the exception of military service and the construction of bridges';*
- penal clause: *Gyf þanne hwilc man to þan geþristlæce oððe mid deofles searwum to þam beswicen sye þæt he þis on ænigum þingum lytlum oððe myclum þence to gebecanne oððe to onwendanne. wite he þonne þæt he þæs riht agieldende sie byforan Cristes ðrymsetle – þonne ealle hefonware & eorþware on his andweardnesse beoð onstyrede & onhrerede. nymþe he hit ær her on worlde mid ryhte gebete. 'If, however, any man is so presumptuous or so greatly deceived by the wiles of the devil, as to contemplate breaking or changing this in any particular, small or great, he shall find that he must render account for it before the throne of Christ, when all the dwellers in heaven and earth are moved and agitated in his presence, unless he has duly made amends for it here in this world';*

- dating clause: *Dis wæs gewriten þæs gære þe wæs agan fram Cristes acennednesse eahta hund wintra & feower & sixtig. & in þam tacencircole þæt twelfte gear. ðe dæg wæs septimo kalendis Ianuariis.* ‘This was written in the year 864 which had passed since the birth of Christ, and in the twelfth Indiction, on December 26’;
- promulgation place: *Þis wæs gedon in þam cynelican setle on þære stowe ðe is genæmned Dornwara ceaster* ‘It was done in the royal residence at the place called Dorchester’;
- witnessing clause: *beforan þissum witum geþafigendum þe hære namon her benioþan gewritene & gesewene siondon.* ‘in the presence and with the consent of these witnesses whose names are written and visible here below’;²
- signatures and witnesses.

As the charter concerns the privileges of the monastery at Sherborne, the boundary clause is not included. An interesting narrative section follows the first witness list. It describes the arrival of King Æthelberht at Sherborne in the same year and his confirmation of the charter, which was done by placing the document on the high altar and its enunciation in the presence of witnesses (monks of Sherborne and royal councillors).³ A second penal clause and witness list follow to authenticate the confirmation (O’Donovan 1988: xxvii, 18–24). High on both lists, among the king’s kinsmen, we find his younger brothers Æthelred and Alfred, aged respectively about seventeen and fifteen at the time. S313, dated ten years earlier, is the first charter witnessed by Æthelred and Alfred. It suggests that *filii regis* were initiated to the practice of witnessing at about the age of five, although S313 is generally considered spurious.⁴

4.2 The diffusion of the practice

The proliferation of diplomatic material from the seventh century onwards and the largely stable component parts attest to the diffusion of the practice as such: if classified according to their promulgation place, by 900, charters were known in at least 72 places.⁵ On the other hand, the observed variation, often present in diplo-

2. The translation is from Robertson (2009 [1956]: 17–19, R11).

3. As Susan Kelly remarks, “in the eyes of the laity, the transfer of land was effected and guaranteed by the rituals which marked the transaction, and that the diploma was important as a part and symbol of these ceremonies, not on its own account as a written record of the transaction” (1990: 44; cf. Insley 2011: 112–114).

4. <https://esawyer.lib.cam.ac.uk/charter/313.html>

5. http://www.aschart.kcl.ac.uk/diplomatic/idx_promplace.html

mas preserved even by the same archives (of these the largest being at Canterbury, Malmesbury, Rochester, Winchester, and Worcester),⁶ points to localised production of charters, initiated by the beneficiaries (cf. Insley 1998). Over time, the individual scriptoria developed their own charter conventions characterised by distinct formulations of the conventional clauses. E.g. among Kentish charters, the corpus of documents produced by the scriptorium of Christ Church, Canterbury, is recognisably different from that of Rochester (see below). In the middle of the ninth century, a new development becomes noticeable. With the strengthening and expansion of West Saxon political influence, Latin templates of the West Saxon diplomatic appear to be spreading as well. By the beginning of Alfred's reign in 871, they can be found in documents preserved in the archives of Winchester, Shaftesbury, Sherborne, Abingdon, and Glastonbury, to an extent that may suggest "a virtual monopoly of the production of royal charters" by a kind of 'central agency', most likely "the body of priests who served in the royal household", a precursor of the later royal writing-office, or chancery (Keynes 1994: 1147). "[A]ll of the surviving charters issued by King Æthelwulf and his sons [Æthelbald, Æthelberht, Æthelred, and Alfred] in their capacity as successive kings of Wessex can be shown to belong to a single unfolding tradition" (Keynes 1994). With the succession of Alfred, and, especially, during the last decade of his reign, the conventions of this writing body appear to change and display influence of the Mercian tradition. Since the Alfredian reforms unfold at about the same time, and Mercian advisors are known to have been present at the royal court (see Chapter 2), it seems plausible that the same people (the Mercians: Plegmund, Werferth, Æthelstan, and Werwulf) could be employed in the issuing of charters as well as in the translation projects (Keynes 1994: 1135–1137; Snook 2015: 42–43). The practice of producing multiple copies of the same document (e.g. the provisions for the circulation of the *Pastoral Care*) seem to confirm the centralised production of the legal texts, too. We have seen how the distribution of the *Anglo-Saxon Chronicle* to prominent centres controlled by West Saxon kings served to create and promote West Saxon agenda during the period of southern expansion. In much the same way, the channels of royal 'propaganda' could be used to reach the shire and hundred courts with decisions concerning local affairs, in particular the management of local land ownership. In the course of the tenth century, these legal practices and their practitioners develop into a network of professionals with standardised discourse routines and centrally controlled channels of dissemination. Their vernacular practices are surveyed in Chapter 5 on writs. Let us now examine the social networks involved in the production and promulgation of charters, by looking at their witness lists. For ease of reference, key terminology for the case study is summarised and arranged hierarchically in Figures 4.1 and 4.2.

6. http://www.aschart.kcl.ac.uk/diplomatic/idx_invocation.html

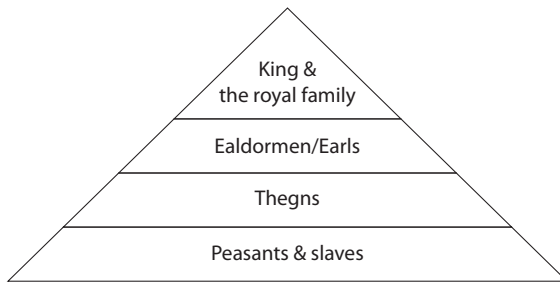


Figure 4.1 Social structure of Anglo-Saxon England

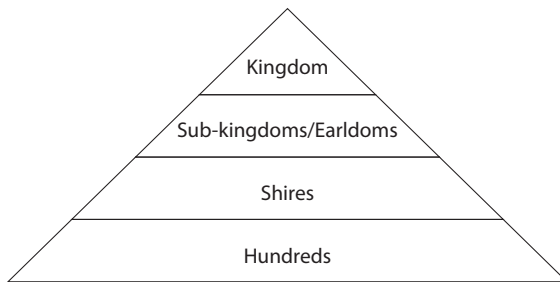


Figure 4.2 Administrative structure of Anglo-Saxon England

4.3 Case study: Witness lists

A selection of text excerpts analysed here is taken from diplomas dating to the time of King Alfred and his elder brothers. Few documents of this period are unquestionably authentic as most of them survive in later copies and, often, as part of cartularies, but verifiable witness lists are often an indication that a charter is at least based on an authentic original. A total of 17 diplomas are associated with King Alfred as the benefactor of religious establishments and clerical and lay individuals.⁷ He also acted as witness in dozens of charters granting land and privileges, including those issued during the reigns of his father Æthelwulf (839–858) and elder brothers Æthelberht (860–865) and Æthelred (865–871).⁸ Thus, long before he would himself become king, Alfred would be introduced to the practice of charter-witnessing and to the community of social leaders involved in that procedure. As shown above, this might have happened as early as the 850s (S313) and,

7. <https://esawyer.lib.cam.ac.uk/browse/kinga/A.html>

8. Alfred may well have witnessed the charters of his brother Æthelbald (858–860) too, but we have no written evidence for this. The only charter in Æthelbald's name to survive is S326 preserved in a fifteenth-century copy, and Alfred's name does not appear there.

more regularly (and reliably) from the 860s onwards. One of the diplomas from this period, S340, records a grant of 5 hides of land at Martyr Worthy, Hampshire by Æthelred, king of Wessex, to Hunsige, his thegn. This diploma was promulgated in 868, Dorchester, Dorset, and survives in a mid-twelfth-century cartulary from Old Minster, Winchester (today in London, BL, Add. 15350; Keynes 1994: 1124). I cite the order of the names in which they appear on the list (Figure 4.3), with standardised spellings added in accordance with the PASE and a few clarifications added by me (Example (3)).⁹

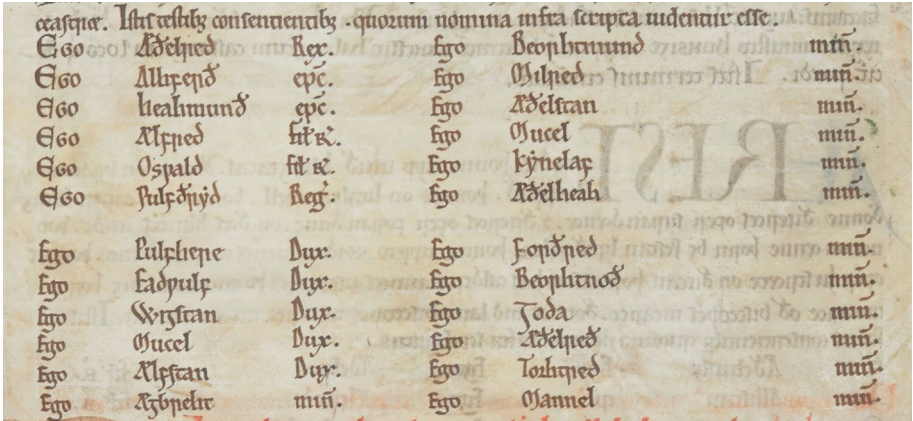


Figure 4.3 Witness list in S340 (London, BL, Add. 15350, f.91r) © The British Library Board

- (3) 1. Ego Æðelred Rex. Æthelred 15
(King of the West Saxons, 865–871; elder brother of King Alfred)
2. Ego Alhferð episcopus. Ealhfrith 4 (Bishop of Winchester, 862x867–871x877)
3. Ego Heahmunð episcopus. Heahmund 4 (Bishop of Sherborne, 867x68–871)
4. Ego Ælfréd filius Regis. Alfred 8
(the Great, king of the Anglo-Saxons, 871–899;
younger brother of King Æthelred)
5. Ego Oswald filius Regis. Oswald 6 (Son of King Æthelred)
6. Ego Wulfðryd Regina. Wulfthryth 2
(Queen of the West Saxons; wife of King Æthelred)
7. Ego Wulfhere Dux. Wulfhere 4 (Dux [of ?Wiltshire], 855–?877)
8. Ego Eadwulf Dux. Eadwulf 21 (West Saxon dux, fl. 850–871x877)
9. Ego Wigstan Dux. Wigstan 3 (West Saxon dux, fl. 868)
10. Ego Mucel Dux. Æthelred Mucel 1
(Comes of the Gaini, fl. 868; father-in-law of King Alfred)

9. <http://www.pase.ac.uk/jsp/ASC/factoid.jsp?factoidKey=84466>

11. Ego Ælfstan Dux. Ælfstan 5 (Ealdorman [of ?Dorset], fl. 862–869/870)
12. Ego Ægbreht minister. Ecgbreht 19
(Minister, witness to West Saxon charters, fl. 862–868)
13. Ego Beorhtmund minister. Beorhtmund 2
(Minister, witness to West Saxon charters, 865–868)
14. Ego Milred minister. Milred 3
(Minister, witness to West Saxon charters, fl. 868–875)
15. Ego Æðelstan minister. Æthelstan 6
(Minister, witness to West Saxon charter, fl. 868)
16. Ego Mucel minister. Mucel 7
(Minister, witness to West Saxon charters, fl. 850–868)
17. Ego Kynelaf minister. Cynelaf 1
(Minister, witness to West Saxon charters, fl. 858–868)
18. Ego Æðelheah minister. Æthelheah 12
(Witness to West Saxon charter, 868)
19. Ego Forðred minister. Forthred 5
(Minister, witness to West Saxon charters, fl. 867–868)
20. Ego Beorhtnoð minister. Beorhtnoth 5
(Minister, witness to West Saxon charters, fl. 864–871x877)
21. Ego Goda minister. Goda 4
(Minister, witness to West Saxon charters, fl. 864–868)
22. Ego Æðelreð minister. Æthelred 16
(Minister, witness to West Saxon charters, fl. 839–868)
23. Ego Torhtred minister. Torhtred 3
(Minister, witness to West Saxon charter, fl. 868)
24. Ego Mannel minister. Mannel 1
(Minister, witness to West Saxon charters, fl. 864–868)

The charter is witnessed by 24 individuals, arranged hierarchically into groups,¹⁰ in which we find the king, two bishops, three other members of the royal family, five dukes (i.e. ealdormen, the highest aristocratic rank), and thirteen ministers (i.e. thegns, lay nobility below the rank of ealdorman; Figure 4.1). It is clear from the list that we are dealing with a local West Saxon network of people as they all have West Saxon affiliations. With ministers (nos. 12–24), we know very little beyond their names (many of those being extremely common) and the fact that they acted as witnesses in this and, more often, several other West Saxon charters. For example, minister Ecgbreht (no. 12) had witnessed six more diplomas between 862 and 868, while minister Æthelred (no. 22) had been a charter-witness for nearly 30 years. In

10. Considerations of the size of the parchment and the space left after the main text also play an important role (Keynes 1980: 155).

both cases, however, the names recorded in witness lists are the only evidence that these two individuals ever existed.

Unlike ministers, Bishops Ealhfrith and Heahmund are documented in other sources, especially after their elevation to the headships of the two West Saxon dioceses of the time, Winchester and Sherborne respectively. In this capacity, they appear in diocesan and general historical records, issue their own charters, and even take part in battles. As recorded in the *Anglo-Saxon Chronicle*, Bishop Heahmund was killed in the Battle of Marton in 871. Simon Keynes (1994) traces the bishop to the 850s and identifies him with priest Heahmund at the court of King Æthelwulf (S290), suggesting that the episcopate in 867 was a reward for Heahmund's service as a royal priest (and scribe) to Æthelwulf and three of his sons (1994: 1133). So far as we can judge by the sources, Heahmund did not hold any office between *presbyter* and Bishop of Sherborne. This case is similar to the appointment of Plegmund as archbishop of Canterbury some twenty years later. An obscure monk from Cheshire was summoned to King Alfred's court to take part in the reforms in the second half of the 880s and in 890 was promoted to the archbishopric, without having previously served as either abbot or bishop (Matthews 1995: 20–21). The elevation of priests from the royal household to high ecclesiastical positions might thus have been a political strategy. It did not only ensure the loyalty among the church leaders but also promoted the social practices (including linguistic ones) of the Winchester court (wherever that was located at the time of any particular council) both in Wessex and beyond. In Chapter 7, we shall see that this promotion strategy continues to be used by the Normans.

While bishops always feature among the top witnesses, secular leaders of high status are also important. S340 is further witnessed by five ealdormen, designated as *dux* on the list, of which some are as evasive as ministers (Eadwulf, no. 8; Wigstan, no. 9; Ælfstan, no. 11), i.e. we only know them as charter-witnesses, and others get notoriety because of their in-laws, such as a Mercian Ealdorman Æthelred Mucel (no. 10) whose daughter Ealhswith, according to Asser's *Life of Alfred* (29), married future King Alfred in the same year as this charter was drawn up (mark another Mercian connection of Alfred's!). Sometimes, the sources work the other way, and we can learn historical facts about witnesses from the charters. For example, Wulfhere, ealdorman of Wiltshire (no. 7), who had been a witness of good reputation, judging by the 24 diplomas he witnessed between 855 and 877 (PASE, Wulfhere 4), betrayed King Alfred around 877 and deserted to the Danes, following which his lands were forfeited, as we learn from S362.¹¹ In the royal category, we find the king himself, his brother, his son, and his wife. With the royalty too,

11. <https://esawyer.lib.cam.ac.uk/charter/362.html#>; cf. Keynes (1994: 1127).

however, the distribution of the sources is extremely uneven: the names of the two royal brothers speak for themselves, while we know nothing about Queen Wulfthryth beyond this charter and very little about *filius regis* Oswald, who may have been Æthelred's son or nephew by the elder brother Æthelberht and witnessed two diplomas during his reign and one diploma during the reign of King Alfred.¹²

S340 records a matter of local importance: a grant of a piece of land in Wessex by the king of Wessex to his thegn. As the West Saxon control extended to other parts of England, many charters would involve a more interkingdom list of witnesses, as is the case in S338, issued a year earlier to confirm a grant of a seat in the church of St Martin with adjacent land to a Canterbury priest Wighelm:¹³

- (4) 1. + Ego Eðelred. rex anc meam donationem cum signo sancte crucis Christi roborabo & subscribo. Æthelred 15 (King of the West Saxons, 865–871)
2. + Ego Eastmund. dux cons' & subscribo. Eastmund 3
(Dux [of ?Kent], fl. 867–868)
3. + Eg'ō' Ealhheard. abbas cons' & subscribo. Ealhheard 8 (Abbot, fl. 862–868)
4. + Ego Heremod presbyter cons' & subscribo. Heremod 3
(Priest [in Kent], fl. 862–868)
5. + Ego Mucel minister cons' & subscribo. Mucel 7
(Minister, witness to West Saxon charters, fl. 850–868)
6. + Ego Beorhtnoð minister cons' & subscribo. Beorhtnoth 5
(Minister, witness to West Saxon charters, fl. 864–871x877)
7. + Ego Forðred minister cons' & subscribo. Forthred 5
(Minister, witness to West Saxon charters, fl. 867–868)
8. + Ego Eðelwulf minister cons' & subscribo. Æthelwulf 17
(Minister, witness to West Saxon charters, fl. 862–867)
9. + Ego Eðelred minister cons' & subscribo. Æthelred 16
(Minister, witness to West Saxon charters, fl. 839–868)
10. + Ego Acca minister cons' & subscribo. Acca 5
(Minister, witness to West Saxon charters, fl. 858–867)
11. + Ego Biarhtwulf minister cons' & subscribo. Beorhtwulf 6
(Minister, witness to West Saxon charters, 867–871x899)
12. + Ego Mannel minister cons' & subscribo. Mannel 1
(Minister, witness to West Saxon charters, fl. 864–868)
13. + In nomine domini eodem regi regnante ego Cialnoð gratia Dei archiepiscopus hanc donationem Eðeredi regis cum signa sancte crucis Christi roborabo & confirmabo. Ceolnoth 3 (Archbishop of Canterbury, 833–870)

12. Possibly also S332 in 863.

13. Brooks & Kelly 2013: 772–777; <https://esawyer.lib.cam.ac.uk/charter/338.html#>; <http://www.pase.ac.uk/jsp/ASC/factoid.jsp?factoidKey=84463>.

14. + Ego Biarnhelm presbyter abbas cons' & subscribo. Beornhelm 8
(Abbot [of ?St Augustine's], fl. 867–890x923)
15. + 'Ego' Noðheard presbyter cons' & subscribo. Nothheard 2
(Priest, mid 9thC; prob not e ix-l ix)¹⁴
16. + 'Ego' Biarnfreð presbyter cons' & subscribo. Beornfrith 3
(Priest [at ? Canterbury, Christ Church], 825x832–867)
17. + Ego Osmund presbyter cons' & subscribo. Osmund 9 (Priest, fl. 850–868)
18. + Ego Wighelm presbyter cons' & subscribo. Wighelm 8
(Priest in Canterbury, fl. 863–867)
19. + Ego Eðelweald presbyter cons' & subscribo. Æthelwald 20
(Priest, fl. ?867)
20. + Ego Eardulf presbyter cons' & subscribo. Eardwulf 9
(Priest [in Kent], fl. 867–871x899)
21. + Ego Biarnhelm presbyter cons' & subscribo. Beornhelm 6
(Priest, 859–867x870)
22. + Ego Tidweald presbyter cons' & subscribo. Tidwald 1 (Priest, fl. 867)
23. + Ego Beornred presbyter cons' & subscribo. Beornred 4 (Priest, fl. 867)
24. + Ego Sefreð presbyter cons' & subscribo. Seferth 4
(Priest [?in Canterbury], fl. 867)
25. + Ego Beornheah presbyter cons' & subscribo. Beornheah 3
(Priest [in Kent], fl. 867)
26. + Ego Sigefreð presbyter cons' & subscribo. Sigefrith 7
(Priest, fl. 867x870; ? = l ix)
27. + Ego Sebearht presbyter cons' & subscribo. Sæberht 2
(Priest [at ? Canterbury, Christ Church], fl. 859–867)
28. + Ego Sigemund presbyter cons' & subscribo. Sigemund 2 (Priest, fl. 867)
29. + Ego Torhthelm presbyter cons' & subscribo. Torhthelm 6
(Priest, mid 9thC; ? = l ix)
30. + Ego Herefreð presbyter cons' & subscribo. Herefrith 7 (Priest, fl. 867)
31. + Ego Beornweald presbyter cons' & subscribo. Beornwald 5
(Priest, fl. 867)
32. + Ego Wealdhere presbyter cons' & subscribo. Wealdhere 6
(Priest [in ?Canterbury], fl. 867)
33. + Ego Elfstan presbyter cons' & subscribo. Ælfstan 8 (Priest, fl. 867x870)
34. + Ego Aldred presbyter cons' & subscribo. Ealdred 23 (Priest, fl. 867)

14. Nothheard (no. 15) and Beornfrith (no. 16) are omitted from the witness list of S338 in PASE and the order of the witnesses differs somewhat from that of the charter. I ascribe this to a compilation/parsing mistake, as both names are clearly visible on the digital copy of this diploma, a rare single-sheet original (British Library, Cotton MS Augustus II.95, f. 1v; http://www.bl.uk/manuscripts/FullDisplay.aspx?ref=Cotton_MS_Augustus_II_95; cf. Brooks & Kelly 2013: 773).

35. + Ego Bearnulf presbyter cons' & subscribo. Beornwulf 8 (Priest, fl. 867)
36. + Ego Sigefred arc' cons' & subscribo. Sigefrith 7 (Priest, fl. 867x870; ? = l ix)
37. + Ego Bearnod arc' cons' & subscribo. Beornnoth 9
(Archdeacon, fl. 867–867x870)
38. + Ego Herefreð arc' cons' & subscribo. Herefrith 8 (Archdeacon, fl. 867)
39. + Ego Ealhheard sub' cons' & subscribo. Ealhheard 9 (Subdeacon, fl. 867)
40. + Ego Cialbearht sub' cons' & subscribo. Ceolberht 9
(Subdeacon, fl. 867x870)
41. + Ego Wealdhelm sub' cons' & subscribo. Wealdhelm 3
(Subdeacon [in Kent], fl. 867x870)
42. + Ego Tirweald sub' cons' & subscribo. Tirwald 1 (Subdeacon, fl. 867)

This diploma is witnessed both by the West Saxons and the Kentish (Keynes 1994: 1132–1133). The West Saxon witnesses (King Æthelred and eight ministers, nos. 5–12) are given more weight, appearing higher on the list, but the Kentish are more numerous,¹⁵ and their status within the local church hierarchy is recorded more meticulously: priests, archdeacons, and subdeacons. In effect, as shown in the confirmation of the charter by Archbishop Ceolnoth (no. 13), it is the local contingent that matters in the heavily populated Canterbury, where disputes about several church estates could easily arise. Thus, with matters of greater importance/precision, involving land and offices in other, albeit subordinate kingdoms, the pool of witnesses was bigger and their roles on the list were more differentiated: some were included for prestige, others to confirm the validity of the bounds and to inform the local communities about the new transaction. The names and size of the list are also a good clue to the composition of the royal assembly and the social ties between the king and the secular and religious elite (Keynes 1980: 154–162). This puts the findings of Chapter 2 into a different perspective and allows us to understand how widely royal decrees could reach, even if the most immediate circle of royal advisers was fairly small.

A similar picture emerges, if we examine another region. S1279 produced in 899 in Worcester (Figure 4.4) records a lease of 5 hides of land at Ablington, Gloucestershire, to Werwulf, presbyter, by Werferth, bishop of Worcester, a close associate of King Alfred and the translator of Pope Gregory's *Dialogues* into Old English.¹⁶

15. Although their Kentish affiliations are not stated explicitly in PASE, the evidence of other charters suggests that the witnesses listed after Archbishop Ceolnoth (nos. 14–42) are likely to be associated with Kent (Brooks & Kelly 2013: 775–776). The second invocation at this point also suggests that we are dealing with a distinct group of witnesses.

16. <https://esawyer.lib.cam.ac.uk/charter/1279.html#>

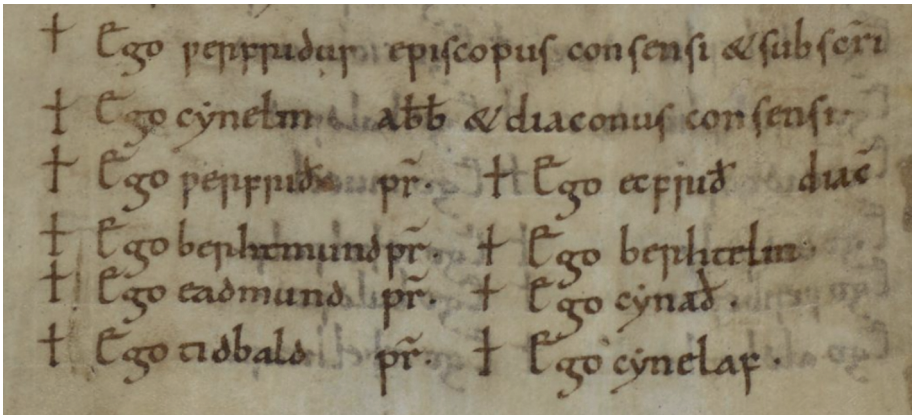


Figure 4.4 Witness list in S1279 (London, BL, Cotton Tiberius A.xiii, f.40v)

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- (5) 1. + Ego Werfridus episcopus consensi et subscripsi. Wærfrith 6
(Bishop of Worcester, 869x872?907x915)
2. + Ego Cynelm abbas et diaconus consensi. Cynehelm 5 (Abbot, fl. 799)
3. + Ego Werfrið praesbiter. Wærfrith 5 (Priest [at Worcs.], fl. 889–903)
4. + Ego Berhtmund praesbiter. Beorhtmund 4
(Priest [of ?Worcs.], fl. 897–899)
5. + Ego Eadmund praesbiter. Edmund 9 (Priest [at Worcs.], fl. 892–904)
6. + Ego Tidbald praesbiter. Tidbald 5 (Priest [at Worcs.], fl. 889–903)
7. + Ego Ecfrið diaconus. Ecgfrith 12 (Deacon [at Worcs.], fl. 892–899)
8. + Ego Berhtelm. Beorhtelm 9 (Witness to Worcs. charters, fl. 892–904)
9. + Ego Cynað. Cynath 2 (Witness to Worcs. charters, 899x904)
10. + Ego Cynelaf. Cynelaf 3 (Witness to Worcs. charters, fl. 892–904)

The piece of land in question, on the River Coln, fell under the jurisdiction of the diocese of Worcester and, therefore, the lease was sanctioned by the bishop and witnessed by the clergy of Worcester.

The elites had to work closely together when their economic and political interests were intertwined. In 886, King Alfred recaptured London from the Danes. For most of the ninth century, London had been a point of contention between Mercia and Wessex, and, once Alfred set about the restoration of the city and its economic networks, it was entrusted to Ealdorman Æthelred of Mercia, husband to Alfred's daughter Æthelflæd, but under Alfred's overlordship (Naismith 2019: 116–124). Bishop Werferth and the church of Worcester were given land and trading privileges in London, a transaction recorded in S346 and witnessed by the top people of the unified realm in 889:

- (6) 1. + Ego Ælfred rex Anglorum et Saxonum hanc donationem confirmans signo crucis subscribo. Alfred 8 (the Great, king of the Anglo-Saxons, 871–899)
2. + Ego Æþelred subregulus et patricius Merciorum hanc donationem. signo crucis subscripsi. Æthelred 1 (Lord of the Mercians, 879–911)
3. + Ego Æþelflæd. consensi. Æthelflæd 4 (Lady of the Mercians, 911–918)
4. + Ego Uulfred. episcopus consensi. Wulfred 13 (Bishop of Lichfield, ?x880–889x?)
5. + Ego Alhard. episcopus consensi. Ealhheard 6 (Bishop of Dorchester, 869x888–895x897)
6. + Ego Uuærfrid. episcopus. consensi. Wærfrith 6 (Bishop of Worcester, 869x872–907x915)
7. + Ego Deneulf. episcopus consensi. Denewulf 1 (Bishop of Winchester, 878x879–908)
8. + Ego Uulfsige. episcopus consensi. Wulfsige 9 (I, Bishop of Sherborne, 879x889–890x900)

King Alfred adopts the title “king of the Angles and Saxons” to reflect West Saxon aspirations to the overlordship of southern England and Mercia (Keynes 1994: 1148). The Lord and Lady of the Mercians appear next on the list, followed by five bishops – three from Mercia, including Werferth himself, and two from Wessex. The bishop of London is conspicuously missing from the list, which probably means that the see was not occupied at the time, even though “the bishops of London had attended meetings of the West Saxon king (and not his Mercian counterpart) since at least 860” (Naismith 2019: 115).¹⁷ The grandeur of the witness list is paralleled by a highly elaborate and flamboyant style of this charter, attesting to the exceeding value of this gift of land and “to the importance and influence of the church of Worcester at this time” (Gallagher & Tinti 2017: 294).

To sum up, as long as we are dealing with kingdom-internal affairs, they are settled by charters witnessed by local social leaders: the king, bishops, and ealdormen. Smaller assemblies, e.g. those at the episcopal or ealdorman level, record transactions falling under their jurisdiction. Once business extends beyond kingdom boundaries, the leaders of the respective (sub)kingdom get involved: (sub) kings and/or ealdormen, depending on the contemporary political situation. This perpetuates a network of social leaders at the highest level both in individual kingdoms and in England as a whole. At the time of Alfred’s death in 899 this would include Wessex, Sussex, Kent, Mercia under special conditions and parts of Essex.

17. Bishop Heahstan’s (d. 897) date of consecration is unknown but was likely later than 889. “[W]ith Danes in London and Essex its bishops would have few lands to support them,” and the see may not have been occupied continuously in the 880s (Whitelock 1975: 16).

The analysis of witness lists shows that users of legal Old English took part in dynamic, multi-level communities that were responsive to political changes of the period. The domination of Wessex already in the reign of Æthelwulf and further centralisation under Alfred and his descendants in the tenth century brought about the emergence of a royal writing office. As discussed in Chapter 2, this writing office is best described as a community of practice in which the actors were employed more or less permanently, engaged in a definitive number of verbal and non-verbal practices, produced a limited number of documents with broadly standardised templates, and perpetuated common routines through recruitment and training of new members. As we have seen, some royal scribes from this community were rewarded with high offices. These scribes would follow the king to the meetings of the royal assembly where diplomas were announced and witnessed. The documents could be drafted beforehand or drawn up afterwards. Such meetings were also the places where contacts with other scribes and secular members of the assembly took place. Royal-office norms could be disseminated to other scriptoria but also, the other way, local innovations could reach the proto-chancery. Since most of the property transactions were recorded in Latin, the medium controlled almost exclusively by the clergy, it is more difficult to reconstruct language competences of the secular participants. A common assumption is that the diplomas were announced in English or translated into English from the draft (Sharpe 2003), although it is not impossible that the announcements were made in Latin and that lay members of the discourse community developed pragmatic literacy in legal Latin over time (Keynes 2013: 38–39; Snook 2015: 69). No doubt, there existed standardised translation practices, a part of which is recorded in bilingual and English diplomas.¹⁸ Although the laity were not directly involved in the production of written proceedings of the assemblies, they, nevertheless, took part in the sessions and were aware of the verbal and non-verbal routine and etiquette. For most of our period, their membership included kings, ealdormen, and thegns, but from the late tenth century, the involvement of queens in legal transactions began to increase. How this reflected on vernacular legal practices is shown in case studies on writs and wills. More insights on scriptoria as communities of practice are revealed in the following section.

18. The efficiency of translation during assembly sessions was facilitated by the availability of standard legal terminology that relied on established equivalents and, sometimes, was even the same in both languages (Latin and English, and, later on, also Anglo-Norman), e.g. *carta*–*carta* of Latin origin or *hundred*–*hundredum* of English origin (see Timofeeva 2017 and Chapter 7).

4.4 Case study: Dispositive verbs

One of the browse options on the ASChart website allows us to categorise charters according to their diplomatic elements. As mentioned earlier, this resource contains Anglo-Saxon diplomas written before 900, and the great majority of those documents are in Latin. By browsing the diplomatic indexes (ASChart),¹⁹ one can see what conventions were used in the invocations, curses, dating clauses, etc. in the scriptoria of Anglo-Saxon England, and whether or not any distinctive diplomatic profiles can be established based on these data. For this case study, I have chosen to categorise diplomas according to their dispositive verbs, i.e. the verbs found in the functional core of the documents. For this purpose, I have copied all dispositive clauses tagged in the ASChart database, a total of 419 instances, into an Excel sheet and cross-tabulated them by main verb and archive. It emerged that 16 Latin verbs are used in dispositive clauses. Their frequency varies greatly from one archive to another, while at the same time there are noticeable similarities between archives belonging to the same kingdom.²⁰ I present my results in simplified tables, in which archives with high record of charters are counted individually (Table 4.1 with Kentish data) while those with lower record are grouped together (as the Other category in Tables 4.2 and 4.3 with Mercian and West Saxon data).

Table 4.1 Dispositive verbs in Kentish charters

	CCC	CstA	Rochester	Kent total
<i>do</i>	33	12	10	55
<i>concedo</i>	12	8	10	30
<i>dono</i>	13	2	1	16
<i>trado</i>	5	2	9	16
<i>perdono</i>	2	3	3	8
<i>confero</i>	1	2	0	3
<i>largior</i>	1	1	1	3
<i>impendo</i>	2	1	0	3
<i>offero</i>	1	2	0	3
<i>redo</i>	1	1	0	2
<i>attribuo</i>	0	1	0	1
<i>tribuo</i>	1	0	0	1
Total	72	35	34	141

19. <http://www.aschart.kcl.ac.uk/diplomatic/index.html>

20. This is, of course, only a proxy to regional distribution: not only are the political borders between the late seventh century and 900 fluid, but also the connections between individual religious houses can often ignore political boundaries. A categorisation of the data by subperiod, taking into account a greater level of detail, however, produces figures that would be too low for a comprehensive analysis.

Table 4.2 Dispositive verbs in Mercian charters

	Worcester	Evesham	Other Mercian	Mercian total
<i>dono</i>	25	10	5	40
<i>concedo</i>	21	3	9	33
<i>do</i>	20	0	5	25
<i>trado</i>	16	1	3	20
<i>largior</i>	10	3	0	13
<i>perdono</i>	1	1	2	4
<i>attribuo</i>	1	0	0	1
<i>tribuo</i>	0	0	1	1
Total	94	18	25	137

Table 4.3 Dispositive verbs in West Saxon charters

	WOM	Malmesbury	Abingdon	Glastonbury	Selsey	Other WS	Total WS
<i>dono</i>	3	5	5	4	4	9	30
<i>largior</i>	7	7	4	6	0	3	27
<i>do</i>	5	0	3	3	4	5	20
<i>concedo</i>	8	3	1	1	3	2	18
<i>impendo</i>	2	2	1	3	2	3	13
<i>confero</i>	1	3	1	1	0	0	6
<i>trado</i>	0	1	1	0	1	0	3
<i>restituo</i>	3	0	0	0	0	0	3
<i>perdono</i>	0	0	0	0	1	1	2
<i>redo</i>	0	0	2	0	0	0	2
<i>condono</i>	0	0	0	0	1	0	1
<i>attribuo</i>	0	0	0	0	0	1	1
<i>constituo</i>	0	0	0	0	0	1	1
<i>libero</i>	0	0	0	0	0	1	1
Total	29	21	18	18	16	26	128

These tables show that the same three verbs *do*, *dono* and *concedo* feature among the most frequent dispositives across the three archive regions. In Kent, the pool of most frequent verbs also includes *trado*, in Mercia *trado* and *largior*, in Wessex *largior* and *impendo*. Among the top 4 to 5 verbs, the most popular dispositives are *do* and *concedo* in Kent, *dono* and *concedo* in Mercia, and *dono* and *largior* in Wessex. Further, *largior* is dispreferred in Kent, *trado* is about equally unpopular in Wessex, *impendo* features very low in Kent and is unattested in Mercia and the Other category (cf. Table 4.4 below). Also within the regional groupings, individual archive preferences are observable: Canterbury, Christ Church (CCC) prefers *do* to other verbs, in Canterbury, St. Augustine’s (CstA) and in Rochester *do* and *concedo* are about equally frequent (Table 4.1); in Worcester there is a strong trend to alternate

between all five dispositive options, while in Evesham the preference for *dono* is clear (Table 4.2); in Wessex, with a younger tradition of the diplomatic compared to Kent and Mercia, the variation between the most frequent verbs is highest and so is the pool of idiosyncratic dispositive strategies (Table 4.3).²¹ Northumbrian and East Anglian charters before 900 are notoriously few, due to the devastations of the First Viking Age. Their counts are included only in the summary table below (Table 4.4).

Table 4.4 Dispositive verbs by region, χ^2 : $p < 0.00001^*$

	Kent	Mercia	WS	Other	Total
<i>do</i>	55	25	20	1	101
<i>concedo</i>	30	33	18	5	86
<i>dono</i>	16	40	30	3	89
<i>trado</i>	16	20	3	2	41
<i>largior</i>	3	13	27	1	44
<i>impendo</i>	3	0	13	0	16
other	18	6	17	1	42
Total	141	137	128	13	419

* Only the first five rows, containing no zero means were included in the statistical test.

Next to lexical preferences, it is also worth looking at the finite forms that dispositive verbs can take in charters. Table 4.5 illustrates the distribution of dispositive verbs by person (first or third) and by number (only in the first person).

Table 4.5 Person and number of dispositive verbs by region, χ^2 : $p = .015255$

	Kent	Mercia	WS	Other	Total
1Sg	124	116	121	9	370
1Pl	14	15	6	2	37
3Sg/Pl	3	6	1	2	12
Total	141	137	128	13	419

The overwhelming majority of charters use first person singular ‘I grant/have granted’ in the dispositive clause. About 9 per cent of charters use first person plural, sometimes switching between the singular and plural. The remaining minority (some 3 per cent) use third person, mostly in the singular and only occasionally in the plural (10 and 2 occurrences respectively). In Kent, Wessex and the Other

21. For example, charters preserved in the archive of Sherborne display four dispositive clauses with *attribuo*, *constituo*, *libero*, and *perdono* as main verbs. Of these only *perdono* enjoys limited currency in other parts of England (14 occurrences distributed across Kent, Worcester, Evesham, St. Albans, and Selsey), *attribuo* is attested in Worcester and Canterbury, St. Augustine’s (one time each), while *constituo* and *libero* are unique to Sherborne.

category, first person plural is often employed as *pluralis majestatis* by kings and, sometimes, bishops, although this convention is not particularly common before the Conquest.²² Among the Mercian occurrences of first person plural, 11 out of 15 are found in Worcester data. In contrast to Kent and Wessex, none of the instances from Worcester represent *pluralis majestatis*, referring instead to regular plural (the king and his council, the bishop and his *familia*) or to dual (the king and his queen, the king and sub-king, or two co-rulers), compare Examples (7) and (8). Although the third person is not a common choice in the dispositive clause, it is worth pointing out that in this category too, Worcester is in the lead: 5 out of 12 instances are from Worcester diplomas.

- (7) **ego Eadbertus rex** Cantie, anno secundo regni **nostri ... concedimus**
(S29; Canterbury, St. Augustine's, 763x764)
'I, Eadberht, king of Kent, in the second year of our reign ... we give'
- (8) **Ego Burhredus** Deo omnipotenti donante et concedente **rex** Mercientium et
Æþelswyð **regina** mecum ... **dederimus** (S210; Worcester, 864)
'I, Burgred, by the gift and grant of the omnipotent God, king of Mercia, and my queen Æthelswith ... we have given'

Finally, some tense forms and collocations of dispositive verbs have a clear archive profile. For example, we have seen that *do* 'give' is the most frequent dispositive in Kentish charters – 55 occurrences (see Table 4.1). Sixty per cent of *do* instances are found in a formula *dabo et concedo*, a combination of *dabo* in the Futurum I and *concedo* in the present. This formula is used exclusively in Kent: 21 occurrences in Christ Church, 7 in St. Augustine's, and 5 in Rochester. Both Rochester and Christ Church also use *dabo* on its own (4 and 4 instances). This form is also attested in Selsey, St. Albans, Burton, Wilton, Abingdon, and Winchester, Old Minster (WOM). In Worcester, *dabo* is the preferred form of the verb *do* – 12 out of 20 instances. Worcester is also the only archive that uses non-finite forms (participles and a gerund) of the verbs *dono* and *per dono* in combination with *concedo* as the main verb: *donando concedo* (S1279), *donans concedo* (S94, S1254), *donantes concedimus* (S141, S147), *perdonans concedo* (S109, S145).

Based on the evidence of dispositive clauses (lexical choices, finite forms, and formulas), and in line with previous research, we can conclude that there are significant regional differences between the diplomatic traditions of Anglo-Saxon kingdoms at around 900. Those between Kent and Mercia are more pronounced,

22. In Anglo-Latin, *pluralis majestatis* becomes the norm only during the reign of Henry II (Chaplais 1971: 13). In Old English, *pluralis majestatis* is used sporadically (Mitchell 1985: 107), coming into its own only in the Middle English period (Mustanoja 2016 [1960]: 123–124).

although one should bear in mind that the majority of Mercian data come from Worcester. Wessex, predictably, shares many of the tendencies with Mercia (e.g. the more frequent use of *largior* than in Kent), while at the same time experimenting with other options (e.g. a richer repertoire of dispositive verbs in general and the more frequent use of *impendo* than in Mercia). While the results themselves are not surprising, it is highly important to appreciate that they come from a dataset consisting of Latin texts. Since these texts were written in the scribes' second language, the differences observed cannot reflect any dialectal variation between regions but rather the conventions of the scriptoria and their archives dominating those regions. Scriptorium or a group of scriptoria with close ties as a variable should therefore play a prominent part in any sociolinguistic analysis of diplomatic data.

4.5 Conclusions

The two case studies have shown that there are two basic types of social actors participating in the workings of legal communities. On one hand, we have small groups of professional scribes at monastic and cathedral scriptoria, within which they form permanent communities of practice and produce charters for and on a particular occasion. For the royal assembly, the regularity of the meetings would be once and twice a year, but local courts would meet more often (Keynes 1980: 41, 61–62). The more influential the home institution of the scribes, the more likely they are also to be employed by local courts, where contact with differently affiliated scribes would facilitate exchange of templates, selection and diffusion of regional norms, and conventionalisation of translation practices. On the other hand, secular leaders join the scribes at this stage to form a temporary community of practice for the duration of the assembly, in a way similar to scholars attending a conference every or every second year, organised by a society they belong to, relying, in turn, on a more permanently involved board and secretary. While these secular actors certainly possess genre literacy in legal matters, our knowledge about their discourse practices is only second- or even third-hand, as most of the records before 900 are in Latin. As the royal writing office develops over the ninth century and evolves into a community of practice, it, too, begins providing professional scribes for the meetings of the assembly. As the temporary CoP expands, the possibilities for wider diffusion of previously local practices also grows, and, with the increasing centralisation of royal power some of the practices, as the vernacular ones discussed in the next chapter, become standard.

CHAPTER 5

Writs

Conservatism and sociolinguistic variation

In this chapter, we continue our investigation of standardising effects of the proto-chancery. The genre that is most closely associated with the royal writing office is writs. We are also going to see, however, that some formulaic features of writs are used in official correspondence in general. In particular, the origin of the salutation–notification template can be traced back to the reign of Alfred and his preface to the *Pastoral Care*, while its descendant features survive throughout the Middle Ages and in contemporary bureaucratic norms. The chapter shows how at royal assemblies and local courts, standardised features disseminated from professional clerks to common court members and how writs maintained Old English etiquette norms and social hierarchies.

5.1 General characteristics of writs

In this chapter, we survey documents referred to collectively as *writs*. Surviving predominantly in Old English, this genre emerges as a reflection or adaptation of earlier oral practices to the more centralised production of royal notices in the late tenth century, with the rising vernacular literacy among the nobility contributing to this process. As pointed out above, there is functional overlap between writ-charters and diplomas, in that both document types record a transaction, a grant or purchase of land, but many of their formal properties differ. Both types develop and change during the Anglo-Saxon period and are superseded by new types after the Norman Conquest. Here, however, I concentrate on writs and writ-charters because they fit chronologically into the Old English period and are written in English.

Although writ-charters, i.e. notifications of transfer of land, property, or rights are more common in the corpus, surviving writs, especially those issued by the royal writing office serve a variety of other purposes, which can be defined as official notices, mandates or even political statements. Some of them address private individuals, the majority address assemblies of social leaders and royal officers at shire and, more rarely, hundred and borough courts. Royal writs were authenticated by the king's seal, and the members of the courts would probably be capable of recognising a royal writ simply by the way it looked and differed from other

documents displayed at the assembly (Figure 5.1). Experienced assembly members would also be familiar with what a writ sounded like when announced by scribes or messengers and would be able to distinguish it from other legal genres (especially those read out in Latin) as well as produce an appropriate writ if necessary (assisted by a scribe). In other words, they possessed genre literacy, a linguistic and social skill, which signified their status and integration within the court community. This identification of writs as a genre was facilitated by a largely standardised protocol (Harmer 1952; Fenton 2021).

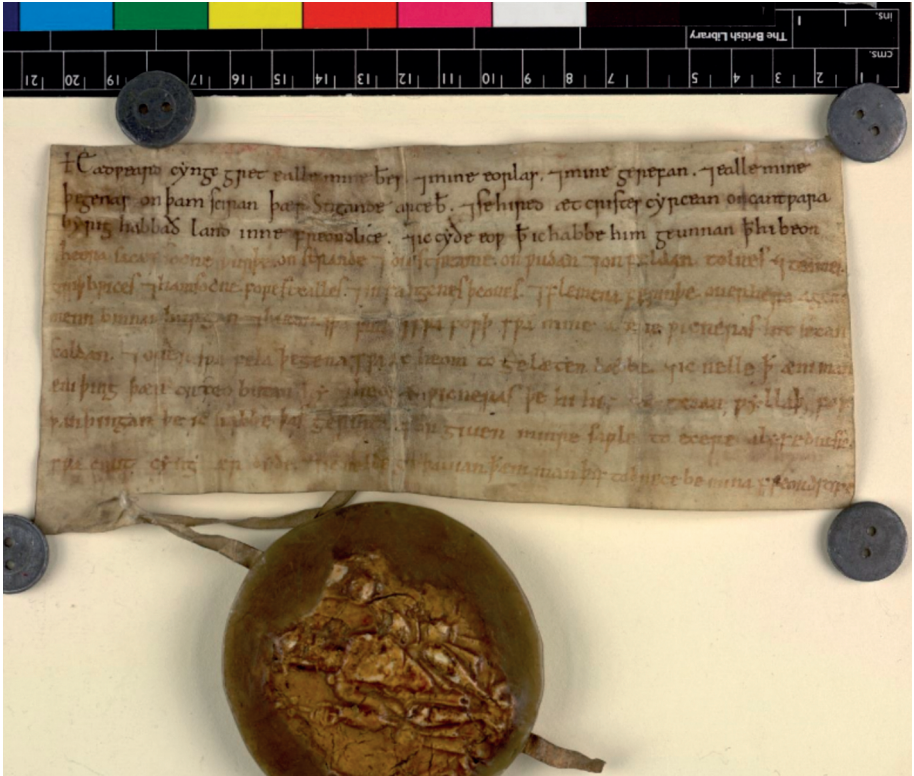


Figure 5.1 Writ S1088 of Edward the Confessor, 1052x1066 (London, BL, LFC xxi.5, f.1r)
© The British Library Board

5.2 The corpus of writs

The core of my material comes from Old English writs and, occasionally, from their Latin translations. This part of the material is derived from Florence Harmer's edition of *Anglo-Saxon Writs* (1952). For post-Conquest writs, surviving also in Latin, I have used David Bates's *Regesta Regum Anglo-Normannorum: The Acta*

of *William I, 1066–1087* (1998). Both of these printed sources have become the standard and fullest available editions in the field and provide a solid corpus of texts with extensive introductions and commentaries. I have searched manually for all instances of the salutation–notification template among the 121 writs of Harmer’s edition, which also allowed me to include bilingual writs and those preserved only in Latin translations (this category is not included in the DOEC).¹ As no database for post-Conquest Latin writs is available, the relevant sections dealing with them are based on printed sources (Bates and a few other editions). William I’s Old English writs can also be found in the DOEC, however, they are not part of the *Electronic Sawyer*, as this database does not go beyond 1066, and its last writ is that issued by Harold (S1163; Kelly 2007: 248–249). Consequently, references by Sawyer number are given only to writs produced before the Norman Conquest. The distribution of writs by issuer is given in Table 5.1.

Table 5.1 Distribution of writs by issuer (based on Harmer 1952: xv–xvii; Bates 1998: 44–52; Fenton 2021: 433)

a. Royal writs	Number of extant writs
King Æthelred II (c.978x1016)	2*
King Cnut (c.1017x1035)	6(8)**
King Harthacnut (and Queen Ælfgifu) (c.1040x1042)	(2)
King Edward the Confessor (c.1042x1066)	83(100)
King Harold (c.1066)	1
King William I (c.1066x1070)	32(167)
Sub-total	124(280)
b. Non-royal writs	
Queen Ælfthryth (c.995x1002)	1
Bishop Æthelric (c.1001x1012)	1
Archbishop Wulfstan (c.1020)	1
(Monk Edwin) [†] (c.1031)	(1) [†]
Gospatric (c.1041x1055)	1
Bishop Siward (c.1045x1048)	(1)
Queen Edith (c.1061x1066)	2
Abbot Wulfwold (c.1061x1066)	1
Sub-total	7(9)
Total	131(289)

* The counts of Old English writs are given without brackets.

** The counts for Old English, Latin and bilingual writs taken together are given in brackets.

† The Old English letter of monk Edwin.

1. For facsimiles of English writs to 1100, see Bishop & Chaplais (1957); for modern high-resolution images of many of the same documents, consult the Digitised Manuscripts of the British Library: <https://blogs.bl.uk/files/list-of-Anglo-Saxon-charters.pdf>.

The majority of the surviving documents are royal writs. Before 1070, writs were issued in English. The total count for these is 131. Many documents, however, are preserved only in later Latin translations. William I's writs after 1070 are predominantly in Latin too. So, if Latin writs are counted towards the total, the corpus grows to 288 items. Harmer's edition also includes a letter by a certain monk Edwin of New Minster, Winchester (S1428). Although it shares some of the writ formal features, functionally it is a letter that combines a narrative of Edwin's vision of St Cuthbert and subsequent pilgrimage to the saint's shrine at Durham with his interpretation of an agreement between Old and New Minster concerning misbehaving monks. By most accounts, moreover, this letter is a twelfth-century fabrication.² Therefore, it is given in the table only in brackets. The geographical distribution of writs according to their archive can be appreciated in Figure 5.2 and attests to their wide circulation in the Old English period.³



Figure 5.2 Geographical distribution of writs between c.978 and c.1087 by archive

2. Harmer 1952: 387–395; cf. <https://esawyer.lib.cam.ac.uk/charter/1428.html>.

3. Distribution by archive is obviously only a proxy, the promulgation place (if known) could be used instead. The map was created using Carto software (<https://carto.com/>).

5.3 The protocol of writs

The protocol of writs was different from that of diplomas. They included no invocation or proem nor the place and date. The earliest Old English writ to survive is S945 (Example (1)). This document was written between 978 and 1016 to record the privileges of the king's priests in St. Paul's minster, London, granted by King Æthelred II, and its authenticity is questionable (Harmer 1952: 236; Sharpe 2003: 252; Kelly 2004: 191–192; Fenton 2021: 413 and n. 6):

- (1) a. Æþelred kinc grete mine <biscopos>. & mine eorles. & ealla mine þeinas of þam sciram þær mine preostas on Pales mynstre habbað land inne freondlice. & ic cyþe eow þæt ic wille, þæt hig beon heora saca, & heora socna weorða æiþer gebinnan burh & butan. & swa godera laga wyrþe. nu swa ful & swa forð swa hig betste wæron on æniges kinges dæge. oþþe on æniges <biscopos> on eallum þingan.

(S945; 978x1016, London, St Paul's)

‘[I] King Æthelred greet my bishops and my earls and all my thegns in the shires where my priests in St Paul's minster hold land in a friendly manner. And I inform you that it is my will that they be entitled to their sake and soke both within borough and without and entitled now to as good laws in all things, as fully and completely, as they ever were in the days of any king or any bishop.’

The elements of this writ include:

- (1) b. – sender: Æþelred kinc;
 – salutation clause: grete ... freondlice;
 – addressees: mine <biscopos>. & mine eorles. & ealla mine þeinas of þam sciram þær mine preostas on Pales mynstre habbað land inne;
 – notification clause: & ic cyþe eow þæt;
 – main announcement/mandate: ic wille, þæt hig beon heora saca, & heora socna weorða æiþer gebinnan burh & butan. & swa godera laga wyrþe. nu swa ful & swa forð swa hig betste wæron on æniges kinges dæge. oþþe on æniges <biscopos> on eallum þingan;
 – [prohibition clause];
 – [valediction].

The main announcement can be followed by a prohibition clause and/or a valediction, which are not present in S945.

In spite of the standardised protocol, a degree of variation was acceptable in the addressee clause. Albert Fenton has recently produced a typology of writ protocol by addressee and distinguished three protocol types. Type A are “those protocols that greet a fixed sequence of identified individuals: typically a named presiding

bishop of the shire, a named ealdorman or, later, earl, followed by the thegns of the shire territories” (2021: 427; cf. Figure 4.1). These protocols form the majority in Fenton’s corpus (i.e. only Old English writs) and are represented in 74 writs and 19 archives (see Figure 5.2). Later, they are adopted into Cnut’s missives (see next section). Type B are protocols “in which the address is given to ranked collectives rather than identified individuals, finishing with the specifics of the beneficiary, typically a religious community alongside a named churchman” (428). This is the type we can observe in Example (1). It is represented in 22 Old English writs and 10 archives. Type C are all the other documents, i.e. six writs in six archives, which retain the standard salutation *gret freondlice* (see below), but otherwise display an “array of sociopolitical communities [as addressees]: the shire, borough and hundred courts, as well as individuals and small groups” (429).

Most variation comes up in the main announcement. Nevertheless, it is full of formulaic expressions that belong to legal genres: legal formulas such as *heora saca & heora socna* ‘their sake and soke’ (referring to the jurisdiction over a specific area), spatial formulas as *gebinnan burh & butan* ‘within borough and outside it’, and temporal formulas *swa ful & swa forð* ‘as fully and as completely [as previously]’ (Fenton 2021: 430–434). Typically, such formulas are binominals with alliterating syllables. Although here they are part of a short prose text, many of these formulas can fittingly be used in a half-line of a poem, and, as such, remind us of the oral origins of Germanic legal texts and the practice of law enunciation at assemblies (Bethurum 1932; Oliver 2013: 519–520). In the case study presented below, I focus on other ready-made elements – the template consisting of the salutation and notification, tracing its origins in other official notices and letters.

5.4 Case study: Salutation–notification template⁴

5.4.1 The first attestation of the template and its possible origin

The first official notice to survive is that contained in Alfred’s preface to the Old English translation of the *Pastoral Care*. The translation was produced in several copies and sent to Canterbury, London, Rochester, Sherborne, Worcester, and possibly other places along with the preface and other translations of Alfred’s educational reform (see Chapter 2). What connects the preface with late-tenth- and

4. This section is a revised version of the paper originally published in 2019 as “Chancery norms before Chancery English: Templates in royal writs from Alfred the Great to William the Conqueror.” *Journal of Historical Pragmatics* 20(1): 51–77. DOI: <https://doi.org/10.1075/jhp.16004.tim>. I thank John Benjamins Publishing Company for permission to re-use parts of this article.

eleventh-century writs and notices formally is its opening clauses consisting of a salutation and notification (Example (2)) and the prohibition clause ('may no man take the *aestel* from the book nor the book from the church') found towards the end of the preface.⁵

- (2) *Ælfred kyning hateð gretan Wærferð biscep his wordum luflice & freondlice; ond ðe cyðan hate ðæt me com swiðe oft on gemynd* (CPLetWærf 1–2)
 'King Alfred commands to greet Bishop Werferth with his words, in an affectionate and friendly manner; and (I) command to make it known to you that it has often come to my mind'

The two clauses lack agreement: while the first clause agrees in the 3rd person (sender: *Ælfred kyning hateð ... his*; addressee: *Wærferð biscep*), the second clause switches into direct speech (sender 1st person: *hate ... me*; addressee 2nd person: *ðe*). The same lack of agreement is going to stay with the royal writs for many centuries, but probably not because Alfred's preface was so popular. Rather, this practice seems to reflect how oral errands were delivered at the time of Alfred and, possibly, much earlier. The messenger would memorise his errand in the 1st person, the way he had heard it from the king (or another sender). He would then 'take' the message to the receiver(s) along with an object associated with the king (e.g. a ring, a sword, or a horn) to confirm the authenticity of the errand. At the delivery, he would have to start in the 3rd person to make it clear that he was going to speak in the name of the king, and then to switch into the 1st person to cite the message itself. We can compare the function of the salutation to that of an envelope addressed in the 3rd person to reveal direct speech in the body of the letter. When adapted to writing, this practice did not have to change much, as royal writs would be read out. With the written medium, the messenger would receive a writ authenticated by the seal, deliver, and unfold it, read out its salutation and then continue reading on behalf of the king (cf. Chaplais 2003: 2–3).⁶

5. The salutation as such has prototypes in various *salutem* formulas in Latin Christian correspondence, but salutations augmented by an adverb seem to be an Old English innovation (Harmer 1952: 21–27; Lanham 1975: 13–55; Timofeeva 2019; Fenton 2021: 425). Similarly, a template consisting of a salutation and notification is limited to Old English material and later is adopted in Anglo-Norman writs. On the *aestel*, see Chapter 2, footnote 5.

6. A similar switch from 3rd person to 1st person is well-known in Latin letters in the classical period.

5.4.2 Corroborating evidence from letters and social status of the correspondents

Evidence for the circulation of official notices between Alfred's preface and the writs of Æthelred II the Unready (978–1016) does not survive, possibly because anything other than legal documents had little lasting value, and legal documents were still overwhelmingly in Latin (see Chapter 4). There are indications, however, that a protocol later adopted in writs was common in letters at least a few decades earlier. In Ælfric's letters to his lay correspondents, we find the same salutation verb augmented by an adverb and the same switch from 3rd to 1st person singular. Ælfric's adverbs, however, are calibrated to the social status of his addressees: *eadmodlice* 'in an humble manner' and an honorific *leof* 'beloved; sire' are addressed to his superiors, while *freondlice* 'in a friendly manner' is addressed to his equals and inferiors. Examples (3) and (4) are taken from Ælfric's prefatory letters to his patron, ealdorman of the Western Provinces Æthelweard (d. 998?) and use the former adverb and the honorific. Examples (5) – (7) are from his letters to West Saxon thegns (Sigeward, Sigefyrth and Wulfgeat, respectively) and use the latter but no honorific, their tone in general being more matter of fact. Some time before the letters to the thegns were written, Ælfric had been promoted to abbot (Cubitt 2009: 184–192).

- (3) ÆLFRIC MUNUC GRET ÆÐELWÆRD EALDORMANN EADMODlice. þu bæde me leof þæt ic sceolde ðe awendan of Lydene on Englisc þa boc Genesis.
(ÆGenPref 1)
'Monk Ælfric greets ealdorman Æthelweard humbly. You told me, sire, that I should translate for you the book of Genesis from Latin into English.'
- (4) Ælfric gret eadmodlice Æðelwerd ealdorman and ic secge þe leof. þæt ic hæbbe nu gegaderod on þyssere bec þæra halgena þrowunga (ÆLS (Pref) 1)
'Ælfric greets ealdorman Æthelweard humbly, and I say to you, sire, that I have now gathered the passions of the saint in this book.'
- (5) ÆLFRIC ABBOD GRET FREONDLICE SIGWERD æt Eastheolon. Ic secge þe to soðan þæt se bið swiþe wis ... (ÆLet 4 (SigewardZ) 1)
'Abbot Ælfric greets Sigeward at Eastheolon in a friendly manner. I tell you truly that this is very wise ...'
- (6) Ælfric abbod gret Sigefyrð freondlice. Me is gesæd, þæt þu sædest be me ... (ÆLet 5 (Sigefyrth) 2)
'Abbot Ælfric greets Sigefyrth in a friendly manner. I am informed that you talked about me ...'

- (7) Ic Ælfric abbod on ðisum Engliscum gewrite **freondlice grete** mid Godes gretinge Wulfget æt Ylmandune. Beþam þe wit nu her spræcon be ðam Engliscum gewritum, ðe ic þe alænde ... (ÆLet 6 (Wulfgeat) 1)

‘I abbot Ælfric greet Wulfgeat at Ylmandun in these English writings with God’s greeting in a friendly manner. As we-two have talked about those English writings that I lent you ...’

The same social code is conventionalised in writs and will be discussed in full in the section dealing with writs produced by Anglo-Saxon aristocrats. In the already quoted royal writ of Æthelred II (reproduced here for convenience), we find the same adverb marking superiority and the same clustering of the salutation and notification.

- (8) Æþelred kinc **grete** mine <beres> & mine eorles & ealla mine þeinas of þam sciram þær mine preostas on Pales mynstre habbað land inne **freondlice**. & **ic cyþe eow þæt** ic wille... (S945; 978x1016, London, St Paul’s)

‘[I] King Æthelred greet my bishops and my earls and all my thegns in the shires where my priests in St. Paul’s minster have land in a friendly manner. And I inform you that it is my will...’

5.4.3 Genre evolution and the writs of Cnut the Great

Succeeding to the throne of England after the death of Æthelred and his son Edmund Ironside in 1016, Cnut inherited the royal chancery from his English predecessors with all its linguistic paraphernalia. In his writs, as in Alfred’s preface, the salutation *gretan freondlice* in the 3rd person is combined with a notification formula *cyðan þæt* in the 1st person. As in all royal writs, the adverb *freondlice* is employed, and suited to address all the king’s subjects.

- (9) Cnut cing **gret** Lyfing arcebiscop & Godwine biscop & ælmær abbot & æþelwine scirman & æþelric & ealle mine þegnas twelfhynde & twihynde **freondlice**. & **ic cyðe eow þæt** se arcebiscop spæc to me ymbe Cristes cyrcean freols

(S985; Christ Church, Canterbury, 1017–1020)

‘King Cnut greets Archbishop Lyfing and Bishop Godwine and Abbot Alfmær and Sheriff Æthelwine and Æthelric and all my thegns, nobles and commoners [lit. men of a twelve hundred wergild or a two hundred] in a friendly manner. And I inform you that the archbishop spoke to me about the privilege of Christ’s Church.’

Realising that English administrative channels had a lot of political potential, Cnut decided to use them to deliver his power statements to the shires. Two such documents have come down to us and are traditionally referred to as the *Proclamations of Cnut*. In form, however, they look like expanded writs and, given their narrative elements, also resemble letters.⁷ The first proclamation was put together in 1020, conceivably at the instigation of, or even by, Archbishop Wulfstan, the king's adviser and author of his law code (Lawson 1993: 63–64). This document survives in Old English (Example (10)).

- (10) Cnut cyning gret his arcebiscopas & his leodbiscopas & Þurcyl eorl & ealle his eorlas & ealne his þeodscype, twelfhynde & twyhynde, gehadode & læwede, on Englande freondlice. & ic cyðe eow, þæt ic wylle beon hold hlaford & unswicende to Godes gerihtum & to rihte woroldlage.

(Liebermann (1903–1916) I, 273; 1020)

'King Cnut greets his archbishops and his diocesan bishops and Thorkell, earl [of East Anglia] and all his earls, and all his people – nobles and commoners, clerical and lay – in England in a friendly manner. And I inform you that I will be a gracious lord and a faithful [observer] of God's rights and just secular law.'

The greater portion of the proclamation spells out what Cnut expects from his subjects as a 'gracious' king: to be zealous Christians and law-abiding people irrespective of their high or low status. As in many writs, penal clauses are also included, and the presumptuous among Cnut's subjects should be ready to face the rightful punishment for their crimes, negligence, or abuse of trust and office. As in all writs, we find the salutation–notification template followed by the main announcement. All these features are to be expected in a genre that is established and supported by a centrally-run bureaucracy.

Interestingly, apart from the bureaucratic conventions, other linguistic norms could also spread along with the circulation of writs. In Example (10), among the receivers of royal greetings, we can see *Þurcyl eorl & ealle his eorlas* 'Earl Thorkell [the Tall] and all his [the king's] earls'. As a title and as an equivalent to the Old English *ealdormann* 'ruler, governor of a province', the term *eorl* is generally accepted as a semantic loan of Scandinavian *jarl* (DOE, s.v. *eorl*, 2 and 3; OED, s.v. *earl*, n., 2). Both senses are exemplified in this phrase from Cnut's proclamation and in fact refer to the recently adopted division of England into four great provinces. Earl Thorkell is singled out among the four, likely because during Cnut's sojourn in Denmark around this time, he acted as regent (Stafford 1997: 188). Even though the new senses of *eorl* are already recorded in legal Old English during the reign of Æthelred II, namely in the legislation attributed to Wulfstan of York (cf.

7. The documents are referred to as 'letters' in Dorothy Whitelock's *English Historical Documents, c.500–1042* (1979).

the spurious S945 in example (1)), the diffusion of the term and the eventual replacement of *ealdormann* by *eorl* belong to the age of Cnut, Edward the Confessor, and William the Conqueror (Pons-Sanz 2013: 80–81, 213–215). It is likely that the term selected by the prominent church leader with a Northern affiliation was felt particularly fitting in legal documents associated with the Danish king and during the period when administrative reform was aimed at replacing locally-rooted old magnates (*ealdormenn*) with centrally-appointed new ones (*eorlas*). It would then diffuse to shires and hundreds through regular bureaucratic channels, be read out to court members, and ultimately be accepted and maintained as the new lexical norm (cf. Sharpe 2003: 251–252).

The second proclamation, of 1027, is known only in a Latin version cited by John of Worcester and William of Malmesbury in their chronicles (Example (11)). Despite the Latin medium, the opening section of the document is still recognisably derived from the writ template: *salutem* is a likely rendering of *gretan freondlice*, and *notifico uobis* followed by the accusative-and-infinitive *me isse* should correspond to *cyðan+þæt*-clause in the lost original, a strategy that is commonly employed also by translators of William the Conqueror a few decades later.

- (11) Cnuto rex totius Anglię et Denemarcię et Norreganorum et partis Suanorum Æthelnotho metropolitan et Alfrico Eboracensi archiepiscopo omnibusque episcopis et primatibus et toti genti Anglorum tam nobilibus quam plebeiis **salutem. Notifico uobis me** nouiter isse Romam, oratum pro redemptione peccaminum meorum et pro salute regnorum quique meo subiacent regimini populorum. (Liebermann I,276; 1027)

‘Cnut, king of all England, and of Denmark, and of the Norwegians, and of part of the Swedes, greets Æthelnoth the metropolitan, and Ælfric, archbishop of York, and all the bishops and earls and all the people of the English, whether nobles or commoners. I inform you that I have recently been to Rome, to pray for the redemption of my sins and for the safety of the kingdoms and of the peoples which are subjected to my rule.’

After this initial announcement to his subjects, Cnut goes on to describe his journey to Rome, the coronation of Conrad II as Roman Emperor, having audience with the Pope, and obtaining privileges for English archbishops and pilgrims. He then dwells on the importance of secular law and the duties of his subjects, on the payment of tithes and Peter’s pence.

Going back to the tradition of reading out royal notices at the assembly level, the proclamations, as the lists of addressees indicate, were intended to be announced to the public at large – clerical and lay, high and low, possibly to be circulated in several copies and taken to shire courts, their content covering matters and events that had relevance across Cnut’s vast dominions in England and Scandinavia (Campbell 2000: 21–23, 38–39; Treharne 2012: 13, 17–43, 56–58). The protocol

of these writ-proclamations was inherited from the Anglo-Saxon kings together with their writing office. Their social network could not only maintain the existing norms but also, as the case of *eorl* demonstrates, promote new ones. The potential of the proclamation and Anglo-Saxon administrative distribution channels was appreciated also by the later monarchs, so that what emerged as a subtype of the royal writ not only developed into a separate genre but also became a powerful propaganda tool (Campbell 2000: 39), to which English writs of William the Conqueror (analysed below) also attest.

5.4.4 Writs by other social leaders

So far, we have examined only royal writs, which are much more numerous in the corpus (Table 5.1). Writs by other persons do survive, however, and provide further evidence both for the standardisation of linguistic practices in official correspondence and for the application of a distinctive protocol, correlated with the status of senders and receivers of writs in relation to each other. When kings appeared at the receiving end, the protocol was adjusted accordingly, in ways that have clear parallels to the letters by Ælfric we have surveyed above (Examples (3)–(7)). In Example (12), Archbishop Wulfstan salutes King Cnut and Queen Ælfgifu (better known by her Norman name Emma; PASE, Emma 2; see Chapter 6) with *gretan eadmodlice* and augments his notification with the honorific *leof*.⁸

- (12) Wulfstan arcebiscope **gret** Cnut cyning his hlaford & Ælfgife þa hlæfdian **eadmodlice**. & ic **cyþe inc leof** þæt we habbað gedon swa swa us swutelung fram eow com æt þam biscop Æþelnoþe. Þæt we habbað hine nu gebletsod.

(S1386; Christ Church, Canterbury, 1020)

‘Archbishop Wulfstan greets his lord King Cnut and Lady Ælfgifu humbly. And I inform you-two, sire(s), that we have dealt with Bishop Æthelnoth in accordance with the mandate we received from you, namely, we have consecrated him [Archbishop of Canterbury].’

8. *Leof* as a form of address directed at dual addressees (*inc*) is attested only once outside this writ (in LS 5 (InventCrossNap)), but eight more occurrences of *leof* with plural addressees (ÆHom 5, GD 1(H), Gen 19.2, Nic (A), WPol 2.2.2 (Jost), and three in LS 34 (SevenSleepers)) point to the acceptability of such combinations.

Although Kohnen argues that “[*leof*] must be seen as a general term of address, implying sympathy and affection, applicable in a wide range of relationships and settings,” and although his data from religious genres bear this out, I suggest that the function of *leof* in legal documents is to signal social and/or situational superiority of the addressee(s) (2008b: 146–149, at 149). Affection and formality may look irreconcilable from our modern perspective, but in fact in more fluid approaches to historical politeness they can be well integrated (see Ridealgh & Jucker 2019).

What Example (12) also shows is that writs could serve a variety of purposes (Brooks & Kelly 2013: 1075). It was probably common for kings to dispatch their mandates and for clerical and lay officials to confirm their execution in writs formulated in this manner. Once the orders were fulfilled, the writs could be discarded or recycled (Sharpe 2003: 251). Writs confirming land ownership and privileges, on the other hand, were preserved and could be presented in courts should the entitlement to either be contested.

As pointed out above, lay women were seldom involved in legal transactions. One of the exceptions, Queen Wulfthryth, wife of King Æthelred, was discussed in the preceding chapter (S340). In Example (12), Queen Emma, consort of King Cnut, appears in the joint address of Archbishop Wulfstan. Example (13) below comes from one of the two surviving writs of Queen Edith, at the time of their composition, widow of Edward the Confessor (Kelly 2007: 249–251). As we shall see in the next chapter, the condition of whether the husband was still living at the time of composition is also relevant for wills. Wills by female donors imply that they are composed by widows; joint wills are, by definition, those produced by two living spouses. Similarly, in the writ corpus, the queen dowager has to issue her own writs (cf. Campbell 2000: 25). I reproduce one of Edith's writs in full to appreciate how closely this document follows the protocol and conventions established in male legal correspondence.

- (13) Eadgyþ seo hlauedi Eadwardes kynges lefe **gret** al þat hundred at Wedmore **frendliche**. And ich cyþe eow þat ic habbe gegeben Gyso biscop þat land at Merkerun & alch þare þinga þæs þe þar mid richte to hireð into his canonican æt Sancte Andrea æt Wyllan mid saca & mid socna swo full & swo forð swo hit me sylfen on honde stod for Eadwardes kynges sawle & for mine sawle. And ic bidde eow þat ge deme me richtne dom of Wudemann þe ic min hors bitachte & mi gauld haueð ofhealden six gear eiðer ge hunig & eac feoch. God ew gehealde. (S1241; Wells, 1066x1075)

'Lady Edith, widow of King Edward, greets all the hundred at Wedmore in a friendly manner. And I inform you that I have given the land at Mark [Somerset] and all the things that are there by law to Bishop Giso and the community of his canons at St. Andrew's at Wells, with sake and soke, as fully and to the same extent as it stood in my own possession, for the soul of King Edward and for my soul. And I request you that you pass for me a rightful judgement on Wudemann, to whom I entrusted my horses and who has withheld rent for six years in both honey and livestock. God keep you.'

Again, we find the switch from the 3rd to the 1st person, the adverb of superiority *frendliche* (addressing the Somerset hundred of Wedmore), the template *gretan* + *cyðan þæt*, the alliterating formulas *mid saca & mid socna* and *swo full & swo forð*,

and the valediction *God ew gehealde*. Although the writ was most likely recorded by (or dictated to) a scribe, we have no reason to doubt that Edith had first-hand knowledge of such legal matters, as she appears thirty-two times as witness in charters issued by Edward the Confessor and other leading men of England. This suggests that she took an active part in the transactions of the Anglo-Saxon administrative community, a role that was supported not only by her marriage to the king but also by her descent from the influential Godwine clan. According to Domesday Book, in 1066, Edith was the fourth richest person in England, after King Edward, Earl Harold (her brother), and Archbishop Stigand (PASE, Eadgyth 3).

In spite of queens acting as witnesses on diplomas, their ability to issue writs seems to have been more limited. Only three writs by queens survive (Table 5.1): two by Edith (S1240 and S1241) and one by Ælfthryth (S1242), widow of King Edgar and mother of Æthelred the Unready (Harmer 1952: 551; Sharpe 2003: 251, n.6), which is in line with the gender distribution seen in PASE but may also point to a different attitude towards preservation of queens' writs. Perhaps they were once more common but less esteemed and hence could perish more easily. The three that survive, however, all deal with land rights and, thus, could come in useful in disputes. A good case in point is a testimony given in the form of a writ by Queen Ælfthryth concerning an estate at Ruishton, Somerset (S1242, Example (14)).⁹ "Her testimony had evidently been sought in some enquiry" concerning an estate that "had belonged to the bishopric of Winchester" and on account of its importance was preserved in the archive of Old Minster (Harmer 1952: 380). What is remarkable about S1242 is that, addressing Archbishop Ælfric and Ealdorman Æthelweard, Ælfthryth uses the adverb *eadmodlice*.

(14) *Alfðryð gret Ælfric arcebiscop & Eþelwerd ealdarman eadmodlice.*

(S1242; Winchester, 995–1002)

‘Ælfthryth greets Archbishop Ælfric and Ealdorman Æthelweard humbly’

The date of the writ indicates that it was produced during the last few years of Ælfthryth's life, when she had long since become a widow and dowager and was spending much of her time in semi-retirement in her nunnery foundation of Wherwell, Wessex (Stafford 2004). The choice of the adverb is likely to reflect her diminished role in Anglo-Saxon politics. It is tempting to hypothesise that transition from queen consort to queen dowager would generally trigger a change in diplomatic etiquette (*freondlice* > *eadmodlice*), but the corpus of queens' writs is too inconclusive. As suggested by the writs of Edith, a lot depended also on the

9. Like Edith, Ælfthryth features a lot in the PASE database, acting as witness on 38 diplomas (PASE, Ælfthryth 8).

personality and individual status of queens as well as power balance at any given period of their lives, and it is well possible that during Æthelred's minority, Ælfthryth would have phrased her salutations differently.

It remains to be said that, apart from queens' writs and Wulfstan's S1386, we have four more documents of social leaders other than kings (Table 5.1). Of these the earliest, S1383 (Sherborne, 1001x1012) of Bishop Æthelric of Sherborne (PASE, Æthelric 41) is a complaint of land losses sustained by his bishopric to Ealdorman Æthelmær of the Western Provinces. This writ uses *gretan freondlice* together with the usual notification. The adverb seems to indicate that Bishop Æthelric considered himself to be of about the same social standing as his addressee. The second, writ S1404 (Abingdon, 1045x1048) of Bishop Siward (PASE, Siward 7) to Earl Godwine, Bishop Hermann, Cyneweard, and the thegns of Berkshire survives in a Latin translation, whose unaugmented *salutem* does not allow us to reconstruct the adverb of the lost Old English original. S1427 (Bath, 1061x1082) of Abbot Wulfwald of Chertsey and Bath (PASE, Wulfwald 1) is addressed to Bishop Giso of Wells, Abbot Æthelnoth of Glastonbury, Sheriff Tofi of Somerset, and all the thegns of Somerset, and uses *freondlice* in the salutation. Both S1404 and S1427 show that non-royal social leaders could address shire courts (Berkshire and Somerset respectively (Harmer 1952: 134)), and that, in all likelihood, *freondlice* was appropriate on such occasions. Finally, S1243 (1041x1064) of Earl Gospatric of Northumbria (PASE, Gospatric 1) in favour of Thorfynn mac Thore is addressed to all Gospatric's *wassenas* 'retainers, vassals?', to all the men of Cumberland, and to all his kindred. The salutation of S1243 contains *freondlice*, which is in line with our previous findings.

To sum up, the variation between *freondlice* and *eadmodlice* in writ salutations has clear correlations with the social status of senders and addressees. Kings saluted their correspondents invariably with *freondlice* and were addressed with *eadmodlice* in return. Salutation adverbs in queens' writs were sensitive to the family politics of particular queens. Ealdormen, earls, bishops, and abbots used *freondlice* to address their subordinates, one another, and shire courts. What salutations were used in writs of people of thegnly ranks and lower, if they existed at all, is impossible to say, but Ælfric's letters suggest that *eadmodlice* was generally chosen to salute superiors.

5.4.5 The incredible stability of royal writs

The genre of writs, and writ-charters in particular,¹⁰ is best represented from the late tenth century on, as evidenced by documents issued in the name of Æthelred II (2 writs: S945 (see Example (1)) and S946), Cnut (8 writs: S985 – S992; including those in Latin translations), his son Harthacnut (2 writs: S996 and S997; both in Latin translations), Edward the Confessor (100 writs,¹¹ Example (15)), Harold Godwineson (1 writ: S1163, Example (16)), and William the Conqueror (32 vernacular writs in Bates, Example (17)) (Table 5.1). The stability of this document type, including the protocol, templates, and lexis, is quite remarkable given that the period itself was exactly the opposite, with two conquests taking place within fifty years of each other and the kings dividing their time and presence between England and other parts of Europe, going into exile, and being killed in battle (cf. Fenton 2021: 432). The writs by Edward, Harold, and William may serve as an illustration (for Cnut, see above).

- (15) Eadweard cyngc gret Tostig eorl & ealle mine þegenas on Eoferwicscire **freondlice**. & **ic** cyððe **eow** þæt hit is min unna & min fulle leafe þæt Ealdred arcebi-scop þæt he dihte priuilegium to þam landan þe ligcað innto Sancte Iohannes mynstre æt Beferlicc. (S1067; Beverly, 1060–1065)

‘King Edward greets Earl Tostig and all my thegns in Yorkshire in a friendly manner. And I inform you that it is my permission and my full consent that Archbishop Ealdred shall draw up a *privilegium* for the lands pertaining to St John’s minster at Beverley.’

- (16) Harold king greet Ayllnoð abbot & Toud & alle mine þeynes on Sumerseten **frendliche**. And **ich** cweð **eou** þæt ich wille þæt Gyso biscop **beo** his **saca werð** & his **socna** ofer his lond & ouer his mannen & **tolles** werð & **temes** & **infangen**es þefes, **binna burekh** & **butan swo ful** & **swo forth** swo he furmest was on Edward kinges dage on alle þingan. (S1163; Wells, 1066 [modernised in the middle of the 13th century, but based on authentic])

‘King Harold greets Abbot Æthelnoth and Tofig and all my thegns in Somersetshire in a friendly manner. And I inform you that it is my will that Bishop Giso shall be entitled to his sake and his soke over his land and over his men, and to toll and team, and *infangentheof*, within borough and without, as fully and completely, as he best was in all things in the days of King Edward.’

10. It is conceivable that writ-charters originated in the reign of Edgar 943/4–975 (Sharpe 2003: 247).

11. Of these 73 are in English (SS1063–1046, 1069–1071, 1073–1077, 1079–1085, 1088, 1092–1097, 1103–1105, 1114, 1117–1159, 1161–1162), 20 in English and Latin (SS1065–1067, 1072, 1078, 1089–1091, 1098–1101, 1109–1113, 1115–1116), and 7 in Latin (SS1086–1087, 1102, 1106–1108, 1160).

- (17) Will(el)m kyng gret Will(el)m bisceop & Gosfregð portirefan & ealle þa burhwaru binnan Londone frencisce & englisce freondlice. & ic kyðe eow þæt ic wylle þæt get beon eallra þæra laga weorðe þe gyt wæran on Eadwerdes dæge kynges. & ic wylle þæt ælc cyld beo his fæder yrfnume æfter his fæder dæge. & ic nelle gepolian þæt ænig man eow ænig wrang beode. God eow gehealde.

(Bates 180; 1066)

‘King William greets William, Bishop [of London], and Geoffrey the port-reeve, and all the citizens within London, both French and English, in a friendly manner. And I inform you that I grant you all the laws of which you were worthy in King Edward’s day. And I grant that every child shall be his father’s heir after his father’s days; and I will not suffer any person to do you wrong. God keep you.’

It is probably not surprising that by confirming the privileges of individuals and cities both Harold and William also seek to legitimise themselves in their new status through references to the days of Edward the Confessor (e.g. *beon ... weorðe ... on Eadwerdes dæge kynges*). In addition, both documents open and close with conventional templates (salutation–notification and *God eow gehealde* in Example (17)) and use phraseology that is consistent with the genre. Thus, their legitimacy is confirmed also at the linguistic level, and the specialised community can appreciate the correct use of their distinctive discourse. Harold’s writ also relies heavily on traditional formulas (*saca & socna, tolles & temes, binna burekh & butan, swo ful & swo forth*) and as a writ-charter is more technical at the level of terminology. William’s charter for London (like proclamations of Cnut) aims at a wider audience and, late in 1066, carries a special political weight. In fact, it is “the only legislative enactment of the early medieval West to survive in its original form: as a writ, complete with seal. ... The document was issued in Old English shortly after William’s coronation on Christmas Day 1066”.¹² In form, content, lexis, and script it is the work of an Anglo-Saxon scribe, who, like civil servants today, had to serve any government as long as his services were needed.

5.4.6 The switch to Latin

For several years after the Conquest, royal writs were still produced in English, preserving the same protocol as before, and, often, confirming the rights and privileges of the old clergy. Some centres (St. Paul’s, London, Christ Church, Canterbury, and the bishoprics of Rochester and Winchester) would be able to keep Old English for over a decade at least as part of bilingual writs, perhaps for the benefit of the lower and English-speaking members of the courts (Bates 1998: 50–52). Around 1070, however, following the consecration of Lanfranc as Archbishop of Canterbury and

12. <https://earlyenglishlaws.ac.uk/laws/texts/wl-lond/>

the ongoing dispossession of the old aristocracy, the central bureaucracy switched into Latin (see Chapter 7 for details). Despite this switch, linguistic practices of the discourse community were modified rather than abandoned; and the templates of the pre-Conquest writs continue to shine through new Latin documents (18–19).

- (18) *Willelmus ... salutem. Sciatis me concessisse abbatie de Abbotesburie terram suam* (Bates1; Abbotsbury, 1066 x 1078)

‘William (sends) greetings to ... May you know that I have granted the abbey of Abbotsbury its land.’

- (19) *Willelmus ... salutem. Sciatis quod ego concedo* Lanfranco archiepiscopo omnes consuetudines in ecclesia de Newentuna

(Bates73; Canterbury, cathedral and see, 1070 x 1082/3)

‘William (sends) greetings to ... May you know that I have granted to Archbishop Lanfranc all the customs in the church of Newington [Kent].’

The adverb *freondlice* was generally dropped, and the salutation was rendered by the classical elliptical phrase *salutem*. The notification phrase, however, continued to cluster together with the salutation, as in both examples above. The subjunctive *sciatis* with a complement clause was adopted as an equivalent for *ic cyðe eow+þæt*-clause, with the complement itself taking sometimes a more classical form of the *accusativus cum infinitivo* (AcI, Example (18)) or a more colloquial form of the *quod*-clause, with a possible translation-transfer effect (Example (19)). As the body of new Latin writs grew and their dependence on translation of earlier English templates declined, with English as a written bureaucratic language becoming obsolescent, the community of royal scribes and their colleagues across the country were probably beginning to associate *salutem* and *sciatis* formulas with the salutation–notification template. Centrally produced writs and writ-charters continued to be the norm, and their circulation relied on the same administrative networks as before. The linguistic change is summarised by Richard Sharpe in the following way:

The writ was then drawn up, sealed and given to the beneficiary, who would deliver it to the shire court. ... At the meeting of the shire court it would be presented to the presiding officers as a letter from the king. An official would read it aloud, in English before 1070; translating from English into French for the years between 1066 and 1070; and translating from Latin into both languages after 1070.

(Sharpe 2003: 252–253)

Although the administrative procedures did not change much as a result of the 1070 language shift, the position of English within these procedures shifted towards that of an auxiliary language, establishing over time a sociolinguistic divide between chancery Latin norms and local vernacular audiences. If indeed translations were

delivered orally and spontaneously, there was no longer a way of controlling the uniformity of those translations and their adherence to the pre-Conquest English norms. Writ formulas were remembered only for as long as the members of the pre-1070 courts survived and continued to participate in the assemblies. For those, the Latin medium could potentially become a barrier between the chancery norms and their vernacular(s). In Chapter 7, we are going to see how some multilingual practices were developed to rectify the new situation at least to some extent. For the royal clerks, court officials, and scribes, however, it offered a stability and a compromise that neither English nor French possessed at the time, helping safeguard the norms that were associated with writs and other official documentation and allowing them to use one language to handle royal affairs both in England and in Normandy. In fact, from the time of Henry I (1106–1135), English writ-types (i.e. those produced for beneficiaries or officials in England) and their templates were increasingly adopted also in Norman writs (i.e. those produced for beneficiaries or officials in Normandy). That is to say, the diffusion, once again, took the route from the centre to the periphery of the political administration – new Latin practices spread from the royal chancery to aristocratic chanceries and further down to shire courts in England and county courts in Normandy (Hagger 2009).

5.5 Conclusions

In this chapter, we have surveyed the surviving corpus of Old English writs and epistles, a fuzzy collection in which elements of prefaces, religious tracts, official notices, proclamations, and legal documents often merge in a variety of ways. As we have seen, many of them open in the same conventionalised way, most consistently resembling official notices, but would then go on to develop into a religious argument (Ælfric), cultural lament (Alfred), or political statement (Cnut). Also, despite having elements of private letters (salutations and farewell formulas), these documents were perhaps never intended to be read quite in private. On the contrary, they were read aloud and often to a large assembly of people. Writ-charters, as we have observed, were addressed to social leaders in shires, hundreds, and boroughs. As centralised political rule consolidated and aristocratic lay literacy became wider spread in the course of the tenth century, the notices became more important as means to inform local courts and their leaders about decisions taken by kings, ealdormen, archbishops, and bishops, and, for people in subordinate positions, to report back about the progress of mandates, appointments, public works, and intellectual commissions. Thus, centralised power generated bureaucracy to make its own functioning more efficient. A few clerks in the king's entourage would be enough to create the first formulas, clichés, and routines that would later constitute

the bulk of the bureaucratic repertoire. The emerging administrative channels would disseminate verbal and non-verbal practices of this small community of royal scribes to their colleagues down the chain of authority (from kings to chief magnates to smaller landowners to shires to hundreds). Eventually, the scribes at the royal court and at local assemblies would constitute a discourse community. Without necessarily knowing each other, they would know of each other and of the shared accepted practices within the community of scribes employed in production of official notices. At the verbal level, the practices would include standardised opening and closing formulas, recurrent table of contents, and specialised lexis. Apart from the professional scribes at the core, the community would also include lay peripheral members, who did not produce documents themselves but were used to what they sounded like when read out by officials in courts. So long as this discourse community and its administrative network was undisturbed, the verbal practices remained stable.

5.6 Coda: The afterlife of the template

As has been pointed out, Anglo-Saxon bureaucratic structures proved to be very resilient. The new Latin salutation–notification template *salutem+sciatis+AcI* remained in use for the next two centuries. We can observe it in the opening lines of Magna Carta in 1215. In the same fashion as before, the name of the king is mentioned first, followed by his titles, by his subjects in descending order of importance, and, finally, by *salutem*. The sentence immediately after starts with *sciatis* and two perfect infinitives in close proximity. An important change that has taken place during the two centuries after the Norman Conquest is the general adoption of the *pluralis majestatis* (*nos* instead of *me* of William the Conqueror; Chaplais 1971: 13).

- (20) *Johannes Dei gratia rex Angliae, dominus Hyberniae, dux Normanniae et Aquitanniae, comes Andegaviae, archiepiscopis, episcopis, abbatibus, comitibus, baronibus, justiciariis, forestariis, vicecomitibus, prepositis, ministris et omnibus ballivis et fidelibus suis salutem. Sciatis nos ... [i]n primis concessisse Deo et hac praesenti carta nostra confirmasse*

(Magna Carta, 1215; Stubbs (1921) i,292)

The continuity of the template can still be discerned a few decades later, as English re-emerged in official notices (although for a short while) in 1258 with the Proclamation of Henry III (Example (21)).

- (21) *Henr' þur3 Godes fultume king on Engleneloande, Lhoauerd on Yrloand', Duk on Norm' on Aquitain' and eorl on Aniw send igreteinge to alle hise holde ilærde and ileawede on Huntendon' schir'. þæt witen 3e wel alle þæt we willen and unnen þæt*

(Proclamation of Henry III, 1258; Stubbs i,387)

By this time, the Old English template had clearly been forgotten, and its new rendering constitutes an imitation of Latin: *salutem* – *send igretinge, sciatis nos*+infinitive – *þæt witen 3e+þæt*-clause. We can also see a French replica in Edward I's confirmation of charters in 1297.

- (22) *Edward* par la grace de Dieu, roy d'Engleterre, seigneur d'Irlaunde et ducs d'Aquitaine, a toutz ceuz qui cestes presentes lettres verrount ou orrount, **saluz. Sachiez nous** a l'honneur de Dieu e de seinte Eglise e a profist de tout nostre roiaume, **avoir graunté** pur nous et pur nos heys

(Confirmation of Charters 1297; Stubbs i,490)

Official notices switched back into English (now for good) in the first decades of the fifteenth century, as the royal chancery had abandoned its Latin medium, although the new English template took some time to achieve a standard form (Example (23)).

- (23) By þe kyng // Right worshipful and worshipful faders yn god / right trusty and welbeloued / **We grete yow wel / And wol ye wite / þat**

(Fisher et al. (1984: 43); Signet of Henry V, 1418)

Over time, the new form stabilised as *greeting: Know ye that*.¹³ This template lived on into the early and late Modern period, crossed the Atlantic, survived the War for Independence, and, accompanied since by the seals and signatures of all English monarchs and all American presidents, is still there in the twenty-first-century letters of appointment (Examples (24) – (27)).

- (24) *James*, by the grace of God, King of England, Scotland, France, and Ireland, defender of the faith, etc. To all Justices, Mayors, Sheriffs, Constables, Headboroughs, and other our officers and loving subjects, **Greeting. Know ye that** we of our special grace

(James I, Privy Seal writ, 1603)

- (25) *Charles the Second*, by the Grace of God King of England Scotland France and Irelend, Defender of the Faith, & c. To all to whom these presents shall come, **greeting: Know ye that ...**

(Charles II, Privy Seal writ, 1684)

- (26) *Victoria*, by the grace of God, of the United Kingdom of Great Britain and Ireland queen, defender of the faith, to NAME **greeting: Know ye, that** we, in confidence of your prudence and fidelity, have appointed you ...

(Victorian commission template)

13. The epistolary formula 'may you know that/I let you know that' is also common in other vernacular traditions of the Modern period: Finnish, Dutch, and German (Rutten & van der Wal 2014: 108–109).

- (27) The President of the United States of America to all who shall see these presents, **greeting: Know Ye that**, reposing special trust and confidence in the patriotism, valor, fidelity and abilities of NAME, I do appoint him ...

(Presidential commission template)

By today, the legalese of presidential commissions has achieved a status very similar to that of legal Latin in the Anglo-Saxon period. It is evident that such texts can only be produced by the professional community of practice associated with the president's office. The president knows what the document is about, but the way it is formulated is very far removed lexically, morphologically, and syntactically from the president's own everyday speech. The only independent performative act that he is allowed to do is to add his signature to the commission. In essence, this is not that different from the sign of the cross of the illiterate kings of the past.

CHAPTER 6

Wills

Variation by archive and gender

With wills, we have a chance to get insight into the life (and death) of real people. Even though a degree of conventionalisation has affected this genre too, wills are by their nature local documents that detail the bequests of local donors to local beneficiaries. The first focus here, therefore, is on regional variation. Furthermore, what distinguishes Old English wills from other legal genres is that a sizeable portion of them was commissioned by women. So, the second case study is an attempt to correlate linguistic variables with gender. Lastly, we are going to examine the wills of two sociolinguistic outliers and the reasons behind their exceptional language behaviour.

6.1 The corpus of wills

The corpus of Old English wills is smaller than that of writs and comprises a total of 68 documents (Table 6.1). Its geographical distribution is also less wide (Figure 6.1): as with writs, there is a concentration of wills in southern archives, but the records are much fewer in the Midlands, and, unlike writs, no wills survive from the north. Chronologically, the vast majority of wills (c. 87 per cent) are dated to a period after 924, i.e. from the succession of King Æthelstan onwards (Table 6.1). The evidence for vernacular wills as a separate legal genre comes, however, almost two centuries earlier than that for writs (Table 6.1).¹ The earliest bequests recorded in Latin are still older and date to the second half of the eighth century (S1182 and S146). As with other legal documents, transmission of wills poses many problems. Only twenty-two wills (about a third of the surviving corpus) are preserved in manuscripts written before 1066, with many among them being copies of earlier documents. The majority are even later copies, surviving in cartularies, whose contents can be abbreviated, and witness lists truncated (Tollerton 2011: 16–22 and appendices).

1. This applies if date 805 is accepted for the earliest will S1500 from Christ Church, Canterbury and if King Alfred's prefatory letter to the *Pastoral Care* is not counted towards the writ data, while the earliest writ S945 is dated to the reign of Æthelred the Unready (see Chapter 5).



Figure 6.1 Geographical distribution of Old English wills by archive (based on Tollerton 2011: 12)

Table 6.1 Distribution of Old English wills by archive (based on Tollerton 2011: 13)

Archive	Wills dated before c.900	Dating margins	Wills dated 924 – c.1070	Dating margins
Abingdon			1	1003x1004
Bath			1	984x1016
Burton			1	1002x1004
Bury			20	942x1070
Canterbury, St Augustine’s			1	985x1006
Canterbury, Christ Church	6	805x889	8	958x1070
Exeter			1	1011x1015
London, St Paul’s			1	c.1000
London, Westminster			2	975x1016
Peterborough			1	1066x1069
Rochester	1	c.855	1	975x987
? Shaftesbury			1	c.950
St Albans			4	956x1066
Thorney			1	1017x1035
Winchester, New Minster	1	?896x899	8	932xc.987
Winchester, Old Minster	1	c.900	6	931x980
Worcester			1	c.1000
Totals	9		59	

6.2 Function and orality of wills

As outlined in the technical definitions of charter forms in Chapter 3, functionally, a will is a notification of a bequest of land or property. If wills are addressed to anyone in particular, rather than to all the friends and witnesses implicitly or explicitly, the addressee is the king or another patron. Although wills were written on behalf of donors, their production was more likely to be initiated by beneficiaries – religious houses – and executed by scribes from the same establishments (Tollerton 2011: 61). As with other legal genres, orality was an essential and integral part of bequests. They were made in front of witnesses and often recorded in two or three copies as chirographs, with the word *chirographum* being written between the copies and cut through to produce the individual parts. The authenticity of wills could be established both by putting the copies of the chirograph (preserved by donors, beneficiaries, and patrons) together and by calling upon witnesses. Surviving wills, however, can be records of different stages in the bequeathing and archival processes: a will draft or a final copy prepared before the oral announcement, a will record made on the basis of the announcement, a partial record made by one of the beneficiaries, an abbreviated record included in a cartulary, and combinations of these types.

The opening and closing sections often preserve references to some of the procedures accompanying the drafting, announcing, and witnessing of wills. In a formula consisting of two performative verbs, not unlike the one used by King Alfred (*cyðe 7 writan hate*), reeve Abba points out that his will (*willa*) is publicly declared and written down by a scribe (Example (1)).

- (1) Ic Abba geroefa *cyðe 7 writan hate* hu min *willa* is þæt mon ymb min ærfe gedoe æfter minum dæge (S1482; Canterbury, Christ Church, 833 x 839)
‘I, reeve Abba, declare and command to be written what my will is, how they should deal with my property after my time.’

The oral component of will-making is even more apparent in the joint will of Brihtric and Ælfswith, who use a different term for ‘will’, *cwide*, literally ‘speech’, and refer to their performance in front of relatives by the closely related verb *cwædon* ‘they spoke’ (Example (2)), albeit in the past tense.

- (2) Pis is Byrhtrices 7 Ælfswyðe his wifes nihsta *cwide*. ðe hi *cwædon* ... *on heora maga gewitnæsse*. (S1511; Rochester, 975 x 987)
‘This is the last will of Brihtric and his wife Ælfswith, which they declared ... in the presence of their relatives.’

The multiple bequest of Thurstan, son of Wine, was announced four times in the presence of witnesses in Norfolk, Suffolk, Cambridgeshire, and Essex, the counties where his lands lay (Tollerton 2011: 59). The wide audience of the will is reflected

in the opening section *ic ... kithe alle manne* ‘I inform/make known to all men’ (Example (3)) and in four witness lists for the respective counties. Thurstan’s witnesses in Norfolk included Harold Godwinson, who had recently been made Earl of East Anglia, and Stigand, Bishop of Elmham, Norfolk, and, only a few years later, Archbishop of Canterbury. Although *alle manne* is an exaggeration, the names of abbots, sheriffs, and other church and lay leaders suggest that the audience included all the men of importance in Essex and East Anglia. A slightly earlier document, S1530, a bequest to Christ Church, Canterbury, also points to Thurstan’s connection to King Edward and top ecclesiastical and lay officials of the early 1040s.

- (3) *ic Þurstan Wine sune kithe alle manne ihu ic an þe þing þe me god haeuð lent so longe so his wille beth. ... þise write sinden þre. on schal into seynt Eadmunde. Aand on into Ely. and on schal ben innon min owen hird.*

(S1531; Bury St Edmunds, 1043x1045)

‘I, Thurstan, son of Wine, make known to all men how I [am going to] grant the things which God has lent to me for so long as it shall be his will ... There are three of these documents: one shall go to St Edmunds, and one to Ely, and one shall be in my own household.’

The two wills (S1530 and S1531) were produced in three copies and referred to as both *gewrit* and *cwide* in the texts, a terminological ambiguity that has been mentioned above. Their witness lists attest to an extensive social network of Thurstan both at the local and central level and to his prominence as an East Saxon landowner, even though he is not known in other sources (PASE, Thurstan 9). Along with settling his own property affairs, will-making for Thurstan was an important public occasion in which he could display his economic wealth and social standing. As we shall see below, the private and the public are generally intertwined in wills.

6.3 Types of wills

Functionally, three types of wills can be distinguished (Lowe 1998; Tollerton 2011: ch.1):

- the single-gift will (a bequest to a single beneficiary to take effect on the death of the donor);
- the multi-gift will (a number of bequests to multiple beneficiaries to take effect on the death of the donor);
- the bequest-agreement (“an arrangement by donor and beneficiary, acknowledging the beneficiary’s claim on an estate while allowing the donor to retain a life interest in the land, until such time as reversion to the beneficiary will take effect” (Tollerton 2011: 10)).

The latter category is not universally accepted as that belonging to wills. It was not included in the classical edition of wills by Dorothy Whitelock in 1930 and can conceivably be grouped together with grants, leases, and other agreements within charters, whence many will conventions and templates stem. Since 1930 many new discoveries have been made, and the number of documents that can be identified as wills has grown from 39 in Whitelock's edition to 75 in Tollerton's recent analysis (Sawyer 1968: 414–431; Drout 2000: 7–8; Tollerton 2011: 16–22, 285–288). The latter figure includes both bequest-agreements and wills recorded in Latin. In the present case studies, only vernacular single- and multi-gift bequests were included, that is a total of fifty-eight wills (Timofeeva *fc*). In relevant sections, however, comparisons to other charter types are made.

6.4 The protocol of wills

The protocol of wills is closely related to that of diplomas but is nevertheless different enough to define them as a separate genre. I use the bequest of Æthelflæd to St Paul's minster (S1495; London, St Paul's; c.1000; Kelly 2004: 186–191) to illustrate the typical component parts and adopt the same level of detail as in the chapters on diplomas and writs to facilitate comparison between the genres.²

- (4) – [invocation]
 - notification: Her swutelað on ðam cwide 'Here, it is declared in this bequest';
 - donor: ðe Egelfled gecweden hæfð 'what Æthelflæd has announced';
 - motive: god to lofe 7 hire saule to ðerfe 7 hire hlaforðes 'for the love of God and the need of her soul and her lord's [soul]';
 - bequest/dispositive clause: þæt is þonne ða feower hida landes æt Lagefare 7 twa hida æt Cochæmstede, þe hy gean for hire saule 7 for hire hlaforðes into S. Paules mynstre on Lundene ðan gebroðran to bigleofan ðam þe þær dæghamlice god ðeniað 'that is, the four hides at Laver and two hides at Cockhampstead, which she grants for her soul and for her lord's [soul] to St Paul's minster in London for the maintenance of the brethren who daily serve God there';
 - endorsement: be ðes cynges fulle geleuen Æðelredes 'by the full permission of King Æthelred';
 - witnessing clause: on ðera manna gewitnesse ðe heora naman her standað, 'in the presence of those men whose names stand here';

2. Other, less detailed analyses of the diplomatic parts are available in e.g. Sheehan 1963 or Moessner 2018; Drout 2000 is discussed below.

- witness list: *þæt is þonne Egelnoð arcebiscop 7 Wulfstan arcebiscop 7 Ælfhun biscop on Lundene 7 Ælfric abbot 7 Wigard abbot 7 Ælsi abbot on Cowwaforde 7 Ælfere ealdorman 7 Brihtnoð ealdorman 7 Ædric ealdorman 7 Ælfsige cynges þegn 7 Ufegeat scireman 7 Frena cynges þegn* ‘that is, Archbishop Æthelnoth, and Archbishop Wulfstan, and Ælfhun, Bishop of London, and Abbot Ælfric, and Abbot Wigheard, and Abbot Ælfsige of Cowwaford, and Ealdorman Ælfhere, and Ealdorman Brihtnoth, and Ealdorman Eadric, and Ælfsige, the king’s thegn, and Sheriff Ufegeat, and Fræna, the king’s thegn’;
- sanction clause/anathema: *7 swa hwilc man swa ðisne cwide awende sy he Iudas gefere ðe urne drihten belewde en helle pite.* ‘And whosoever shall alter this bequest, may he be a companion in the torment of hell of Judas who betrayed our Lord’.

Invocations feature only in 12 out of 58 wills (21 per cent). This element is inherited from diplomas, but in contrast to the parent genre does not display much variation: all except one will with invocations use the formula ‘in the name of the Lord’. Of these, four are in Old English and seven in Latin. The remaining invocation, in S1508, uses an abbreviation <Xs> for ‘Christus’. Old English invocations seem to correlate with the archive of Bury St Edmunds (3 out of 5) and date to around 1050, but the number of occurrences is too low to allow for statistical testing, and the numerical effect may thus be coincidental (we shall go back to the salience of Bury features at a later point). In many wills, notification and donor elements merge and may even include a dispositive verb (see next section). Motives become increasingly important in wills of the tenth century, and those that show a concern for the souls of the donors and their ancestors peak between 925 and 992, a development that Michael Drouot attributes to the influence of the ideals of the Benedictine reform “upon the wider, secular culture” (2000: 7 and *passim*). The main will elements include a donor identification, a dispositive clause (frequently augmented by an endorsement), and a sanction clause (often a combination of a sanction and a curse, or anathema) (cf. Moessner 2018: 107). We shall consider a selection of these diplomatic elements and their components in the case studies below and relate them to such sociolinguistic parameters as archive and gender to better understand the composition and dynamics of the communities involved in the perpetuation of wills as a genre in the Anglo-Saxon period.

6.5 Case study: Variation by subperiod and archive

Chapter 4 has demonstrated that Latin diplomas display significant variation in the diplomatic element *dispositive verbs*. Since the data in that study comprised dispositive verbs in the scribes’ L2, we concluded that the observed differences in the choice of Latin lexical verbs and those between the singular and *pluralis majestatis* reflect variation in archive conventions rather than in dialectal norms. In this case study, I intend to revisit these findings by comparing the diplomatic elements in wills across subperiods (before and after 900) and archives and by concentrating on Old English dispositive verbs, their complementation patterns, and on the variation within the adverbial phrase *æfter POSS dæge* vs. *ofer POSS dæg* ‘after one’s death’.

Previous studies have already identified some archive-specific preferences in the diplomatic of wills. Michael Drout reports that “the prefatory clause of wills [i.e. a template formed by the notification and the opening part of the dispositive clause (OT)] shows a range of variation with a distinctively regional character” (2000: 12–13). He identifies four types of the prefatory clauses and analyses their distribution by archive, displayed in Table 6.2 (based on Drout 2000: 13).³

- Type 1: ic/N kithe ... an/unnen.
- Type 2: This/Her is ... cwide.
- Type 3: Her/ic swutelath on thisse ge/write ... an ... aihte.
- Type 4: ic an ... aefter minne daege (this type amounts to no prefatory clause, since it is the first dispositive clause of the will).

Table 6.2 Distribution of prefatory clauses by archive

	Bury		CCC		OMW		NMW		St. Albans		Other		Total	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Type 1	6	33.3	5	71.4	1	12.5	1	14.4	2	50.0	2	12.5	17	28.8
Type 2	4	22.2	2	28.6	0	0	3	42.7	0	0	3	18.8	12	20.3
Type 3	7	38.9	0	0	5	62.5	0	0	1	25.0	6	37.5	19	32.2
Type 4	0	0	0	0	1	12.5	2	28.6	1	25.0	2	12.5	6	10.2
Other	1	5.6	0	0	1	12.5	1	14.4	0	0	3	18.8	6	10.2
Total	18	100	7	100	8	100	6	100	4	100	16	100	59	100

3. I retain the orthography of Drout’s article and use a table to reproduce his results. Here and in the tables below, the abbreviations in the first row stand for Christ Church, Canterbury (CCC), Old Minster, Winchester (OMW), and New Minster, Winchester (NMW).

The “distinctively regional character” of type distributions should be taken with a pinch of salt, as the low number of tokens per archive and the lack of attestations of some of the types make statistical testing of the distributions problematic. The observations based on these data must, therefore, remain tentative. Drout insists, however, that the distributions are not coincidental and “not merely an artifact of a particular cartulary style [i.e. not introduced by later copyists (OT)], since they exist in both original single sheets and cartulary copies across archives” (2000: 14). He goes on to compare the observed differences to other features of will diplomatic and remarks upon chronological developments, too:

There are similar patterns in the term used for soul (“gast” is used interchangeably with “sawel” in 9th-century wills, but never in the later wills), dispositive verbs, presence or absence of symbolic or verbal invocation, presence or absence of anathema, sanction or blessing, and ratio of third person to first person in diplomatic. It is thus to some degree possible to distinguish by analysis of diplomatic between what elements of the will are required legal framework and what represent the choices of individual bequestors. (Drout 2000: 14)

So, for Drout, the phrasing of particular wills is a combination, or perhaps a compromise, between the concerns of an individual (as pronounced by donors) and the dictates of an archive (as maintained and recorded by scribes). Mention of remediation of ancestors’ souls might reflect the former, while prefatory clauses are the effect of the latter. As far as these clauses are concerned, the first three types appear to be much more popular than type 4 or the Other category. The five named archives possibly show preferences for one of the first three types: Bury St. Edmunds for type 3; Christ Church, Canterbury for type 1; Old Minster, Winchester for type 3; New Minster, Winchester and St. Albans for type 2. Interestingly, there may be a discrepancy in the data from Winchester: while the Old Minster archive displays a preference for type 3, the same type is dispreferred by the New Minster, and vice versa type 2 is favoured by the New Minster and dispreferred by the Old Minster. Given that the majority of Winchester wills were produced between the 930s and 980s, and the scribes involved in their production operated in close proximity to one another (on the locations of Winchester minsters, see Hill 2009: 44–51), this lack of accord between the two archives seems quite remarkable, as though accentuating the differences between the old cathedral establishment and the newer Benedictine abbey.

A more subtle picture emerges if one considers other elements of wills in a systematic way. For example, as indicated above, invocations in wills are optional. They are attested only in 12 wills of the corpus. Among them, 5 occur in wills from Bury St Edmunds (S1526, S1483, S1531, S1516, and S1499), two in Christ Church, Canterbury (S1508 and S1503), and one each in New Minster, Winchester (S1515), Westminster (S1522), Rochester (S1514), and St Albans (S1517). The three

occurrences from the Kentish archives are from the early period (see Table 6.1). The rest, including Bury wills, are dated to between 942 and 1070. None of these invocations are used in wills by female donors.

Bury St Edmunds stands out in more than one respect, although it should be remembered that wills from this archive outnumber those from other archives by at least 2.5 times (Tables 6.1 and 6.2). A close analysis of the dispositive constructions shows a lot of variation, especially in the earlier documents, both between individual wills and, sometimes, within the same will. For example, as previously with writs, donors often alternate between the first and the third person (Danet & Bogoch 1994: 112; Moessner 2018: 118–119), a practice that commonly arises in situations when documents are dictated and subsequently read out on behalf of the donors (cf. Chaplais 2003: 2–3). In her recent study of morphosyntactic features in wills, Lilo Moessner found that the majority of all tense forms used in this legal genre (a little under 80 per cent, or 715 instances) are present. With Old English present forms being used for future references and, those in wills, stating “what is to happen after the testator’s death” (2018: 119), it stands to reason that these figures represent a genre-specific distribution.

6.5.1 Dispositive verbs

As previously with Latin diplomas, lexical choices within dispositive clauses seem to be a matter of variation by archive. The bequeathing itself can be expressed in many different ways: by verbs of giving and granting (*agiefan*, *sellan*, *unnan*), by verbs of receiving or possession in the subjunctive (*fon*, *habban*) within a *that*-clause, typically in combination with a volitional verb (*bebeodan*, *willan*) in the main clause, by verbs of bequeathing (*becwæþan*), or without any verb (Table 6.3; cf. Moessner 2018: 108).

Table 6.3 Distribution of dispositive verbs in Old English wills by type (arranged alphabetically)

Dispositive verb	N	%
<i>agiefan</i>	4	4.9%
<i>becwæþan</i>	5	6.1%
<i>dælan</i>	1	1.2%
<i>fon</i>	4	4.9%
<i>gan</i>	2	2.4%
<i>habban</i>	3	3.7%
<i>sellan</i>	9	11.0%
<i>(ge)unnan</i>	47	57.3%
no verb	7	8.5%
Total	82	100.0%

Most of the dispositive verbs occur only between 1 and 9 times, but the preterite-present verb *(ge)unnan*, typically in the present tense (see above) occurs 47 times. The count in Tables 6.3 and 6.4 includes the number of verb types per will. Although *(ge)unnan* appears to be the default option, in 17 wills (especially in multiple bequests), the donors alternate between two or more dispositive verbs. Of these, 13 wills still feature *(ge)unnan* as either a majority or a minority variant. The variation is much higher in wills dating to before 900 (Table 6.5). With the exception of two Winchester wills dating to c.900, the majority of these early documents come from Kent (4 from CCC and 1 from Rochester, see Tables 6.4 and 6.1). For instance, in S1482 (830s, CCC), four more dispositives (*fon*, *sellan*, *habban*, and *agiefan*) are used alongside *(ge)unnan*. In wills produced after 900, the variation between *(ge)unnan* and other dispositive verbs decreases significantly, especially in the bigger archives of Bury St Edmunds and Winchester, which account for the majority of the attestations in East Anglia and Wessex (Table 6.4).

Table 6.4 Distribution of *(ge)unnan* by region; χ^2 : $p = .045201$

	<i>(ge)unnan</i>	Other verbs	Total
Kent	6	12	18
Mercia	6	7	13
Wessex	18	10	28
East Anglia	17	6	23
Total	47	35	82

Table 6.5 Variation between *(ge)unnan* as majority variant and other verbs by subperiod; χ^2 : $p = .01109$, Fisher exact: $p = .0164$

	<i>(ge)unnan</i> as majority type	Other verbs +/- <i>(ge)unnan</i>	Total
before 900	1	6	7
after 900	33	18	51
Total	34	24	58

After 900, i.e. arguably following the establishment of the proto-chancery and with the gradual standardisation of bureaucracy, the number of lexical variants is reduced, and *(ge)unnan* emerges as the norm (Table 6.5). The fact that the first will to feature *(ge)unnan* as the majority variant (6 occurrences) in the late ninth century belongs to King Alfred and is affiliated with the New Minster, Winchester (S1507), supports this conclusion. We can reconstruct that the royal will, surviving today in two medieval copies and bequeathing property in nearly sixty locations (from Cornwall to Sussex and from Northern Wiltshire to the Isle of Wight), had

to be taken to local courts and read out to their members in the same way as the *Anglo-Saxon Chronicle* to inform them of the property arrangements that were to follow Alfred's death. These procedures would facilitate the selection and diffusion of *(ge)unnan* as a lexical norm in legal genres.

To verify this intuition, I compared the distribution of *(ge)unnan* and the second most frequent dispositive *sellan* in the DOEC (Table 6.6). Only 1Sg and 3Sg present forms of both verbs were included in the searches, as we have established above that they are contextually most relevant (cf. Wojtyś 2017: 89).

Table 6.6 Distribution of *(ge)unnan* and *sellan* in legal vs. non-legal texts in DOEC;⁴ χ^2 /Fisher: $p < .00001$

	Non-legal texts		Legal texts		Totals	
	N	%	N	%	N	%
<i>(ge)unnan</i>	55	14.55	323	85.45	378	100
<i>sellan</i>	863	86.30	137	13.70	1000	100

Table 6.6 demonstrates that over 85 per cent of all occurrences of *(ge)unnan* are found in legal texts (charters and laws). With *sellan*, the relative distributions are reversed: over 86 per cent of the instances are found outside legal texts, e.g. in poetry, homilies, and translations. These distributions and their statistical reliability confirm that *(ge)unnan* is indeed a genre-specific verb (cf. Wojtyś 2017: 93–104).

6.5.2 *(ge)unnan* + *land* objects

The most frequent collocate of *(ge)unnan* is the noun *land* (Wojtyś 2017: 93): *ic/he (ge)an þæs landes* with *land* in the genitive or *ic/he (ge)an þæt land* in the accusative 'I/he grant(s) the land' (Table 6.7). In Germanic and early Old English, the verb *(ge)unnan* takes genitive objects, see Example (5) below (Bammesberger 1998: 15). In later Old English, however, variation between genitive and accusative objects arises (Mitchell 1985: i, § 1092, 464; i, §§ 1338–1342, 561–565), a trend that is also

4. The simple searches that returned positive hits for *(ge)unnan* included <ann>, <onn>, <gean>, <geann>, <ic an>, <he an>, and <heo an>. The search variant <an> without a pronoun had to be abandoned as the number of matches was nearly 5,000, but a cursory analysis suggests that those were predominantly instances of the numeral and pronoun *ān* (cf. DOE record of c.9,000 occurrences, s.v.). A comprehensive study of *(ge)unnan* by Anna Wojtyś reports a total of 837 attestations, of these 40 per cent are in 1Sg (2017: 83–118). The simple searches for *sellan* included <selle>, <sille>, <syll> for the 1Sg and <selleD>, <selleT>, <silleT>, <syllD>, <syllT>, <selD>, <selT>, <silD>, <silt>, <syld>, <syLT> for the 3Sg.

recorded for many other verbs, including verbs of granting, and, ultimately, resolves with the reanalysis of genitive objects as accusative objects in early Middle English (Mustanoja 1960: 87–88, 108–110; Allen 1995: 217–219). Wojtyś remarks that for the Old English period, it is “difficult to note any difference in the interpretation of the sentences in which *unnan* is followed by the object in genitive and those where the object is in accusative” and that “the two constructions rather seem to be interchangeable” (2017: 97). While my observations concur with this statement, I would like to suggest that in some archives the innovative accusative construction is adopted earlier than in others.

Table 6.7 Distribution of *landes*-GEN vs. *land*-ACC after *(ge)unnan* by archive; χ^2 : $p < .0001$

	CCC	OM or NMW	Bury	Other	Total
<i>ic/he (ge)an þæs landes</i>	5	13	2	7	27
<i>ic/he (ge)an þæt land</i>	1	1	13	1	16
Total	6	14	15	8	43

Table 6.7 displays the distribution of the noun *land* in the genitive vs. accusative across the archives. It shows a clear preference for the older genitive construction in the archives of Christ Church, Canterbury, the two Winchester minsters, and most other archives. Bury St Edmunds stands out with its use of the newer accusative construction, which is attested here as early as 942, even though the other archives go on using the genitive into the middle of the eleventh century (Timofeeva *fc*). This Bury innovation is quite remarkable given that legal texts tend to be very stable in their use of grammar and vocabulary (Kopaczyk 2013; cf. Chapter 5), and it may be the case that here regional innovation overrides genre convention. In contrast to prefatory clauses, with which dispositive constructions are closely connected, there is almost no variation between the Old and New Minster, Winchester, in their use of genitive vs. accusative constructions.

6.5.3 ‘after my death’ adverbials

There is one linguistic feature in wills that possibly singles out Winchester rather than Bury St Edmunds. Most of the wills routinely refer to the point in the future after which the bequest will be valid as ‘after my/his/her day’ and provide the details of the land or property and their new owner. For example, Ealdorman Wulfgar, owner of land in Wiltshire (fl. 928–944; PASE, Wulfgar 11; Tollerton 2011: 158–160), expresses this idea of the afterlife of his property as *ofer minne dæg* ‘(lit.) over my day’:

- (5) + Ic Wulfgar an þæs landes æt Collingaburnan **ofer minne dæg** Æffan hiere dæg (S1533, 931x939, Old Minster, Winchester)
 ‘+ I, Wulfgar, grant the land at Collingbourne after my death to [my wife] Æffe for her lifetime’

Throughout his will, on eight more occasions, Wulfgar (or his Old Minster scribe) goes on using the same phrase. Within a hundred years of this will, a different hand adds a rubric to the document:⁵

- (6) Her swutelap þæt Wulfgar geuþe Hamme into Ealdan Mynstre **æfter Æffan dæge hys wifes**
 ‘Here it is declared that Wulfgar granted Ham to Old Minster after the death of his wife Æffe’

The later scribe uses another, more frequent, construction ‘after one’s day’. The variation between *ofer* POSS *dæg*-ACC and *æfter* POSS *dæge*-DAT is attested in many other wills. The overall distribution of the two types, which also takes into account wills that use both types, is given in Table 6.8.

Table 6.8 Distribution of *ofer* POSS *dæg*-ACC and *æfter* POSS *dæge*-DAT types in wills by archive

	CCC	OM or NMW	Bury	Other	Total
<i>æfter</i> POSS <i>dæge</i>	3	5	5	3	16
<i>ofer</i> POSS <i>dæg</i>	2	4	1	2	9
<i>æfter/ofer</i> POSS <i>dæg(e)</i>	3	3	5	4	15
Total	8	12	11	9	40

As in Wulfgar’s will, there is typically a preference for one or the other variant. If a majority variant is counted towards either *ofer* or *æfter* type, the distribution by archive looks slightly different, but still in the range of random variation. The two constructions are also used in other types of the diplomatic. The combined data from wills and other charters is displayed in Table 6.9.

5. <https://esawyer.lib.cam.ac.uk/charter/1533.html#>; http://www.bl.uk/manuscripts/Viewer.aspx?ref=cotton_ch_viii_16_f001r.

Table 6.9 Distribution of *ofer* POSS *dæg*-ACC and *æfter* POSS *dæge*-DAT in all charter types by archive (adjusted by majority type); χ^2 : $p = .11$, Fischer exact: $p = .10$

	CCC	W	Bury	Worc.	Other	Total
<i>æfter</i> POSS <i>dæge</i>	15	14	9	20	16	74
<i>ofer</i> POSS <i>dæg</i>	4	11	6	3	10	34
Total	19	25	15	23	26	108

The observed values, possibly, signal a dispreference for the *ofer*-type in Christ Church, Canterbury and Worcester, and a 40/60 per cent distribution in Winchester, Bury, and the Other category, to which the West Saxon archives of Eynsham, Exeter, Shaftesbury, and Sherborne contribute six hits. The p -values, however, remain high, and the possibility that the combined charter data distributions by archive are random remains. What matters more, however, is the distribution of types by the diplomatic sub-genre (Table 6.10).

Table 6.10 Distribution of *ofer* POSS *dæg*-ACC and *æfter* POSS *dæge*-DAT in charters vs. wills (adjusted by majority type); χ^2 : $p = .0015$, Fisher exact: $p = .0024$

	Charters	Wills	Total
<i>æfter</i> POSS <i>dæge</i>	54	20	74
<i>ofer</i> POSS <i>dæg</i>	14	20	34
Total	68	40	108

The result is statistically significant. There is a clear preference for *æfter*-type in charters and an equal distribution of the two types in wills. It is possible that the *ofer*-type originates in wills, in which it is attested from the 830s (S1482) and spreads to other charter categories a few decades later (S1275). That *æfter* is indeed the older type is confirmed by the corpus of Latin charters which contains attestations of the phrase *post diem* POSS as early as c.700 (S1252). This must be an example of L1 lexical transfer since this phrase is not current in Latin outside England (e.g. searches in the LLT-A returned no hits) and is not recorded in dictionaries of classical Latin (DMLBS s.v. *dies* 4a). In most Latin charters, *æfter* POSS *dæge* is rendered by an idiomatic equivalent *post obitum* POSS ‘after one’s death’, attested in the charter corpus at least since 676 (S51). The introduction of the *ofer*-type is, thus, likely to originate in spoken language. It does not gain wide currency in the older and, likely, more conservative genre. Possibly, it is also perceived as a West Saxon feature and is often rejected by the scribes of other dialectal regions. It is also interesting to consider whether gender plays a role in these developments. In Tables 6.11a and 6.11b, the two constructions are cross-tabulated by gender, with four joint wills (two and two per type) being counted at first towards Female category and then towards

Male category (given in the brackets). Table 6.11a reports the counts by majority type and Table 6.11b by token.

Table 6.11a Distribution of *ofer* POSS *dæg*-ACC and *æfter* POSS *dæge*-DAT in wills by gender (adjusted by majority type); χ^2 : $p = .17 (.11)$, Fisher exact: $p = .30 (.24)$

	M	F	Total
<i>æfter</i> POSS <i>dæge</i>	16(18)	4(2)	20
<i>ofer</i> POSS <i>dæg</i>	12(14)	8(6)	20
Total	28(32)	12(8)	40

Table 6.11b Distribution of *ofer* POSS *dæg*-ACC and *æfter* POSS *dæge*-DAT in wills by gender (by token); χ^2 : $p = .14 (.04)$, Fisher exact: $p = .16 (.06)$

	M	F	Total
<i>æfter</i> POSS <i>dæge</i>	44(49)	19(14)	63
<i>ofer</i> POSS <i>dæg</i>	42(45)	31(28)	73
Total	86(94)	50(42)	136

The portion of the *ofer*-type is higher among female donors, which may suggest that this linguistic innovation is correlated with female speakers. This finding is in line with many historical and modern English studies of gender variation that document earlier adoption of new linguistic features by women. Statistical testing indicates though that the results should be interpreted very cautiously, as only one chi-square test, performed on the total number of occurrences in the will corpus and counting joint wills as Male category, returned a p -value of .04. Let us now consider this sociolinguistic variable in more detail.

6.6 Case study: Variation by gender

An exceptional feature of the will corpus is the high proportion of documents associated with women. Although more than two thirds of the surviving wills were made by men, the number of documents produced on behalf of female donors (nearly 30 per cent) is very high compared to other legal genres, let alone to the overall textual record in Old English. Within this sub-category, 19 per cent of wills were made by women and 10 per cent were made jointly by a husband and wife; the distributions are slightly different if Latin wills and bequest-agreements are counted towards the totals (Table 6.12). Bequests to wives and daughters are also a common feature of wills by men, with the majority of wills by laypeople mentioning women either as beneficiaries or as donors (Tollerton 2011: 146). Bequests by

female donors are made exclusively by widows, and, as such, are a marked indication of the importance of wills as assertions of widowed women to perform a new social role (Tollerton 2011: Chapters 4 and 5). The death of a spouse was, in general, the point in one’s life when new arrangements concerning property were made, and the proportion of widowers among donors is also high, so far as it is possible to establish marital status of men from the will data (Tollerton 2011: 145). Regardless of gender differences, the majority of extant wills are foremost displays of social status. They are made by people of thegny rank and higher and demonstrate the significance of land and movable wealth in establishing high status. Nevertheless, there are several levels at which wills by female donors can be distinguished from those of male donors.

Table 6.12 Distribution of Anglo-Saxon wills by gender

	N (Timofeeva)	%	N (Tollerton)	%
Male	41	70.7	54	72.0
Female	11	19.0	12	16.0
Joint	6	10.3	9	12.0
Total	58	100.0	75	100.0

6.6.1 Soliciting patronage

As observed in the beginning of this section, at the level of the protocol, female wills stand out as they never use invocations, either in Latin or the vernacular. Similarly, at the pragmatic level, when it comes to circumlocution, hedging, and politic behaviour, female wills are often phrased differently than their male counterparts. For example, it is not uncommon for both types of donors to seek royal (or other patron’s) protection for the will (Moessner 2018: 110–111). We have a total of 23 documents that do so explicitly in the main text of the will, mostly prospectively but also retrospectively (S1485), and many more of them do the same implicitly by bequeathing property to kings and soliciting their authority as witnesses and keepers of chirographs. As far as explicit endorsement goes, male donors occasionally refer to the royal permission for making the bequest or simply inform the king of their testament and its conditions. These are demonstrated in Examples (7) and (8), respectively.

- (7) Her is geswutelod an ðis gewrite hu ælfheah ealdorman his cwidæ gecwæðen hæfð be his cynehlafordæs geþafuncge
(S1485; Winchester, Old Minster, 968x971)
‘Here in this document, it is declared how Ealdorman Ælfheah has announced his will by his royal lord’s permission.’

- (8) Leof, Æþelwold ealdarman cƿ þis leofan cynehlaforde Eadred cynge hu ic wille ymbe þa landare þe ic æt mine hlaforde geearnode.

(S1504; Winchester, Old Minster, 946x947)

‘Sire, Ealdorman Æthelwold informs his dear royal lord King Eadred, how I wish to deal with the estates which I have acquired from my lord.’

In both cases, the reference to the king includes an honorific *cynehlaford* ‘royal lord’, and in S1504, also the name of the king. Six other instances in which royal protection is explicitly solicited contain direct requests expressed by a verb of request and the subjunctive clause *þæt min cwyde standan mote* ‘that my will may stand’. Three of these instances are found in bequests by male donors (S1487, S1503 and S1505), two in bequests by female donors (S1486 and S1494) and one in a joint will (S1511). In the will of Thegn Ælfhelm Polga (PASE, Ælfhelm 8; S1487), the request is placed towards the end of the document (cf. S1486) before the anathema.

- (9) Nu bydde Ic þe leof hlaford. þæt min cwyde standan mote. & þæt þu ne geþauige. þæt hine man mid wuo wende. (S1487; Westminster, 975x1016)

‘Now I pray you, dear lord,⁶ that my will may stand, and that you do not permit it to be wrongfully altered.’

Alternatively, it can be placed in the beginning, following the notification (S1494, S1505). A similar strategy is adopted by two widows making their bequests in the second half of the tenth century. The clause that they use to solicit royal protection is *cwides wyrðe beon* ‘to be worthy of/ to be entitled to one’s will’.

- (10) Þis ys Ælfgyfæ gegurning to hiræ cinehlafordæ. þæt is þæt heo hyne bitt for godæs lufun and for cynescƿæ þæt heo mote beon hyre cwydes wyrðæ.

(S1484; Winchester, Old Minster, 966x975)

‘This is Ælfifu’s request of her royal lord [King Edgar]; that is, she prays him for the love of God and for the sake of his royal dignity, that she may be entitled to [make] her will.’

- (11) Ic Wulfwaru bidde minne leofan hlaford Æþelred kyning him to ælmyssan. þæt ic mote beon mines cwydes wyrðe. Ic kyðe þe leof her on ðisum gewrite

(S1538; Bath, 984x1016)

‘I, Wulfwaru, pray my dear lord King Æthelred of his charity that I may be entitled to make my will. I make known to you, Sire, here in this document’

As in Example (9), the two utterances use a performative phrase in the main clause (*biddan*), reinforced by appeals to the love of God, charity, and royal dignity (*for godæs lufun and for cynescƿæ* and *to ælmyssan*), accompanied by honorifics

6. Presumably, Edward the Martyr or Æthelred the Unready (Whitelock 2011[1930]: 133).

(*hiræ cinehlafordæ, minne leofan hlaford Æpelred keening, leof*), and mitigated by the modal *mōtan* and the humility formula *cwides wyrðe beon*. In spite of some structural differences (e.g. the personal pronouns *heo ... hyre* vs. *ic ... mines*), the pragmatic strategies are very similar and may point to the existence of a template (probably also an oral one) in female wills, at least in Wessex, that reflected contemporary expectations of social hierarchy, gender roles, and politic behaviour. In the substantially larger corpus of male wills, the formula *cwides wyrðe beon* is attested only once and in a different syntactic context (S1483): the donor states that he was told (*me kidde*) that he might make his will. Since female bequests and interests, more generally, were subject to greater kindred pressure and predation, particularly from male kin, as land was typically passed in the male line (Tollerton 2011: 153–155 and Figure 6.2), it is understandable that to secure royal protection female donors had to formulate their requests with more elaborate mitigation and politeness strategies (Timofeeva *fc*). High-ranking widows (as already observed in writs) were not exempt from this “code” of politic behaviour. For example, the Ælfgifu of S1484, Example (10) (fl. 956–966) was descended from an aristocratic Mercian family and for a short period of time in the late 950s became consort of King Eadwig (c.940–959). The marriage was annulled in c.958 by Archbishop Oda of Canterbury on the basis of consanguinity. Although the annulment compromised Ælfgifu’s position and she might have been forced into exile, she was able to restore her wealth and prosperity and to secure the patronage of Eadwig’s successor and younger brother Edgar (943/4–975) by the mid 960s, as evidenced by two royal charters (S737 and S738) of 966 in her favour, whose protection she is seeking in S1484 (Hart 1992: 463–465; Stafford 2004; Tollerton 2011: 95–97, 177).

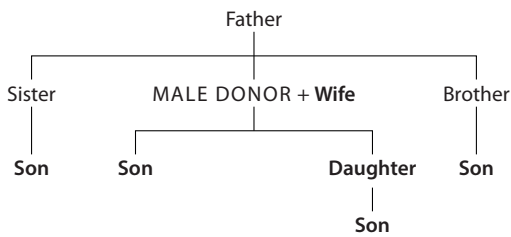


Figure 6.2 Bequest of land in the male line (based on Tollerton 2011: 154; beneficiaries shown in bold)

6.6.2 Cursing

It is possible that the same reasons of social and economic vulnerability induced women to use stronger and more emotional language in anathemas. Most male curses follow a standard pattern – the malediction is articulated by a short sub-junctive clause, which contains an implicit prayer to God to realize the curse on the Day of Judgement, should the conditions of the will be broken by an evil-wisher. Not uncommonly (in 5 male wills and 1 female will), the anathema also includes a rectification clause which revokes the curse in the event of repentance or restitution of property (Danet & Bogoch 1992: 151). This is the case in the bequest of Thurketel to Bury St Edmunds (S1527).

- (12) Se þe þis awende. Wende him god fro heuene riche into helle Witerbrogen **bute he it þe deppere bete.** er his ending day. (S1527; Bury, before 1038)

‘He who alters this – may God expel him from the kingdom of heaven to the torments of hell, unless he repent it all the more deeply before his last day.’

(trans. by Whitelock 2011[1930]: 69)

The will of Wulfgyth, widow of Ælfwine (Figure 6.3), is roughly contemporary with that of Thurketel. It contains the most elaborate curse in the will corpus and leaves no option for a rectification.

- (13) and se þe mine quyde beryaui þe ic nu biqueþen habbe a godes ywithnesse beriaued he worþe þises erthliche meryþes and ashireyi hine se almyyti dryhten þe alle shepþe shop and ywrohte uрам alre haleylene ymenesse on domesday. and sy he bytaty Satane þane deule and alle his awaryede yueren into helle Grunde and þer aquelmi and godes withsaken bute ysweke and mine irfinume neuer ne aswenche (S1535; CCC, 1044x1053)

‘And he who shall detract from my will which I have now declared in the witness of God, may he be deprived of joy on this earth, and may the Almighty Lord who created and made all creatures exclude him from the fellowship of all saints on the Day of Judgement, and may he be delivered into the abyss of hell to Satan the devil and all his accursed companions and there suffer with God’s adversaries, without end, and never trouble my heirs.’

(trans. by Whitelock 2011[1930]: 87)

Unlike S1527, Wulfgyth’s curse also extends to the earthly life of potential transgressors (*beriaued he worþe þises erthliche meryþes*), the damnation after death placing him in the deepest regions of hell (*helle Grunde*) and inflicting upon him never-ending torture (*aquelmi ... bute ysweke*). Interestingly, the anathema ends

on a personal note: *and mine irfinume neuer ne aswenche* ‘and never trouble my heirs’, which discloses Wulfgyth’s most haunting worry that her children may lose the bequeathed property. From the earlier portion of the will, we learn that after the death of her husband Ælfwine, Wulfgyth had to secure the rights to land of three sons (Ælfcytel, Ketel, and Wulfcytel⁷) and three daughters (Gode, Bote, and Ealdgyth (Figure 6.3)). About a decade later, three of them were still alive – Ketel, Gode and Bote⁸ – and in possession of the estates bequeathed by their mother. This is confirmed by Ketel’s own will (S1519), in which he makes provisions for both sisters and records their mutual agreements concerning four estates in East Anglia (two of them inherited from Wulfgyth) in the event of one of the siblings surviving the other (Tollerton 2011: 173). In fact, Ketel must have outlived them all, as the estates bequeathed to Gode and Bote are still recorded as Ketel’s in 1066 in Domesday Book, while no women with these names appear as landowners. By 1086, however, all Ketel’s lands in Norfolk and Suffolk (and one estate in Essex) have passed on to Norman landholders.⁹ Whether he was dead or dispossessed between 1066 and 1086 is impossible to say, but it is very likely that Wulfgyth’s fears were ultimately fulfilled.

The extent of Wulfgyth’s and Ketel’s kinship ties can be appreciated in Figure 6.3, which demonstrates, among other things,¹⁰ that their consanguineal relations on Wulfgyth’s side alone included five males (her two brothers, Edwin and Wulfric, and three nephews, Leofwine, Æthelric, and Eadric). This might have been a matter of concern for her, since land was passed in the male line (cf. Figure 6.2), and male relatives were far more likely to contest or violate the arrangements of her will, at least potentially.

7. It is possible that Wulfcytel is a misspelt Ælfcytel (Whitelock 2011[1930]: 198; Williams 1995: 109; PASE, Wulfgyth 5). Ketel’s will (S1519) also mentions one more brother, Godric (Figure 6.3), but his standing in relation to other siblings (e.g. half-brother or Ælfwine’s posthumous child) as well as his absence in Wulfgyth’s will can only be a conjecture.

8. Or perhaps, unlike Ealdgyth, Gode and Bote were still unmarried (Figure 6.3).

9. Many of them were given to a Norman nobleman Ranulf Peverel (d. 1091) (*Open Domesday* (2011), Ranulf Peverel; Ketil (Alder)): <https://opendomesday.org/name/ranulf-peverel/>; <https://opendomesday.org/name/ketil-alder/>

10. Such as Ealdgyth’s marriage to Thurstan, great-grandson of Ealdorman Byrthnoth, the hero of the Battle of Maldon in 991 and the eponymous poem.

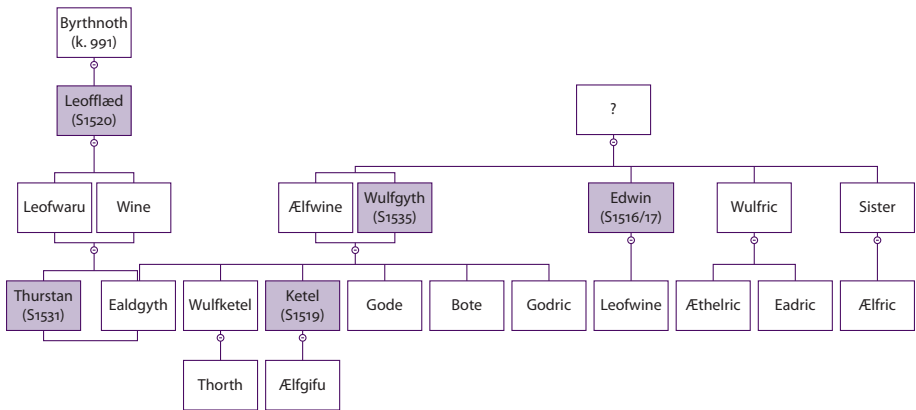


Figure 6.3 Genealogical tree of Wulfgyth¹¹

Ketel's anathema clause in S1519, containing only a short indirect prayer and a conditional clause pointing out that only a foolish person would attempt detracting from a will, may suggest that he had fewer reasons to fear predation from his uncles and cousins.

- (14) And gif ani man si so disi þat wille mine quide bereuen. god him fordo on domesday and alle his halegan. (S1519; Bury, 1052x1066)
 'And if anyone be so foolish as to wish to detract from my will, may God and all his saints destroy him on the Day of Judgment.'
 (trans. by Whitelock 2011[1930]: 91)

Was this because, as a male, he felt more secure about his land rights? The sociology of curses reveals that they are generally weapons of the weak and vulnerable, their last resort to take control over their lives and fortunes, an impotent attempt to redress the imbalance of political and economic power (Scott 1986; Britt 2007). Occupying a strong and stable economic position, Ketel probably did not have to invest into linguistic threats. In fact, his will includes explicit arrangements between him and his two uncles and describes their relationship as *felageschipe* 'fellowship, partnership'. Interestingly, when male donors resort to maledictions intended to invoke harm or punishment in this life (a total of four wills), their potency appears more realistic and enactable, e.g. the effect of Ealdorman Alfred's curse is to diminish the worldly wealth of the transgressor (S1508), that of King

11. Based on Williams (1995: 109) and the interpretation of personal relationship of individuals featuring in S1516, S1517, S1520, S1531, and S1535 in PASE and the *Electronic Sawyer*; created in smartdraw: <https://cloud.smartdraw.com/>.

Eadred's – to confiscate his estate (S1515), that of Thurstan's – to destroy him in this life (S1531), and that of Wulfric's – to remove him from the communion of all Christians (S1536). Such threats, rather than curses, could actually be enforced should the heirs and beneficiaries be willing to do so (Timofeeva *fc*). Could it also be then that the Ketel of S1519 (Example (14)) was less superstitious about the power of maledictions construing them as formal elements of wills rather than performative acts?

Danet and Bogoch report that curses become more numerous in wills of the eleventh century: "Whereas only a third of the thirty-three ninth- and tenth-century wills contained a curse, over half of the group of twenty-nine eleventh-century ones did so" (1994: 115).¹² So, it is not impossible that both Wulfgyth and her son Ketel were simply following an eleventh-century trend, although in two distinct ways. Danet and Bogoch provide no explanation for this diachronic development, attributing the presence of curses in wills in general to "the effort to transfer performativity to the document," thus arguing that curses were not a mere residue of oral rituals. For Wulfgyth, at least, they did seem to carry a heavy performative load. The two authors also observe that curses are more frequent in land grants, leases, and wills than in royal writs, a distribution that they attribute to lesser durability and public import of writs.¹³ It appears, then, that a comparison with other charter types can, again, be helpful.

6.6.2.1 *The curse of Cnut and Emma*

A proximity search in the DOEC for <lif> (for a life-threatening curse) in the proximity of <hel(le)> (for an afterlife-damnation curse) limited to the sub-corpus of charters (Cameron number B15) returned five hits, of which the longest, most detailed, and aggressive was S976, written in 1035 on behalf of King Cnut to Old Minster, Winchester, and concerning renewal of privileges.

- (15) a. Gyf hwa ðonne þurð ænige dyrstnyse oððe þurð deofles lare ðysne freols abreca n wylle, oððe ðas gesetednyse on oðer awendan durre, sig he awyrgeð mid eallan ðan awyrgeðnyssan ðæ synd awritene on eallan halgan bocan, and sig he ascyred fram ures drihtnes gemanan and ealre his halgana, and syg he gebunden ða hwile ðe he libbe on ðissan life mid

12. The exact number of occurrences is not documented in this study. The counts are not statistically significant, and the diachronic developments might be a false clue.

13. Again, it is difficult to ascertain whether this is statistically significant. The reported relative figures are as follows: "about six out of ten Anglo-Saxon land grants and leases have a curse, and about four out of ten wills included one. In royal writs, on the other hand, curses are much rarer – less than a fifth of all writs include one" (1994: 115). It is not stated explicitly, but my understanding is that the count does not include grants and leases in Latin.

ðam ylcan bendan ðe God elmihtig þurh hine sylfne betæhte his halgan apostolan Petre and Paule; and efter his awyrgeðan forðsige ligce he æfre on helle grundlesan pytte and byrne he on ðam ecan fyre mid deofle and mid ðam awyrgeðum gastan ðe him midwuniað æfre buton ende, buton he hit ær his forðsiðe gebete. (S976; Winchester, Old Minster, 1035)

‘If anyone wish to break this charter through arrogance or Devil’s instigation or dare to alter its decrees, may he be cursed with all the curses that are written in all the holy books, and may he be excluded from the fellowship of our Lord and all his saints, and, as long as he remains in this life, may he be bound in the same fetters that the Almighty God assigned to the holy apostles Peter and Paul;¹⁴ and after his accursed death, may he ever lie in the bottomless pit of hell and burn in the eternal fire with the Devil and the accursed spirits that dwell there with him for ever and ever, unless he repent it before his death.’

The curse and the English part of the charter are preceded by a Latin version¹⁵ and followed by a Latin dating clause and a list of witnesses featuring the leading bishops and lay magnates of the time. The list is headed by King Cnut himself and Queen Ælfgifu (better known by her Norman name Emma; PASE, Emma 2):

- (15) b. + Ego Cnut rex Anglorum multarumque in circuitu adiacentium insularum nationum hoc nostrae donum renouationis hac scedula demonstrari congruum duxi.
 + Ego Ælfgifu regina eiusdem regis donationem ouanter diuulgau.
 ‘+ I, Cnut, king of the English and many other adjacent insular nations, thought it appropriate for our gift of the renewal [of privileges] to be demonstrated by this charter.
 + I, Queen Ælfgifu, have joyfully announced this royal charter.’

The evidence of Emma’s attestations in other “royal charters suggests that she maintained a regular attendance at meetings of the king and his councillors” (Keynes

14. A reference to the apocryphal lives of the apostles. The church of the Old Minster was dedicated to St Peter and St Paul.

15. The Latin version contains the same curse: “Si quis forte per quamlibet temeritatem aut per diabolicam instigationem hanc libertatem perfringere uoluerit siue hanc institutionem in aliud mutare praesumpserit, sit maledictus omnibus maledictionibus quae in uniuersis sanctis ascriptae sunt libris, sitque segregatus a communione domini nostri Ihesu Christi omniumque sanctorum suorum, ligatusque perseueret quamdiu uixerit eisdem uinculis quae per seipsum dominus suis tradidit apostolis Petro atque Paulo; et post maledictum exitum suum crucietur iugiter in profundissimo puteo ardeatque in inferno cum diabolo et cum maledictis spiritibus secum sine fine habitantibus, nisi ante mortem suam emendauerit quod iniuste commiserat.”

1998a: xxiv). Her strong association with Cnut and the political influence she enjoyed during his reign is also suggested by the fact that Cnut and Emma are often addressed jointly in official communication and witness charters together.¹⁶ We have already seen that in 1020 Archbishop Wulfstan directed his writ to “his lord King Cnut and Lady Ælfgifu” (see discussion of S1386, Example (12), in Chapter 5). They also appear together as addressees in another charter (S1465) and two wills (S1520 and S1523, discussed below). In historical accounts, the partnership of Cnut and Emma is often emphasised: in the *Anglo-Saxon Chronicle*, *Liber Eliensis* (‘The Book of Ely’), and, above all, *Encomium Emmae Reginae* (‘The Praise of Queen Emma’), a work commissioned by Emma after the death of Cnut (Keynes 1998a: xxii–xxix; see also Stafford 2001). In the New Minster *Liber Vitae* (BL, Stowe MS 944, f. 6r¹⁷), the royal couple is depicted together presenting a golden cross upon the altar of the minster. The prominence of Emma during Cnut’s reign emphasised his alliance with the counts of Normandy. It is also possible that there was a practical advantage to her regular presences at royal assemblies: since her first marriage to Æthelred had been arranged as early as 991 or 992, by the time of her second wedding in 1017 Emma’s command of English was certainly superior to that of Cnut’s, and she was probably able to translate into Danish for him (Stafford 1997: 229; 2001: 23, 225–231; Tyler 2011).

The use of the verb *divulgo* ‘to make known, publish, announce’ is very rare in witness lists: it occurs only once before the eleventh century (S774, by most accounts a forgery) and four times in the eleventh century. Of the latter four, three are associated with Emma’s attestations (S976, S994 and S1006), all three recording grants and privileges to Old Minster, Winchester. S994 of 1042 is by Harthacnut, Emma’s youngest son by Cnut, and S1006 of 1044 is by Edward the Confessor, Emma’s eldest son by Æthelred the Unready. As queen dowager Emma was highly influential during the short reign of Harthacnut (1040 to 1042) and during the first two years of Edward’s. It is probable that Old Minster scribes have devised a special Latin template to reflect Emma’s important role in secular and ecclesiastical politics, and, possibly, her participation in the formulation of the documents bearing her attestations. Moreover, located in the immediate proximity of the royal palace and serving as a mausoleum to many members of the royalty, the Old Minster was intended as the resting place of Cnut and, years later, Harthacnut and Emma. The connection between the royal family of the time and the minster was, thus, that of mutual intertwining interests.

16. A total of 54 witnessing events are connected to Emma in the PASE database (Emma 2).

17. http://www.bl.uk/manuscripts/Viewer.aspx?ref=stowe_ms_944_f006r

To go back to S976 and the curse, in 1035 Cnut had only a few months to live. The situation was highly charged politically. Cnut was to be survived by two sons: Harold Harefoot, by his first consort, Ælfgifu of Northampton, and Harthacnut. Edward was in Normandy, and the aristocracy polarised into two factions represented by two major magnates of the period: Earl Godwine and Earl Leofric (Keynes 1998a: xxix), both of them witnesses of S976. Against this background and perhaps anticipating his death,¹⁸ Cnut renews the privileges of the Old Minster where he is to be buried at the instigation or at least with active participation of his queen, on whose services as regent and interpreter he had relied for a long time. Emma's position and fears at this point, although on a much greater scale, must have been not unlike those of Wulfgyth. Surrounded by rivals and potential traitors, she was facing an existential challenge from the circumstances that would soon be beyond her (or Cnut's) control. As the events of 1036 would show only too soon, Emma's apprehensions were entirely justifiable: the crown would go to Harold Harefoot, her middle son Alfred would be betrayed and blinded by Godwine, dying of the wounds in the same year, and Emma herself would have to seek refuge in Flanders (Stafford 1997: 236–246). To confront the challenge posed by Cnut's demise, she could summon Harthacnut from Denmark or ask her Norman relatives for military support. Linguistically, she had to resort to oaths of loyalty, curses, and, possibly, threats. It is the curses that survive. How closely they reflect what Emma could have said on such occasions as recorded by S976 is a rhetorical question, but it might indeed have been her wish to see people like Harold and Godwine in fetters or in the deepest pit of hell. Arguably, once restored to power in 1040, upon the death of Harold, Harthacnut and Emma were prepared to reaffirm their legitimacy and act upon the curse in a hitherto unprecedented way: as reported in the *Anglo-Saxon Chronicle* (MSS C and D) and by John of Worcester, Godwine was put on trial after the death of Harold, and Harold's corpse was dug up from the grave, beheaded, and thrown into the sewage pit. As a warning, Godwine, along with several other high-ranking men, had to oversee this gruesome task (Marafioti 2014: 144–155).¹⁹

18. A possible reference to this can be seen in the following words of S976: Nu gean ic ðyσε frylsas mine dryhtene to wyrðmynte ðe me ealla ða god forgeaf ðæ ic on ðyssere worulde **gebiden habbe**, and ðam eadigan sancte Petre ðe ða myhta hæfð on heofenan and on eorðan to gewryðenne and eft to **onlysenne ða fæstan cnotten fyanlicra synna**. 'I now grant these liberties, for the glory of my Lord, who gave me all the good which I have enjoyed in this world, and [for the glory] of the blessed St Peter, who has the power in heaven and on earth to bind and to unbind the fast knots of grievous sins.'

19. As the irony of history would have it, almost exactly 600 years later, during the Civil War, the bones of Cnut, Emma, Harthacnut, and several other early royals were dug up by Parliamentary soldiers and scattered on the floor of Winchester Cathedral (Crook 1994: 188–189). A similar fate awaited the remains of Oliver Cromwell after the Restoration.

S976 (Example (15)) is formally not a will, but the circumstances in which it was put together make it not unlike one. The availability of other documents in which Cnut and Emma act in tandem, further suggests that this grant is a joint production. As with S1535, the gender of one of the donors, interconnected with the social vulnerability of widowed women, or the anticipation thereof, might have dictated the choice of linguistic strategies that seek to counteract the imbalance of power.

6.7 Case study: Sociolinguistic outliers

So far, we have looked at wills that use a standard protocol and, largely, standard templates. Some of these templates show regional variation (e.g. *gean þæt land*-ACC is a Bury feature), and others possibly display gender preferences (e.g. the older *æfter* POSS *dæge* construction is preferable for men, while women seem to promote the newer *ofer* POSS *dæg* construction). Female donors are also associated, on one hand, with more circumlocution and mitigation when soliciting patronage and, on the other hand, may display more aggressive linguistic behaviour in curses (Timofeeva *fc*). In all the wills that we have considered, however, the donors act within the norms and conventions of the genre and/or are able to hire a scribe who knows these norms and conventions sufficiently well to produce a more or less standard will. We now turn to two wills by donors who repeatedly fail to conform to the standards we have discussed above and can, arguably, be called sociolinguistic outliers. The section below aims to identify reasons of their exceptional linguistic behaviour. I quote the two wills at length to highlight their most unusual elements.

6.7.1 The will of Leofgifu

The first example is the will of Leofgifu (S1521), owner of land in Essex and Suffolk, in favour of Bury St Edmunds, another minster in Essex, several priests, unnamed royal patrons (a king and a queen), and numerous relatives, in-laws, and servants (PASE, Leofgifu 2).

- (16) [L]eofgiue **gret hyre leuedi godes gretinge**. And ic kithe þe mine quide wat ic Crist **an** and his halegan mine louerdas soule to alisednesse and mine into þe holy stowe þer ic self resten wille þat is at seynt Eadmundes byri. þat is **þat lond** at Hintlesham and **þat lond** at Gristlyngthorp. ... And ic bidde mine leuedien for godes louen **þat þu þolie þat ani man mine quide awende**. And se þe it awende. **god almichin** ‘a’wende his ansene from him on domesday. buten ic it self do. **God þe healde**. Nu sinden þise write þre. on is mid þise kinges halidome. and oþer at seynt Eadmundes. 7 þridde mid Leofgiue seluen.

(S1521; Bury, 1035 x 1044)

‘Leofgifu greets her lady with God’s greeting. And I declare to you my will, what I grant to Christ and his saints for the redemption of my lord’s soul and mine, to the holy place where I myself wish to be buried, namely, Bury St Edmunds. That is, the estate at Hintlesham and the estate at Gestingthorp ... And I pray my lady, for God’s sake, that you will [not] permit anyone to alter my will. And he who alters it – unless it be myself – may God Almighty turn his face from him on the Day of Judgment. May God keep you. Now there are three of these documents. One is in the king’s sanctuary; and the second is at St Edmund’s; and the third is with Leofgifu herself.’

(trans. by Whitelock 2011[1930]: 77, 79)

This will is unique in addressing a queen (Tollerton 2011: 23, fn 69), which can be seen both in the greeting *hyre leuedi* and in the clause soliciting protection *ic bidde mine leuedien*. Although the queen is unnamed, given her reputation and the dating of the document,²⁰ Emma is the most likely candidate. The reference to the king could imply either Cnut, Harthacnut, or Edward. The address and request might have been based on a personal bond and/or the expectation of female solidarity in matters of property, in which male predation was well-known.

The second unconventional feature of the will is its use of linguistic elements strongly associated with writs: the salutation–notification template [*L*]eofgiue gret *hyre leuedi godes gretinge*. And *ic kithe þe mine quide* and the valediction formula *God þe healde*. But even within the salutation, Leofgifu does not observe writ etiquette: instead of the expected *eadmodlice* ‘humbly’, she employs *godes gretinge* ‘with God’s greeting’, and her tone on the whole is strangely curt and familiar.

At the same time, there are elements that do use the norms we know from wills: the religious motive of the bequest to Bury *mine louerdess soule to alisednesse and mine into þe holy stowe þer ic self resten wille þat is at seynt Eadmundes byri*, the bequests themselves, the anathema *And se þe it awende. god almichin a’wende his ansene from him on domesday. buten ic it self do*, and the mention of three chirograph copies *Nu sinden þise write þre. on is mid þise kinges halidome. and oþer at seynt Eadmund. 7 þridde mid Leofgiue seluen*. The witness list is missing, but it might have been truncated in the copying process, as the two available copies of the will are preserved in cartularies (Whitelock 2011[1930]: 99, 103–104).

All in all, it appears that Leofgifu had at least second-hand knowledge of the templates used in local courts of Essex and Suffolk. As a prominent landowner and a donor who made several bequests to the church and clergymen, she was probably in a position to have the will written by someone who could handle the appropriate etiquette. Also, her consistent use of the dispositive (*ge*)*unnan* and the preference

20. The dating is based on Leofgifu’s bequest of an estate at Bentley, Essex, to Ælfweard, who became bishop of London in 1035, shortly before the death of Cnut, and died in 1044 (Whitelock 1975: 33).

for the more recent Bury norm *ic an ... þat lond* in the accusative suggest that her more exceptional linguistic choices were unlikely to spring from the lack of competent scribes. In fact, Leofgifu bequeathed the estate at Lawford to her 'household chaplain' (*hirdpreost*) Æthelric, who may well have assisted her in drafting the will. So, if Leofgifu had familiarity with both wills and writs and had access to qualified people, is it possible that her violation of genre norms was intentional? And, if so, what were her reasons?

In addressing the queen directly by *mine leuedien* even though the will was to be preserved in the king's sanctuary (*mid þise kinges halidome*) – note the difference between the possessive *mine* and demonstrative *þise* – Leofgifu seems to point out that her loyalty is to the queen alone. It is possible that Leofgifu was in the service of Queen Emma and had received an estate at Belchamp (Essex) from her, which, according to S1521, was to revert to Emma after her death (Stafford 1997: 181, fn. 95; Tollerton 2011: 144). Furthermore, Leofgifu's kinsman Ælfric, son of Wihtgar, one of the beneficiaries of S1521 and an important local magnate, administered lands in Suffolk on Emma's behalf, as we learn from a writ of William the Conqueror (Bates 38; Hart 1992: 69) (PASE, Ælfric 113). So, at least two members of Leofgifu's family had been in the service of the queen, for which they were rewarded with lands and positions (Stafford 1997: 110, 112). Given the date of S1521 and the extremely precarious situation in which Emma found herself between 1035 and 1040, the loyalty of Leofgifu and Ælfric could have been particularly appreciated and remunerated later on. A degree of familiarity and extravagance of tone in Leofgifu's will would then have been received with more tolerance than in somebody else's. In the light of this suggestion, and also considering that Emma would have been an unlikely patron to endorse a will after her exile to Flanders in 1037 and before the succession of Harthacnut, a narrower dating for S1521 could be offered, namely between 1040 and 1044. The king's sanctuary would then refer to one of Emma's sons – Harthacnut or Edward – and, in either case, Emma's status would be that of queen dowager. We have already hypothesized for writs (Chapter 5) that the transition from queen consort to queen dowager entailed a change of diplomatic etiquette, i.e. a queen dowager may have had to switch from *freondlice* to *eadmodlice* in her writs. It is conceivable that Emma's diplomatic status had also suffered after Cnut's death, but, especially, after Edward deprived her of her treasure and political influence in November 1043. At about the same time, Emma's lands administered by Leofgifu's kinsman Ælfric were given to Bury St Edmunds, and Ælfric fell out with Edward's court (Stafford 1997: 112). Did Leofgifu also suffer in the aftermath? Did it even make her re-write her will? Be that as it may, but Leofgifu's ungraciousness is a likely reflection of Emma's diminished status and of her own frustration at the fall of family fortunes in late 1043.

6.7.2 The will of Mantat

The case of hermit Mantat is in some respects similar, in that the violation of genre norms in his will also looks intentional. S1523 is the only will to survive in the archive of Thorney Abbey, Cambridgeshire (see Figure 6.1 and Table 6.1). I reproduce Mantat's will and its translation by Dorothy Whitelock in full.

- (17) Mantat ancer godes wræcca **gretet** Cnut king and Emma þe læfdie **swiþe bliþe-like** mid godes blisse. **and ic cyðe þat** ic habbe ure almesse criste betaht and hise allen halgan ure saule to froure and to blisse þær it lengest wunian sculen. þæt is ærest þæt land at Twywelle into Þornige þær ure ban resteð. and þæt land at Cunintun. prestes and diaknes þa þe hit at me earnodan on mine liue. and hi habbeð god behaten and me on hand eseald þat hi sculen elke ear don for us twa hundred messen and twa hundred sauters. and þerto eaken fele holýe beden. **nu bidde ic inc** for godes luue and for ure wreccan bene **þat þis non man ne awende.** þat wat god þat inc ne was non bescoran man nýccere þænne. and þat inc sceal ben cuð on þan towarden liue. **Gehealde inc** here on liue **heofan engle kinge.** and ge lede inc on his lihte mid him þer yt wiþuten sorhge eueren wunian. amen.
(S1523; Thorney, 1017x1035)

'Mantat the Anchorite, God's exile, greets King Cnut and Queen Emma very joyfully with God's joy. And I make known to you that I have entrusted our charitable gift to Christ and all his saints where it shall remain longest, for the comfort and happiness of our soul. First, the estate at Twywell to Thorney, where our bones shall rest, and the estate at Conington, to priests and deacons who have deserved it of me during my life. And they have promised God and given pledge to me that each year they will recite for us two hundred masses and two hundred psalters and in addition many holy prayers. Now I pray you for the love of God and on account of our humble entreaty, that no man may alter this. God knows that no tonsured man has been more useful to you both than [I], and that shall be known to you in the future life. May the King of the angels of heaven uphold you both in this life and lead you into his light where you may ever dwell with him without sorrow. Amen.'

(trans. by Whitelock 2011[1930]: 67²¹)

Thorney Abbey "was originally founded as a community of anchorites and was a subordinate house to Peterborough" (Whitelock 2011[1930]: 178). Mantat would remember the abbey after the restoration of the 970s under Bishop Æthelwold in the reign of King Edgar. Thorney was an island in the Fens then, and the house was well

21. In line with the discussion below, I have changed Whitelock's translation of *for ure wreccan bene* 'on account of an exile's entreaty' to 'on account of our humble entreaty'.

suited for hermits and anchorites, although our knowledge of such communities in the eleventh century is very limited (Clayton 1996). Despite his solitary and austere life, Mantat must have been a man of high economic status, his property consisting of at least two estates, as the will attests and as was also common for anchorites, whose sustenance in the hermitage should have been provided for by their own economic means or those of their families (Clayton 1996: 158). It may be that the estates at hand had been granted to him by King Cnut (Whitelock 2011[1930]: 177) or leased by Thorney Abbey for his lifetime (Hart 1966: 205). Mantat's address to King Cnut and Queen Emma seems to confirm the former assumption. Like all Thorney charters, the will survives in a fourteenth-century cartulary copy, which gives us no information about the handwriting of the original document, but an anchorite of Mantat's standing was most likely capable of writing down his will himself. Even if he employed a Thorney scribe, the tone of the bequest – by all accounts an authentic one²² – suggests that the scribe's interference would have been minimal. We can infer from the text that Mantat had a special connection to the royal couple, whom he addressed together throughout the document (by names with honorifics and by dual pronouns). As with Leofgifu's will, writ templates can be observed in the salutation–notification *Mantat ancer godes wræcca gretet ... and ic cyðe þat* and in the valediction *Gehealde inc here on liue heofan engle kinge*. The expected *eadmodlice* is replaced with *swiþe bliþelike mid godes blisse*, as if to imply that the holy man does not have to humble himself before the kings of this world and, on the edge of his own death, has little to gain from their patronage. Indeed, it is Mantat who is offering his patronage to the king and queen in the Kingdom of God. His use of the plural in reference to himself (*ure almesse; ure saule to froure and to blisse; þær ure ban resteð; hi sculen elke ear don for us; for ure wreccan bene*), unique in the whole corpus, conveys authority and grandeur to Mantat's style. A man of such self-esteem and symbolic power clearly does not need a curse to complete his will, instead he can pronounce a magnanimous benediction. Mantat was probably familiar with the differences between writs and wills, their protocol and etiquette, in his previous, secular life. If he chose to neglect them, it was to show his contempt for the earthly world, its conventions, and linguistic norms. Thus, as with Leofgifu, we are dealing with a sociolinguistic outlier whose violation of the etiquette is intentional.

22. <https://esawyer.lib.cam.ac.uk/charter/1523.html>

6.8 Conclusions

In contrast to diplomas and writs, the community of actors associated with the production and circulation of wills lacks an important component. Instead of meeting regularly for the purpose of making bequests, these people get together only occasionally and seldom in the same constellation. Unless these actors belong to the highest social strata, their names do not appear in other document types, and their participation in assemblies is difficult to ascertain. Female actors, in particular, have limited exposure to other people's testaments before they have to make or commission a will of their own, and that only if they outlive their husbands or if their husbands allow them to act as donors on joint wills. If women indeed serve as weak ties between the more professional members (scribes) and the speech community at large, their mediation may explain, e.g. the spread of *ofer* POSS *dæg* construction or the increased use of curses in the eleventh century. As with all other document types, both male and female bequests must reflect some interference from scribes, and are, thus, a compromise between oral performance and written record. All in all, this suggests that will-making involves a **discourse** community, with most of its members (donors and witnesses) taking part in it sporadically and most of the norms being maintained by local scribes. The same scribes, mainly those from monastic scriptoria, could also be employed in the production of other charters and meet their colleagues from episcopal and aristocratic writing offices, establishing a link to the wider professional community and to the pool of common practices circulating there.

Mixed-language practices of William I's chancery

Contact and innovation

The aim of the final research chapter is to document the changes in the community of practice of the royal chancery and in the discourse community of the local courts during the first two decades after the Norman Conquest. The linguistic part of the study is dedicated to professional loan terminology and falls into two parts: Old English loanwords in Anglo-Latin (and, by extension, Anglo-Norman) and Norman loanwords in Anglo-Latin (and, by extension, Middle English). Both case studies point toward high involvement of Norman scribes in English administration from the very start. These findings are further substantiated by a close analysis of the office of chancellor and its incumbents between the 1060s and c.1100.

7.1 Introduction

In the summer of 1072, the leading men of Kent assembled in Penenden Heath to hear a plea of Archbishop Lanfranc against Bishop Odo of Bayeux, who was claimed to have appropriated many lands and privileges of the archbishopric. After a three-day litigation, Lanfranc was able to regain the rights of Canterbury, while William I issued a notice to record both the plea and the reestablished rights. This is how the shire assembly was described in a series of near-contemporary documents (edited by Bates under B69):

- (1) Precepit ergo rex comitatum totum absque mora considerare, et homines comitatus omnes francigenas et precipue anglos in antiquis legibus et consuetudinibus peritos in unum convenire. Qui cum convenerunt, apud Pinendenam omnes pariter consederunt. (B69(i))

‘The king ordered the whole shire to deliberate without delay and all the Frenchmen and especially the Englishmen knowledgeable in the ancient laws and customs to convene in a single gathering. When they had assembled at Penenden, all alike considered the problem.’ (trans. by Bates 1998: 315)

This case is an important record of business going as usual after 1066, of oral witnesses still being solicited to establish rights to land and privileges, of available written evidence being considered, and of the Norman and English leaders of Kent and representatives of other shires, where the see of Canterbury held lands, coming together to take part in a long and complicated court proceedings. Just how this litigation was possible linguistically is going to concern us below.

Chapter 5 has shown how conservative bureaucracy can be, preserving some linguistic practices for centuries and even millennia. We have observed how little royal writs were affected by the conquest of Cnut, and how readily William I's clerks accepted the established practices of the Anglo-Saxon chancery. At the same time, the potential of the administrative ties and channels for the initiation and spread of innovation has also been demonstrated, for example, in case studies dealing with the *here/fyrd* norm (Chapter 2) or with the semantic expansion of *eorl* (Chapter 5). Here, we shall further explore the continuity and innovation in linguistic practices of the Conqueror's administration by having a look at English and French vocabulary that entered Chancery Latin after the switch from English in 1070. We shall see that the effects of the Norman conquest on Chancery Latin can be noticed immediately and that the culture of mixed-language texts, as described for the fourteenth century by Laura Wright (e.g. 2017), had begun to emerge very early on (cf. Löfstedt 2014). Apart from providing a sociolinguistic contextualisation for the interfaces between Latin, English, and French in chancery and other administrative settings, my aim is also to come up with a preliminary list of French and English lexical items that entered English via Latin and Anglo-French via Latin and to describe legal sub-domains that were most affected by these lexical-transfer processes.

7.2 Data

For the case studies of this chapter, I have chosen Latin legal documents produced within the first two decades of the Norman rule, between c.1070 and 1087. They are among the very first written sources that reflect the new, increasingly multilingual, situation of the late eleventh century. This corpus is derived from David Bates's 1998 *Regesta Regum Anglo-Normannorum: The Acta of William I, 1066–1087* (see Chapter 5). This edition contains a total of 353 texts, of which I used a sample of documents. My selection was guided by the following decisions. First, I manually collected all tokens of English and French terms among the first 178 documents (just over one half) of Bates's edition. My examples are referenced by B for 'Bates' and number (e.g. B1 for the first document in Bates), and by date and archive as given in the edition. I also follow Bates in his assessment of the authenticity of individual writs and include only those in my analysis that are either original

(which is rare) or arguably derived from authentic acta of the late eleventh century, omitting both definitely forged and spurious ones. This allows me to focus on language-contact developments of the late eleventh century, separating them from those introduced by forgers of the later periods. Within this set, I limit my analysis to Latin writs issued in England and/or for England-based beneficiaries, thus excluding all Norman acta (diplomas, charters, and *pancartes*; see Bates 1998: 11–12, 22–24). This decision is based on the fact that the two bureaucratic traditions remained relatively separate after the Conquest, with English and Norman charters produced by different discourse communities with distinct insular and continental conventions, and keeps the focus on insular developments.

This selection procedure yields 60 documents for close study. Among these over a half contain at least one English or French term, proper names and toponyms being excluded. The terms are checked against the word index in Bates's edition, *Dictionary of Medieval Latin from British Sources* (DMLBS), the *Anglo-Norman Dictionary* (AND), the *Dictionary of Old English* (DOE, available for letters A to I), the *Middle English Dictionary* (MED), the *Oxford English Dictionary* (OED), and the *Dictionary of Old English Web Corpus* (DOEC). Ante-datings are suggested where relevant. The individual words are analysed in their syntactic context, and their status in the Latin matrix text is defined. Sociolinguistic reconstruction is used to offer scenarios of how and why such terms could enter and diffuse in Anglo-Latin. While the full account of the terminology is given in Appendix 1, here I present a summary of my results and offer a detailed discussion of only select terms.

7.3 Case study: English terms in Latin acta of William I¹

English linguistic material in Latin acta of William the Conqueror ranges from one word or phrase in shorter writs to 66 tokens in one detailed plea from the Abbey of St Ethelreda, Ely (B117, which is investigated in detail below). Such long documents are an exception in the corpus, which consists mainly of writ-charters. While the prevailing document type can give us only a snapshot of the linguistic practices of the Anglo-Norman administration, it is in the rarer accounts of pleas, complaints, enquiries, and disputes that we can reconstruct more fully how such affairs were conducted by local courts and what kind of actors and networks were involved.

1. An earlier version of this section was published in 2017 as “*Cum saca et soca, et tol et theam*: The status of English terminology in Latin acta of William the Conqueror.” *Mittellateinisches Jahrbuch* 52(2): 195–215. I am grateful to Anton Hiersemann Verlag for permission to re-use parts of this article. <https://www.hiersemann.de/series/mittellateinisches-jahrbuch/>.

The linguistic data are divided into three lexical categories, with headwords listed alphabetically in accordance with the DMLBS respective entries and definitions. By far the biggest category is terminology related to rights and privileges of religious houses, typically franchises to collect payments, taxes, and fines (16 types), followed by units of land and administrative division (6 types) and titles (2 types). These are the following lexemes (for full details, see Appendix 1):

1. Rights and privileges: *fyrðwita* ‘(right to collect) fine for non-performance of military service’ (1 occurrence), *fihtwita* ‘(right to collect) fine for fighting’ (1), *flemenfremtha* ‘(right to collect) fine for harbouring fugitives’ (1), *forestallum* ‘(right to collect) fine for assault or obstruction’ (1), *gabulum* ‘rent, gavel (for land or similar)’ (1), *geldum* ‘payment; tax payable to the king’ (3), *grithbricha* ‘(right to collect) fine for breach of peace’ (2), *hamfara* ‘(right to collect) fine for breach of peace in house’ (1), *hamsocna* ‘(right to collect) *ham-soken*, fine for assault of a person in his own home, or house-breaking’ (1), *infangenetheofa* ‘(right to profit from) jurisdiction over a thief captured on one’s land’ (3), *saca* ‘right to conduct a court within a special jurisdiction, sake’ (9), *sceattum* ‘(exemption from) tax payable to the king’ (1), *soc(n)a* ‘a lord’s right to conduct a court within a special jurisdiction, soke’ (41), *teamum* ‘right of jurisdiction in a suit of *team*’ (3), *tollum* ‘payment exacted as impost, toll’ (3), *wer(e)gildum* ‘price set upon man (according to rank) to be paid as compensation in case of homicide or injury, wergild’ (1);
2. Units of land and administrative division: *burgus* ‘fortified town’ (6 occurrences), *denna* ‘den; woodland pasture’ (2), *hida* ‘hide, unit of arable land’ (26), *hundredum* ‘hundred, territorial division of shire; hundred-court’ (7), *scira* ‘shire’ (3), *thegnlanda* ‘thegn-land’ (2);
3. Titles: *socamannus* ‘sokeman, free tenant who holds land in socage’ (13 occurrences), *thegnus* ‘thegn, thane, lord’ (3).

7.3.1 Anglo-Latin data as evidence for low-frequency Old English lexis

One of the interesting results revealed by the survey of English-based items is that Anglo-Latin may contain lexemes that are unknown or extremely rare in the surviving record of Old English (cf. Ashdowne 2020). Such is the case of *hamfara* ‘(right to collect) fine for house-breaking’, which surfaces in William’s Latin acta but is not recorded in English until the early fifteenth century, and, even then, in glosses to Latin legal texts. According to MED (s.v. *ham-fare*), the term is a loan-translation from Old Norse, has parallels in Old Icelandic *heim-ferð*, *heim-för*, and is equivalent to Old English *ham-sokne*. In the entire collection of acta in Bates, it occurs only in B69 from Christ Church, Canterbury (1072 x 1073), quoted in the beginning of

this chapter, the 'fine for house-breaking' being referred to as *hamsocna* in all other documents (Harmer 1952: 167). The plea of B69 survives in two versions and seven manuscripts. Those associated with version (I) record the form *haimfare*, whose first element still reflects the phonology of the Scandinavian etymon, and so do the early attestations in DMLBS.

Two other terms – *socamannus* 'sokeman' and *thegnlanda* 'thegn-land' – occur only once each in the entire DOEC² but have numerous attestations in Anglo-Latin of the late eleventh century, both in the acta of William and in Domesday Book. MED derives *soke-man* from AL *socamannus* (formed of AL *soca* and OE *man*) and Anglo-Norman *sokeman*, while giving OE *socn* as the source of AL *soca*; a similar etymology is suggested by OED (s.vv. *soc* n¹, *soke* n¹ and *soken*). I return to this etymology below. OED's first attestation of *þegnland* is dated to 1100 (s.v. *thegn*), while MED has no record of this lexeme. The attestations in Bates (s.vv. *socaman*, *theinland*) and DMLBS (s.vv. *socamannus*, *thegnlanda*) indicate though that these lexemes were used more commonly than the vernacular evidence would suggest.

7.3.2 English-source items in lists of franchises

Lists of rights and privileges contain most of the technical vocabulary discussed in this section. As has been observed on several occasions, both these terms and the lists containing them are stable already in the Old English period (Harmer 1952; Sharpe 2003; O'Brien 2011). They typically consist of core terms that are common to the majority of writ-charters and a few more terms that are slightly less common and vary from one document to another. Very often both types appear in coordinated noun phrases bound by rhythm, alliteration, and/or rhyme, e.g. *ṡac and socn*, *tol and team*, *fihtwite and fyrdwite*. Their sequence, although showing some variation, is also quite stable both before and after 1066. This stability can be explained by the mnemonic practices in the oral legal tradition (see Chapters 5 and 6; cf. O'Brien 2011: 60) and the practices of writ renewal by which portions of old documents were copied into new ones, while changing the names of benefactors and witnesses (Sharpe 2003: 283–287). From the 1070s almost identical lists of franchises appear in Latin writs. Among the terms analysed for this study, ten occur exclusively in such lists: *fyrdwita*, *fihtwita*, *flemenfremtha*, *forestallum*, *grithbricha*, *hamfara*, *hamsocna*, *infangenetheofa*, *teamum*, and *tollum* (see Appendix 1). B122 in favour of the abbey of Ely (Example (2)) illustrates a typical sequence.

2. The number of OE attestations of *socneman* could be corrected to at least two: *Textus Roffensis* (f.175r) from c.1120 contains a copy of a bilingual writ by William I to bishop Herfast of Elmham (B226, Rochester, 1077x1082/3), in which *sochemanis* in the Latin portion of the document corresponds to *socnmen* in the OE portion.

- (2) *Pręcipio ut abbatia de HELI habeat omnes consuetudines suas, scilicet **saccham et soccham, toll et team, et infanganetheof, hamsocna et grithbrice, fithwite et ferdwite**, infra burgum et extra* (B122; Ely, 1075x1087)

‘I [King William] order that the abbey of Ely is to have all its customs, namely sake and soke, toll and team, and infangenetheof, hamsoken and grithbrich, fihtwite and fyrdwite, within borough and without.’

Among all the franchises enumerated in this writ only *saccham et soccham* take Latin inflections in the accusative singular. The rest seem to be carried over wholesale from an earlier Old English writ, perhaps similar to S1100 (for the same abbey) of Edward the Confessor, Example (3).

- (3) & ic kyþe eow þæt ic habbe geunnen Wlfrice þæt abbodrice in Hely on eallan þingan binnan burgan & butan, **toll & team & infanganþeof, fyhtwite & fyrdwite, hamsocne & gryþbryce** (S1100; Ely, c.1045)

‘and I inform you that I have given Wulfric the abbey of Ely with all things within boroughs and without, toll and team, infangenetheof, fihtwite and fyrdwite, hamsoken and grithbrich.’

The formulaic *toll et team, et infanganetheof, hamsocna et grithbrice, fithwite et ferdwite* of B122 (Example (2)) are weakly integrated into the matrix text retaining their Old English inflections (acc.sg., cf. Example (3)). They also collocate with another formula *infra burgum et extra*, modelled closely upon OE *binnan burgan & butan*, which, although properly inflected, features in many other Latin writs in exactly the same form.³ In this context, the franchises in B122 from *toll* to *ferdwite* seem to fall within the category of code-switches (Schendl 2004: 55–56); a conclusion that may, however, need revisiting if viewed against the background of the distributions of these terms in Old English.

Accordingly, my last observation in this section is of a statistical kind. A striking feature of the terms for franchises in Old English is the restricted context in which they occur: mostly in charters, writs, and legislation and, within those, mostly in lists, with their attestations in the DOEC being limited to between 7 (*fyrdwite*) and 63 (*infangeneþeof*) occurrences. In the Middle English period, most of these terms are preserved in Anglo-Latin and Anglo-Norman legal texts, often with Latin and French glosses. When they re-emerge in English it is in works that comment

3. Cf. also the Latin version of this writ, although “avowedly of later date” (Harmer 1952: 224–225): *Notum sit uobis quod donauit Wlfrico abbatiam de Ely cum omnibus rebus ad eam pertinentibus infra burgum & extra, toll & team & infanganþeof, fihtwite & ferdwite, hamsocne & griðbrice...*

on old laws and gloss them in contemporary terms. Although a few survive into the Modern period, their use is purely antiquated.⁴ Two notable exceptions from this tendency are *team* and *toll* that are much broader semantically than the other eight, enjoying a circulation of about 120 occurrences each in the entire DOEC, albeit about a half of these are found in the binominal *toll & team* phrase. What emerges from this is a kind of correlation between bounded context and relatively low frequencies of franchise terms in Old English data on the one hand and their almost unaltered shape in Anglo-Latin data on the other. This correlation is in sharp contrast with the terminology discussed below, which has wide circulation in Old English and receives proper gender, case, and number marking when borrowed into Latin.

Exactly this kind of contrast can be observed in B122 (Example (1)) in which *saccham*, *soccham* and *burgum* are declined, while other franchise terms are not. Could this mean that *saccham et soccham* are loanwords, but *toll et team* code-switches? While morphological integration within a matrix text is a useful criterion to distinguish between the two,⁵ it should not be applied too hastily here. In order to be transferred from one language into another grammatical categories such as declension or gender have to be transparent and analysable. But the fossilised sequences that we are dealing with here give their users too few clues to this information, rendering gender assignment in the target language extremely difficult. Even analogy does not seem to work in this restricted set of terms. For example, although *soccham* is given an acc.sg.fem. inflection, the compound *ham-socna*, which is derived from it, appears to be indeclinable; possibly it is analysed as indeclinable already in Old English. Given that these fossilised sequences become the norm in scores of Latin documents (authentic and forged) from the time of William I on, it seems impossible to accept that generations of scribes continue to code-switch in every new writ. Rather they perceive franchise terms to be part of their professional discourse and use them in the same form in English, Latin, or French indiscriminately (cf. Wright 2013: 59–63 and earlier publications). In their variety of Anglo-Latin, then, these terms are established loans, even though their morphology seems to say otherwise.

4. For example, *fyrðwite* lingers in Latin and French glosses until c.1350 and then surfaces again in 17th-century dictionaries (MED s.v. *ferd-wite*; OED s.v. *ferd*); similarly, *griþbrice* features in glosses, legal surveys, and dictionaries until 1662 to re-emerge as an antiquated term in historical works in 1845; its only 'normal' occurrence is in *The Owl and the Nightingale* in c.1250 (MED s.v. *grith-briche*; OED s.v. *grithbreach*).

5. For discussion see, e.g. Matras (2009: 106–114); Poplack (2018: passim).

7.3.3 English-source items in broader contexts

To take up the frequency argument, properly declined borrowed terminology correlates with broader contexts and higher numerical values in Old English: *burh* has c.2,100 occurrences, *gafol* c.200, *gylt* c.100, *hid* c.1,000, *hundred* c.300, *sacu* c.250, *sceatt* c.300, *scir* c.270, *socn* c.200, and *þegn* c.1,600. The figures for *denn* (c.40) and *wergild* (33) are somewhat lower. All these terms feature not only in writs, but also in legal texts more generally, in chronicles, homilies, translations, or poetry; in other words, they are common words with analysable morphological structure and semantics. Both their frequencies and analysability have a bearing on how they are integrated into Anglo-Latin. For example, we have seen that in lists of rights the only declined franchise terms are *saca* (< OE *sacu*) and *soca* (< OE *socn*). Both of them are feminine in Old English, and both are assigned to the 1st declension, feminine in Anglo-Latin. Interestingly, the suffix *-n* in the Old English etymon *socn* is often analysed as not being part of the stem and is dropped in the process of borrowing into Latin, possibly by analogy with *saca*.⁶ The same kind of reanalysis seems to affect Anglo-Latin forms of the compound *socamann(us)*, whose first element rarely contains *-n*-. To illustrate the use of this common vocabulary, I use document B117 from Ely, abbey of St Ethelreda, dated to between 1071 and 1075.

As already observed, standardised writ-charters make up the core of David Bates's collection, but some of the acta also represent other genres. B117 is a record of a plea by the abbey of Ely heard by the shire court of Earl Waltheof (1050–1076), in Cambridgeshire, and attempting to recover the lands of the abbey that had been lost in the aftermath of 1066. Appropriately, the major portion of the plea consists of lists of the estates and property that Ely hoped to regain. It is in these lists that English technical vocabulary is especially frequent. B117 contains 21 occurrences of *hida*, 3 occurrences of *hundredum*, 31 occurrences of *soca*, and 13 occurrences of *socamannus*. Among these, *hida* and *soca* are fully integrated into the target language, appearing in the appropriate accusative and ablative forms as in Examples (4) and (6).

- (4) In altera Suuafham tenet isdem H(ugo) unam **hidam** de **soca**. (B117)
 'In the other Swaffham this Hugh [de Bolbec] holds one hide of soke.'

The morphological integration of *hundredum* depends on its semantics. It has an indeclinable form when used next to a placename, as part of the administrative unit (Example (5)), but a grammatical Latin form when used as a measure (Example (6)).

6. The variation between OE *socn*- and AL *soca*- and *socna*- forms still goes on in antiquated usage, see OED (s.vv. *soc* n¹, *soke* n¹ and *soken*).

- (5) In Karleforda **hundred** tenet isdem R(otbertus) vii **socamans**. (B117)
 'In Carlford Hundred this Robert [Blancard] holds seven sokemen.'

The status of *socamannus* in this particular text is peculiar. The only two forms that occur in B117 are *socaman* for sg. (Example (6)) and *socamans* for pl. (Example (5)).

- (6) In eadem villa tenet predictus Seri i **socaman**. De **soca** que est in v **hundredis** et dimidia Rodulfus comes ac Rogerus vicecomes ... possident **socam** (B117)
 'In the same vill this Serie [d'Auberville] holds one sokeman. Of the soke that is in the five and a half hundreds Earl Ralph and Sheriff Roger have the soke.'

All the contexts in which they are used require accusative: sg. *socamannum* and pl. *socamannos*. The corresponding Old English forms are respectively *socaman(n)* and *socamen(n)*. Thus, Example (6) is grammatical in Old English but not in Latin, and Example (5) is ungrammatical in both languages. Moreover, on 3 occasions the scribe employs *homines de soca* 'men of soke' instead of his more frequent *socamans*, both terms being seemingly interchangeable. These facts suggest that the scribe is translating an Old English term which has not yet received an established equivalent and declension pattern in Anglo-Latin and/or that he is influenced by French (cf. AND s.v. *sokeman*). This interference could have come from the first language of the scribe who produced the plea, from the first language of the interpreter who was involved in the hearing, or from some French document that was used as a draft for the Latin plea. The availability of *homines de soca* points in the same direction: the phrase *home de X* is well represented among Anglo-Norman occupational terms (*home d'armes* 'soldier', *home de cort / lei* 'lawyer', *home de mer* 'seaman', *home de mester / religion* 'religious man, monk', *home de la terre* 'inhabitant', etc. (AND s.v. *home*)). Given this evidence and the early date of B117, non-English derivation of *sokeman* (in either Anglo-Latin or Anglo-Norman), as suggested by MED and OED, seems improbable (cf. Ashdowne 2020: 425). With this class of tenants being characteristic of the North-East and East Anglia (Maitland 1987 [1897]: 23, 66–67; Darby 1977: 65), the lack of Old English attestations of the term can be accounted for by the paucity of East Anglian texts in the pre-Conquest record, while its inflectional forms in B117 point towards morphological transfer from Norman.

It is obvious that close analysis of such texts as B117 can greatly enrich our understanding of the status and function of English terminology in Anglo-Latin. My findings must, however, remain tentative, as this type of documents is rather exceptional, as few of the early Norman insular *acta* go beyond the genre constraints of conventional charters and/or report enquiries at such length.

7.3.4 Necessity criterion: Direct loans vs. cultural equivalents

Although most of the terms discussed here are culture-specific items whose use in Anglo-Latin may have been triggered by lexical gaps or insufficient equivalence between English and Latin lexemes, not all of them fit this pattern. For example, while *sacu* and *socn* have no direct equivalents in Latin,⁷ *hid* can be rendered by *casata* ‘measure of land (appurtenant to household)’ or *mansa*, *mansura* ‘measure of land’, *hundred* by *centuria(ta)* ‘division of land’, *scir* by *comitatus* ‘county, earldom’ and *provincia* ‘province’, etc. (DMLBS; Maitland 1987[1897]: 8; O’Brien 2011: 67–70). A seemingly clear case of semantic equivalence is Latin *virga(ta)* for OE *gyrd*.⁸ The three lexemes share both the basic meaning ‘twig, rod’ and the metonymical extension ‘unit of land’. Twigs of certain length were used to measure fields (Maitland 1987[1897]: 384–385), hence ‘twig, rod’ > ‘the length of a twig’ > ‘unit of measure’ > ‘unit of land’. The equivalence between *gyrd* and *virga* is established already in Old English, see Example (7) (a bilingual charter of Æthelwine the Black to St Albans).

- (7) OE: *Pæt synd fif hidan æt Grenebeorge & .uii. hida & an gyrd æt Reodburne & sixte hea<l>f hida æt Langelege & feorðe healfe hida æt Pwagtune.*

Latin: *id est .xxi. mansas cum una uirga, in quattuor locis ubi nominamus æt Grenebeorge .v. hidas, æt Reodbune .vii. et .i. uirgam, æt Langalege .v. hidas et dimidiam, æt Pwagtune .iii. hidas et dimidiam*

(S1228; St Albans, 1042 x 1049)

‘OE: That are 5 hides at Granborough and 7 hides and one yard at Redbourn and 5 and a half hides at Langley and 3 and a half hides at Fawn Wood

Latin: That is 21 *mansas* and one *virga* in four places, namely: at Granborough 5 hides, at Redbourn 7 (hides) and one *virga*, at Langley 5 and a half hides, at Fawn Wood 3 and a half hides.’

The term *uirga* stands for *gyrd* in both the summary of the granted estates and the description of the size of Redbourn estate. The term *gyrd* has no attestations in DMLBS, while *virga* is attested both before and after 1066. *Virgata* (from Continental Latin and French, see below) emerges in Anglo-Latin only after the Conquest. The other highlighted term in Example (7), *hid* is rendered by *hida* in all instances except the summary, where *mansa* is used instead. According to DMLBS, *mansa* ‘measure of land, hide’ is used as an equivalent for *hid* from the late eighth century, but is generally less frequent than *hida* (Timofeeva submitted).

7. Löfstedt observes that the influence of the phrase *sacu & socn* can be seen in the semantic developments of Latin *curia* and French *cort/curt* from ‘court’ to ‘law-court’ and, especially, ‘right to hold a court’ from c1150s (2014: 315–316).

8. Cf. AND, s.v. *virge*. DOE records c.400 occurrences of *gyrd* (f), sense ‘measure’ being limited to legal and historical texts, in which it is often difficult to distinguish from *geard* (m) ‘enclosure’.

A similar case is *comitatus*. In classical Latin, this lexeme means 'retinue, company'. Already in Continental Latin, there is a derived sense 'dignity unit' > 'territorial unit; county'. In Anglo-Latin, a further extension 'county, earldom' > 'shire' > 'shire court' takes place (DMLBS s.v.). The term *comitatus* can refer to continental counties and Anglo-Saxon shires both before and after 1066; 'shire-court' sense, however, is not attested until Domesday Book. The term *scira* receives wide currency only in the 1080s (DMLBS s.v.). The overlap between OE *scir* and Latin *comitatus* must have been close enough to make the latter the preferred term, for *comitatus* (with 16 occurrences) is much more frequent in my data than *scira* (3 occurrences).

Sometimes the decision to borrow rather than to use a lexical equivalent or vice versa may look arbitrary. Why *hida* is preferred to *mansa*, but *comitatus* to *scira*? I hesitate to offer an explanation before thorough corpus studies of such terms in Anglo-Latin, continental Latin, Anglo-Norman, and Old French are available. In general, though, direct loans prevail both in the acts of William and in DMLBS.⁹ Although lexical equivalents were seemingly available for OE *hundred* 'hundred' > 'division of shire' > 'hundred-court', I have not come across *centum* or its derivatives (according to the DMLBS, *centenarius* 4, *centenus* 5, *centuria* 2, *centuriata*) being used as administrative units in my sample corpus, nor are there such entries in Bates's *Index verborum*. Instead, *hundred* is used in both Anglo-Latin (also before 1066) and Anglo-Norman, cf. B124 in Example (8) (another document from Ely).

- (8) Facite Simeone(m) abbatem habere socam et sacam suam ... videlicet de quinque **hundrez** de Suthfulch et ab omnibus viris qui terras tenent in illis **hundrez**.
(B124; Ely, 1081 x 1087)

'Let Abbot Simeon have his (rights of) soke and sake ... namely of five hundreds in Suffolk and from all the men who hold lands in those hundreds.'

In Old English, *hundred* is seldom inflected for plural, especially following a numeral, nor is *hundrez* attested anywhere in the Old English corpus (DOE s.v. *hundred*). The most likely source of this form is Norman, whose professional users must have borrowed and assimilated *hundred* some time before this writ was produced or spontaneously as they were working on it¹⁰ (cf. plural forms in AND s.v. *hundred*).

9. Cf. Stotz (2002: 680). Deviations from this tendency and non-canonical lexical equivalents should be viewed with suspicion, for they often occur in forged documents; e.g. *cassatas* in B183 (London, St Paul's, cathedral and see) instead of *hidas*, or *provincie* in B14(ii) (Battle, abbey of St Martin) instead of *scirae* or *comitatus*.

10. According to Shana Poplack's *Nonce Borrowing Hypothesis* (tested on numerous modern-language pairs), morphosyntactic integration is not gradual but abrupt, with nonce borrowings displaying as much integration as established loans (2018).

OE *toll* not only has a straightforward Latin equivalent *teloneum* ‘toll, tax, duty’, it is also etymologically derived from it (DMLBS: Late Latin *tolonium* > OE *toll*). The English-based *toll(um)*, however, is generally preferred in the alliterative formula *toll et team* ‘toll and team’ (< OE *toll and team*; 3 occurrences), while *teloneum* is used on two occasions, also in a formulaic phrase *theloneo et consuetudine* ‘(free of) toll and custom’, cf. Examples (9) and (10).

- (9) Sciatis me concessisse abbacie de Abbottesburie terram suam ... cum saca et socna, et **thol** et theam, et infangethef (B2; Abbotsbury, 1066 x 1078)
 ‘Know ye that I have granted the abbey of Abbotsbury its land ... with sake and soke, and toll and team, and infangenetheof.’
- (10) omnia que ministri monachorum Abbendonie ement ad victum monachorum ... sint quieti ab omni **theloneo** et consuetudine (B6; Abingdon, 1071 x 1083)
 ‘everything that the officers of the monks of Abingdon buy for the monks’ food ... shall be free of all toll and custom.’

At this point, we have established that multilingual practices in Anglo-Latin charters of William I can go back to the period both before and after the Norman Conquest. Common Old English words, such as *hid* or *hundred*, were borrowed into Latin by Anglo-Saxon scribes, possibly on multiple occasions, and remained (or were introduced) in the repertoire of their successors after 1066. More specific professional terms could also originate in the Francophone milieu of the new chancery, as indicated by their inflectional morphology (Timofeeva submitted). Below, we concentrate on innovations that can be dated more confidently to the period after the Conquest and associated more consistently with the new linguistic background of chancery clerks.

7.4 Case study: French (and Gallo-Latin) terms in Latin acta of William I

To find out what linguistic innovation can tell us about the sociological dynamics within the chancery community further, we shall survey French vocabulary that was introduced into charters at about 1070. A comparison between the categories of English and Norman (including Norman Latin) loanwords into Anglo-Latin can be found in Table 7.1. A detailed catalogue is in Appendix 1.

We can appreciate that within the same sample of documents, the numbers of lexical types of English and Norman origin are about the same. The way the types are distributed across the respective categories, however, is specific to the source language. The terminology dealing with rights and privileges is found only among the English-source items. The terms for units of land and administrative division come in

Table 7.1 Distribution of English vs. Norman loan types by category

	English loans	Norman loans
rights & privileges	16	0
units	6	5
titles	2	8
other legal terms	0	4
verbs	0	10
Totals	24	27

almost equal measure from both languages. With titles this is already different, while other legal terms and, especially, verbs are attested only among the Norman-source items. More specifically these categories include the following lexemes:

1. Units of land and administrative division: *aripennis* 'arpent, measure of land, esp. of vineyard' (1 occurrence), *dominicus* 'demesne' (7), *manerium* 'manor' (9), *mansio* 'mansion, manor' (5), *virgata* 'yard; measure of land, virgate' (10);
2. Titles/occupations: *baro* 'baron, royal vassal' (14 occurrences), *cancellarius* 'chancellor (royal)' (4), *capellanus* 'chaplain' (1), *carpentarius* 'carpenter, wood-worker' (1), *dapifer* 'attendant at meals, steward (royal)' (8), *fideijussor* 'one who gives surety, guarantor' (2), *justitiarius* 'a justice, justiciar (royal)' (1), *vicecomes* 'viscount, sheriff' (44);
3. Other legal terms: *captio* 'captivity' (2 occurrences), *excambium* 'exchange; compensation' (1), *forisfactura* 'offence; forfeiture' (2), *placitum* 'plea, legal action' (16);
4. Verbs: *clamare* 'to claim, make claims, object' (6 occurrences) – *reclamare* 're-claim, make claims' (2), *placitare* 'to sue, plead' (5) – *deplacitare* 'to establish a claim to' (1) – *explacitare* 'to gain by pleading' (1), *saisire*, *seisire* 'to put in legal possession, seize' (2) – *desaisire* 'desseise, dispossess' (1) – *resaisire* 'reseise, put back into position' (3), *dirationare* 'deraign, maintain right to' (9), *submonere* 'to summon (to court)' (3).

7.4.1 Anglo-Latin data as early evidence for (Anglo-)Norman

We do not have much evidence for the Norman dialect before 1150, nor for Old French in general for that matter (Löfstedt 2014: 285–289). Because of the filial relation to Latin, the Romance languages were late to develop their vernacular written norms, and, in the administrative domain, Latin dominated until the early fourteenth century (Lusignan 2004: 17–44). Nevertheless, the kind of Latin produced by speakers of L1 Norman bears a clear reflection of lexical usage evolving away from

classical standards. This can be seen both in semantic shifts that take place within the inherited Latin lexicon and in new words that are coined by users of mediaeval Latin varieties, often via transfer from spoken Romance. The earliest evidence for many of those lexico-semantic developments is first recorded in their second language, the acquired written code. This applies to most of the vocabulary discussed below: The attestations of Norman lexemes in William I's charters pre-date their record in vernacular texts by decades and sometimes centuries. On the other hand, several other lexical items illustrate how Latin varieties across Europe had diverged from each other generating local administrative conventions and lexicons (Stotz 2002; Leonhardt 2013).

7.4.2 Norman-source items in lists of addressees and witnesses

The new Norman presence is felt intensely in the domain of titles and occupational terms. Not only is the number of types much higher in this category, but so is the frequency of tokens and their distribution across documents. For example, the term *baro*, with fourteen occurrences in my sample and 115 in Bates, the prototypical French loan associated most regularly with the new regime and the redistribution of land,¹¹ occurs in numerous charters in my sample, with the first attestations being as early as 1066. The term *vicecomes* is more than three times as frequent.¹² The great majority of these terms appear in the beginning of charters among addressees and at the very end among witnesses. No doubt, it is this frequency and the inclusion of such terms in both lists that would have facilitated their diffusion not only in written Anglo-Latin but also in spoken English when such documents were read out in shire and hundred courts (Timofeeva submitted).

As pointed out in Chapter 5, court sessions were characterised by many multilingual practices – translation, code alternation, code-switching – and L1 English court members would be familiar with Latin and French high-frequency social-rank terminology, at first passively and, as time went on, also actively. Even though equivalent lexemes were often available in English as well as Anglo-Latin, both terms could be preserved in their respective codes, and sometimes in doublet forms, with a potential for later differentiation of meaning. For instance, modern English has *sheriff* (< *scir-gerefa*), inherited from Old English, *viscount* from Anglo-Norman (first attestation in OED 1387), and *vice-count*, modelled after

11. In this process, “five thousand [Anglo-Saxon] thegns were replaced by no more than a hundred and eighty Norman barons” (Loyn 1963: 320), which was reflected by similar developments at the general level: “landed wealth became more sharply concentrated, for lordship over the property of 37,000 landholders was acquired by 1,150 new tenants-in-chief” (Baxter & Lewis 2017: 402).

12. It is also among the most frequently attested terms for titles and occupations (together with *comes*, *monachus*, *princeps*, and *rex*), featuring about 225 times in the edition.

Latin (1461); Latin has *vicecomes*, modelled after Anglo-Norman, and *scirevus*, borrowed from English; Anglo-Norman has *visconte* and, presumably, also *shereve*, since derivative *shereve-yeld* and *shiri-scote* 'payment made to the sheriff' are attested in the AND. In English, *sheriff* came with time to be associated more with the office, while *viscount* with the title. Likely, it was the availability of equivalents or close-enough equivalents like *sheriff* for *viscount* or *thegn* for *baron* that delayed the first attestations of these French loanwords in written English (e.g. *baron* is not recorded until 1200).

With cultural loans, or, at least, with terms that approach this status, transition from administrative Anglo-Latin to Old English was more rapid. One of such borrowings is *cancellarius* 'chancellor (royal)', marked as 'Late Latin' and attested only after the Conquest in the DMLBS. There are 4 occurrences of the term in my sample – nominative forms *cancellarius* and genitive *cancellarii* (in B39, B81, B82, and B138), while Bates records a total of 33 instances in his *Index verborum*. *Cancellarius* is found almost exclusively in witness lists, with the earliest attestation in 1069. It should be pointed out that this is also the period during which chancellors begin to be mentioned by name for the first time (see below). Although a search for *cancellarius* in PASE database, using criterion 'office' returns three hits from before 1066, all of them appear in spurious charters. As discussed at length in previous chapters, the function as such was clearly known both at the royal court and at aristocratic and episcopal courts. But the priests and clerks employed in administration were not seen as specialised enough to go under a distinct label. In fact, genitive phrases like 'his/the king's clerk/priest' could refer to both 'chancellors' and 'chaplains'. It was only in the middle of the eleventh century that the position of the king's chancellor began to develop towards "the effective head of the government under the king" (ODNB, "Lord chancellors of England and Great Britain (1060s – 2017)"; see also Keynes 1988), and it was likely at this point that the need for a specific term arose. Once it was selected, in this case borrowed from Norman/Latin, by L1 English chancery clerks and their Norman colleagues, *canceler* would be able to diffuse to other professionals running local administrations. As with barons and viscounts, the names of the chancellors followed by their office would be read out in local courts, and their audiences would also gradually acquire the new term and familiarise themselves with who was currently holding the office (Timofeeva submitted). Already a few decades later, *canceler* was recorded in the annal for 1093 of the *Anglo-Saxon Chronicle* preserved for us by one of the Peterborough scribes, working in 1121 (Irvine 2004: xviii – xxiii, lxxxiv – lxxxviii, DOE s.v. *canceler*; OED s.v. *chancellor*).¹³

13. And again, in the annals for 1123 and 1137, that are part of the Peterborough Continuations (Irvine 2004: ic – ci). A possible innovator in the case of 1093 is the scribe of the exemplar from which the Peterborough copy is derived, for, a few years earlier, he famously claims that he once served at the Conqueror's court (*we ... oðre hwile on his hirede wunedon* 1087).

The case of *capellanus* ‘chaplain, clerk ministering to religious needs of household’ is very similar. Bates lists 60 occurrences in the whole corpus of William I’s acta, and there is one attestation in my sample, in the witness list of B39, dated to 1081. DMLBS has only two early examples of *capellanos* serving King Alfred (Asser, *Life of Alfred* 77.13) and bishops (Alcuin, *Ep.* 264). In both cases, the authors seem to have been influenced by the Frankish usage, in which “the title of the clerks (*clerici capellani*) who were charged with the custody of the cope (*cappa*) of St. Martin, the most precious of the possessions of the Frankish kings” (Stevenson 1959: 305) was extended to ‘the clerk of the royal chapel’ and, later on, to ‘chaplain’. The generalised meaning is attested continuously in Anglo-Latin only from the 1060s, which is a few decades earlier than in English (OED s.v. *chaplain*; MED s.v. *chapelein*) and Anglo-Norman (s.v. *chapelein*). Our earliest evidence for English is a manumission charter from the late eleventh century (Rec 10.6.2 (11.7)) and two annals in the *Peterborough Chronicle* for 1099 and 1114 (DOE s.v. *capellan*).

With the remaining four terms for titles and occupations, the availability of Old English semantic equivalents appears to have delayed or obstructed the adoption of these words from Anglo-Latin or Anglo-Norman into Middle English: *carpentarius*/*charpenter* (attested in English from c.1300 (MED, OED s.v. *carpenter*)) could be translated by *smiþ* and *wyrhta* as well as *-smiþ* and *-wyrhta* compounds; *dapifer* (1636) by *byrele*, *discþegn*, and, later on, *stigweard* (pre-Conquest Anglo-Latin used *discifer* a lot (Gautier 2017)); *fideijussor* (1539) by *borghand* and *byrga*; and *justitarius*/*justiser* (1400 (MED s.v. *justicer*; OED s.vv. *justicer*, *justiciar*)) by *dema*. Although equivalents and glosses for *cancellarius* and *capellanus* are also available (e.g. *burþegn* and *hiredcleric*, *hiredpreost*), their extremely low frequencies do not suggest much circulation beyond of the texts in which they are recorded. Broader terms could be employed as well, but those have late attestations, and their context is restricted. For example, the scribes of the Peterborough recension (annal 1085a) and the H fragment (annal 1114) of the *Anglo-Saxon Chronicle* use *cynges cleric* and *his cleric* after the name of a royal chaplain, likely in an attempt to render *cancellarius* or *capellanus* into Old English. Overall, occupation and title terms that are specific enough and lack established English equivalents diffuse from Anglo-Latin to Middle English seemingly more rapidly than other terms in this category.

7.4.3 Other Norman-source items

In this section, we deal with units of land and administrative division and other legal terms and work through several lexemes, starting with the most specific, to see whether the tendencies observed in titles and occupations also apply to other loanwords. First, it should be mentioned that in terms of frequency this lot of words is heterogeneous. There are items that can be described as nonce borrowings for

they come up in a single document (*aripennis* and *escambitio*). Others recur up to sixteen times and in up to eight documents (*placitum*), although no other lexeme is as frequent as *vicecomes* in the previous category (Table 7.1). Secondly, although about a half of these words have specialised meanings, this does not seem to promote their early adoption into English.

The first two terms that I would like to discuss are *aripennis* [OF *arpent* < Gall.] 'measure of land, esp. of vineyard' vs. *virgata* 'yard, virgate'. DMLBS marks *aripennis* explicitly as a Gallicism and dates the earliest examples to 1080. In AND, there are no instances of *arpent* before the second half of the twelfth century (s.v.). The record in English is from the Early Modern period (1580, OED s.v. *arpent*), although MED quotes one instance of a derivative *arpentier* 'a surveyor of land' in a1475 (s.v.). My only example in writ B21, dated to the 1080s, was preserved in the archive of the Abbey of St. Martin, Battle. The announcement of a gift of thirty arpents of meadow in Bodiam, Sussex, to the abbey, points out that they are to be measured according to the measure of Normandy (*scilicet triginta arpenos pratorum mensuratos mensura Normannie*). It must have been unusual to measure English lands in Norman arpents, since all other instances of *aripennis* in Bates (17 in total) are found in charters and writs produced only for Norman beneficiaries. The fact that both the donor and the beneficiary of B21 were Normans, and that their transaction concerned a grant to Battle Abbey, a Norman foundation, may partially explain the use of this exceptional measure term, especially when applied to a meadow. Although *aripennis* reappears in Domesday Book, it refers predominantly to vineyards and, as such, is associated with a distinctly Norman cultural innovation (Loyn 1963: 367–368¹⁴). As we have seen above, late-eleventh-century bureaucrats were generally comfortable with English *hides*, but chose to translate *gyrd* with *virgata*, with which they replaced *virga* of the pre-Conquest period. The terms were probably perceived as equivalent, sharing both the referent and the metonymical development from 'a twig' to 'a measure equal to a twig'. This equivalence must have obstructed early adoption of *virgates* into Middle English (the earliest quotation in OED is dated to 1655, s.v.). Overall, both *arpents* and *virgates* were specific enough to be borrowed into Anglo-Latin. The term *virgata* was a transparent technical equivalent to *yard* and *yardland*, while *aripennis* was a cultural loan. At the same time, they were probably too technical to reach beyond the specialised Latin-based registers. Nevertheless, given that peasants' duties and payments in Domesday Book and later manorial documents are frequently calculated in relation to land measurements (Poole 1955: 42–43), it is not inconceivable that common people had at least passive familiarity with such terms (Timofeeva submitted).

14. Cf. the terminology section of the Hull Domesday Project (2010) <http://www.domesdaybook.net/domesday-book/data-terminology/weights-measures/arpent>.

The same must have applied to *manerium* ‘manor (house)’. DMLBS gives a clear indication that this lexeme is a Latinisation of a Norman term dated to the 1070s (cf. OED s.v. *manor*). The attestations in my sample are contemporary: B8, B18, B78, two in B121 (*manerium*), and four in B177 (*maneria*, *maneriorum*, *manerium*). In AND, the etymon *maner* 1 is not recorded until 1200, and the earliest occurrences in English are still a century later (MED, OED s.v.). As with measurement terms, although Anglo-Latin and Old English lexemes could be used in much the same contexts – *burh*, *ham*, *hired*, *mansa*, *vicus*, or *villa* – the introduction of the Norman *manor* and its activation during court sessions and collection of taxes and labour duties on the manor could have led to its wider adoption from land officials and reeves to common labourers (Timofeeva submitted).¹⁵

A technical term from the legal domain is *forisfactura* ‘offence (leading to forfeiture); penalty of forfeiture’. It occurs twice in my sample in B117 and B122, both dated to the 1070s, and 38 times in Bates. Examples in DMLBS are roughly contemporary. The earliest attestation in Anglo-Norman is from c.1150 (AND s.v. *forfaiture*) and in English from c.1380 (OED s.v. *forfeiture*). The first quotation in MED is from John Gower’s *Confessio Amantis* (s.v. *forfeiture*). This is interesting, for Gower, known to us primarily as a poet, was also a man of law and, like Chaucer, a courtier and official. Social actors with multiple occupations could undoubtedly serve as weak ties between professional communities and lay folk, and through them, technical lexis could enter more general usage. Given that most legal records were kept in Latin and later, partly, in French, it is not surprising that the first attestations in English are much delayed. But it is reasonable to assume that *forfeiture* had been current in spoken legal English for quite some time before 1380, as both the offence of this type and the penalty it received must have been committed and punished before. The same is true of *placitum* – *plea*, which is extremely common in my data – the second most frequent term after *vicecomes* – and in Bates’s corpus in general. Even though synonymous terms for ‘plea, lawsuit’ were available in Anglo-Latin (e.g. *actio*, *lis*, *negotium*) and Old English (*geflit*, *mal*, *sacu*), an additional sense was borrowed from Norman Latin in the 1070s and an additional lexeme from Anglo-Norman in c.1275.

15. A reconstruction of such multilingual encounters on the fourteenth-century manor is presented by Ingham (2009).

7.4.4 Norman verbs

Verbs (10 in my sample, see Table 7.1) is a very significant category in this catalogue of Norman lexical items. In our bureaucratic setting, with trilingualism being a recent phenomenon and language proficiency in the respective vernaculars being low and familiarity with each other's lexical norms of written Latin insufficient, verbs point to the agentivity of Norman L1 speakers in the lexical-transfer process.

In my data, eight verbs out of ten belong to small families of words – a simplex and one or two prefixed verbs, e.g. *clamare* and *reclamare*, *placitare*, *deplacitare* and *explacitare*. The simplex and derivative(s) often occur within the same document, e.g. describing several stages of a plea or dispute (*placitare* and *deplacitare* in B123). Half of these verbs are recorded in Middle English by around 1300 (*claimen*, *dereinen*, *pledēn*, *seisen*, *sommen*). And some seem to retain their association with the privileged (foreign) classes. The *South English Legendary* (c.1300), known for its anti-French sentiment, uses Anglo-Norman lexis to characterise King Henry II negatively in his conflict with Thomas Becket (Example (11)).

- (11) Ake þe king sende is men sone : to **saisi** al is lond
 And al-so al is bischopriche : ase is traitores, In-to is hond.
 'And the king soon sent his men to seize into his own hands all his [Becket's]
 land as well as his bishopric, as from a traitor.'

As before, Anglo-Latin attestations of such verbs as *saisire* – *seisen* are much earlier, and we may again ask whether borrowing from Norman into Latin is justified by necessity. As before, we have to admit that even though close enough equivalents are available in Latin, direct borrowing is generally preferred to semantic adjustments, however minimal (Maitland 1987 [1897]: 8; Rothwell 1983: 261–262; Stotz 2002: 680). For example, such verbs as *detrudere* 'to expel; dispossess' and *resumere* 'to take back, recover', could have been used instead of their Norman Latin counterparts *dissaisire* and *resaisire*. When medieval Latinists made an effort to achieve terminological equivalence (as often seems to be the case in pre-Conquest documents), barbarisms could certainly be avoided (O'Brien 2011: 65–71). But perhaps the authenticity of their terminology in Anglo-Latin was just that motivation new chancery clerks lacked. Instead, their approach was functional and pragmatic: they had to generate technical vocabulary that would have been understood in exactly the same way by the beneficiaries who commissioned charters, their own clerks who drafted them, the royal clerks who produced fine copies, the kings who authenticated them, the social leaders who witnessed transactions, and the members of local-court communities who were present at the official announcements of charters and notices. Considering that all these procedures involved quite a lot

of translation from English and French into Latin and back, it is not surprising that unproblematic mutual translatability had higher priority for the officials involved in the whole process and one of the main conditions, in which the smooth running of everyday business was possible. Moreover, Old English and Anglo-Latin equivalents were only accessible to those members of the chancery community who were able to speak English and knew Anglo-Latin linguistic norms, which was clearly not the case for its new members in the first few decades after the Conquest. If indeed a sizeable proportion of chancery clerks was Francophone, with poor to no proficiency in English and little familiarity with local Latin norms, the problem of lexical specificity and technicality becomes partially irrelevant and turns into a problem of linguistic background and competence.

The linguistic background of these clerks and their source-language agentivity on Latin are confirmed at several levels of their written performance: (1) at the level of lexical Gallicisms (*aripennis*, *virgata*, and, especially, verbs), (2) at the level of nominal inflections (plural forms of English loanwords in Latin showing transfer effects from Norman, e.g. *hundrez*, *socamans*), and, possibly, (3) at the level of incompetent morphological analysis of low-frequency franchise terms and the failure to inflect them appropriately in Latin. With the linguistic facts speaking for a major personnel change within the chancery community, it is important to consult extra-linguistic data and to see how far they can support such a scenario.

7.5 Chancery, chancellors, scribes, and bishops of William I

The nature of the documentary evidence from the reign of William the Conqueror makes generalisations about the chancery, its scribes, and leading officials difficult. First of all, originals, in particular, from England are extremely rare, while later copies may contain additions and abbreviations and derive from forged documents (cf. previous chapters). Second, palaeographical analysis of the originals has so far been able to identify only a single chancery scribe. He is known to have produced two diplomas for Norman beneficiaries (B101 for the abbey of Cluny, 1078x1080/1; and B144 for the abbey of Fécamp, 1085), a writ for Westminster abbey (B334, 1086x1087) and to have continued to serve under William II Rufus (Bates 1998: 97). Although the two Norman diplomas concern English property, they use continental styles and templates. The vocabulary of B144 displays a characteristic mix of Norman and English features that we have observed above, e.g. *escangium*, *manerium*, and *placitum* alongside *socha et sacha* (note the <ch> spelling). B334, on the other hand, opens with the Anglo-Saxon writ template *salutem*. *Sciatis me dedisse* and closes with a Norman loanword *saisias* ‘seisin, possession’. Since the same scribe is involved in producing both the insular and continental acta, this diversity of the

diplomatic and lexicon points towards documents being initiated and at least partially drafted locally by beneficiaries, and the chancery playing a role of a validating and authenticating office, which can further be confirmed by the fact that many of them are witnessed by chancellors – B101, for instance, bears a +*S(ignum) Mauricii cancellarii*. A chancellor, in turn, “should be defined, not as someone who controlled a chancery ... but as someone who worked on the production of acta in a king’s or a lord’s name” (Bates 1998: 96–102, at 97).

As pointed out above, it is from this period onwards that the names of royal chancellors are attested continuously among the charter witnesses (under the title *cancellarius*) and mentioned in historical sources such as the *Peterborough Chronicle* (*canceler*). The first person to be referred to as *cancellarius* is Regenbald of Cirencester who appears among witnesses in six spurious charters from the reign of Edward the Confessor. In at least three authentic writs in his favour – one by Edward (S1097) and two by William (B223, B224, both dated to 1066x1067) – Regenbald is described as *min preost*, which could imply both ‘chaplain’ and ‘chancellor’, as we have observed. His uncommon name, of German origin, suggests that he might have been one of the several priests brought by Edward from the Continent, while his presence among the royal priests after the Conquest has been interpreted by Simon Keynes as an indication that Regenbald continued as chancellor in the early years of William’s reign (Keynes 1988).

The first chancellor to be mentioned by name in William’s charters is Herfast, who attested two royal diplomas (B138 and B181) in the late 1060s. Herfast was a Norman. He had served William as chaplain and chancellor before being promoted to bishop of East Anglia in 1070.

The evidence for chancellor Osbern is based on a single charter B82 from the early 1070s, which contains a + *Signum Osberti cancellarii*. This *Osbertus* may be identified with Osbern, Bishop of Exeter and brother of William Fitz Osbern, a prominent magnate and royal steward of William I. Osbern came to England in c.1043 as one of Edward’s chaplains and may have been the chancellor “who presided over the abrupt shift from Old English to Latin as the language of royal writs” (Bates 1998: 99). There is also a possibility, however, that *Osbertus* is a scribal error for *Osmundus* (Bates 1998: 98–99, 346), a chancellor for whom we have more secure evidence.

Osmund was the first chancellor who can be shown to have attested documents both for English (B185) and Norman beneficiaries (B141, B169, B173, B244) for most of the 1070s. In B27, he also witnesses as *Osmundus capellanus Guillelmi regis*. It is assumed that he was of continental birth. In 1078, Osmund became Bishop of Salisbury, but his involvement in royal administration of William I and William II continued. Most importantly, the scribes that were available to him as bishop of Salisbury were also engaged “in copying geld accounts for the south-west, datable

to 1086, and parts of the *Exon Domesday* [or Exeter Domesday Book, OT], the draft return for the south-western circuit of the Domesday inquiry. Although no explicit evidence survives of Osmund's participation in the Domesday Survey, his previous experience as royal chancellor, and the known involvement of Salisbury scribes, make it highly probable that he too was involved, perhaps as a circuit commissioner" (Webber 2011).

Chancellor Maurice was active from 1078 and until his promotion to the bishopric of London in 1085. Presumably of continental birth, as his predecessors, Maurice combined the offices of the royal chaplain and chancellor. His signum *Mauritius cancellarius* appears in six authentic documents (B39, B101, B161, B240, B253, B269) and six forgeries (B150, B290, B305, B306, B318, B319). After his elevation to the see of London, Maurice attests five more acts as bishop. Like Osmund, "he was active on both sides of the Channel" and his chancellorship was characterised by a more pronounced centralised supervision of document production and suppression of local diplomatic styles (Bates 1998: 100–101).

Indirect evidence suggests that the last chancellor of William I's reign and the first chancellor to serve his son William II was Gerard, later Bishop of Hereford and Archbishop of York. He witnesses two writs (B278 and B352) as *G. cancellarius*. If the identification of this signum with Gerard is correct, his career fits the pattern observed among the previous holders of the office. Coming to England from Rouen and rising to prominence as a royal clerk, Gerard must have acted as chancellor for about five years and, remaining in the royal service for the next five, was appointed to the bishopric of Hereford by William Rufus in 1096 and to archbishopric of York by Henry I in 1100 (Burton 2004), a curriculum vitae not unlike that of Bishop Heahmund of Sherborne and Archbishop Plegmund of Canterbury (see Chapters 2 and 4).

Although the evidence for chancellors Regenbald and Osbern is chiefly inferential, it offers not an unreasonable possibility that foreign clerks had been employed in the royal service at least a generation before the Conquest. It is equally possible that they would be helpful and sought after in its immediate aftermath. Having acquired at least a pragmatic competence in legal Old English and Anglo-Latin and mastered non-verbal practices of the royal household and the Anglo-Saxon fiscal administration, but, at the same time, being aware of the continental conventions, such officials would be particularly suited to perform their bureaucratic tasks in the transitional period of the late 1060s. One can envisage them commenting on English hides and hundreds and explaining to their Norman colleagues that the terms of the franchise clauses should better be left unchanged because nobody understands them anyway, as well as commissioning their English scribes to produce copies of royal writ-proclamations. In short, even if the actual Regenbald and Osbern were not and had not been royal chancellors, William I would still have had

to rely on somebody like them, who were representative of the pre-1066 community of practice at the court and possessed the weak ties to the wider administrative community at the level of shires. At the other end of their social network were newly arrived officials like Herfast and Osmund who fulfilled similar secretary functions in William's household while at the same time serving as his chaplains. Within the definition of the royal chancery adopted here, some functional fluidity associated with this office can also be accepted, as well as a degree of chronological overlap between several 'chancellors' and an apparent terminological confusion over their exact role (for example, Regenbald is styled both as *regis cancellarius* and *regis sigillarius* 'keeper of the king's seal' (Keynes 1988: 208–210)). It is also obvious that the immediate consequence of the Conquest was a disruption of daily business and that time had to elapse before chancery procedures settled back to normal or, much more likely, got readjusted to a new normal. Not surprisingly then, this transitional period was accompanied by a decentralisation of charter production, fragmentation of the discourse community, crumbling of old norms, and emergence of new ones. In the early 1070s, the situation began to change: the Norman rule had consolidated considerably, dispossession of the Anglo-Saxon nobility was ongoing, and foreigners were increasingly taking over the highest public positions. In 1070, Archbishop Stigand of Canterbury was deposed, along with several other English bishops, and a Lombard, Lanfranc consecrated as his successor; about a year later a Norman, Thomas of Bayeux became the new Archbishop of York. From this time on, all successive chancellors were chosen only from among the Normans, even though the principles of preferment (from among royal household priests) and promotion (to bishoprics and sometimes archbishoprics) remained unchanged. It appears highly significant that the switch of the royal chancery into Latin happened under such circumstances and at about the same time. This switch was accompanied by changes in the diplomatic. Among them, Bates lists the disappearance of prohibition clauses and a wider use of imperative verbs (especially *mando* and *praecipio* 'to command' (Sharpe 2003: 250, 275–280)). Both developments must have been coordinated and based on "a decision reached at the centre" (Bates 1998: 107).

That Norman chancellors would employ Norman scribes seems inevitable. The linguistic evidence of Norman loanwords into Anglo-Latin and the palaeographical evidence of B101,¹⁶ B144 and B334 (see above) point in the same direction (Bates 1998: 97). Given the strong connection between the royal chancery and the episcopate as well as the almost total replacement of the latter with church magnates of Norman origin, a major reshuffling of the senior staff in episcopal chanceries would follow not much later. Similarly, with lay magnates, as the Norman element kept

16. In B101, chancellor Maurice is one of the witnesses.

increasing among the tenants-in-chief and subtenants (Baxter & Lewis 2017: 402), so must Norman scribes/family priests have dispersed along with their lords' households – from the southeast to the west and north. The adoption of Latin as the universal written code of the new administrative elite was then a natural consequence of these demographic developments, just as the introduction of *barones* among the terms of address reflected the fact that the royal writs were now predominantly saluting Norman barons rather than English thegns.

These centralising tendencies ultimately led to the epic collaboration of all chanceries and archives on the Domesday survey. At Christmas 1085, William held his assembly at Gloucester, which simultaneously appointed three of his clerks (*pæscynges clerecas*, ASC E, s.a. 1085), Maurice the chancellor, William de Beaufou, and Robert de Limesey, to head the bishoprics of, respectively, London, Norfolk, and Cheshire, and announced his plan to undertake a fiscal survey (Loyn 1988: 227). The inquest was conducted in three successive stages (Baxter 2011): First, the data on land and other property were collected at the local manor level. This work was likely to be done in English, by locally based officials, who went about the shameful business of recording cows and pigs (as documented by the Peterborough Chronicle). Second, these returns were checked and authenticated at the shire level, also involving centrally appointed commissioners. This stage would necessitate a lot of multilingual activity: code-switching and translating between English, Latin, and French. It was probably at this point that most of English terms (measurements, social titles, franchises) entered Domesday records. Third, the collected data were summarised into seven circuit returns and entered into the Little Domesday (containing the records for Norfolk, Suffolk, and Essex) and the Great Domesday (describing the other six circuits).¹⁷ It is at the circuit level that Osmund of Salisbury, the former chancellor, must have acted as one of the commissioners, as his episcopal scribes were copying parts of the *Exon Domesday*. Up to twenty-eight hands are identified in over 500 folios of the Exon and attest to the scale and sophistication of the enterprise.¹⁸ Other bishops recently promoted from royal chaplains might have accepted commissioner duties for other shires and circuits (Loyn 1988: 229–230), while the identification of a few names is supported by solid documentary evidence, e.g. bishop Remigius of Lincoln was a commissioner for Worcestershire, along with three lay magnates (Roffe 2007: 9, 70).

17. For details, see <http://www.domesdaybook.net/domesday-book/structure-of-domesday-book/circuits>.

18. For an excellent digital resource for the study of Exeter Cathedral Library MS 3500 (Exon Domesday), including its edition, translation, facsimile, and description, see *Exon: The Domesday Survey of South-West England*, ed. by P.A. Stokes, *Studies in Domesday*, gen ed. J. Crick (London, 2018), available at <http://www.exondomesday.ac.uk>.

1086 was the year when William's administrative reforms had reached their climax, but we have seen that the Domesday project had indirectly been prepared for well over a decade. In the early stages it depended on the intermediary agents like Regenbald or Osbern. As the number of Norman clerks, both in the royal and episcopal chanceries, increased, from the early 1070s onwards, a number of decisive centralised changes became possible. H. R. Loyn observes that among appointees to bishoprics, there was a clear preference for young and aspiring men, that were to be found among the "Normans, French, Lorrainers, Italians but no English" (1988: 225) and among "the immediate servants of the duke, Hofkapelle men, men of the entourage who had come to the notice of the true dispensers of patronage, the king, his half-brother Odo of Bayeux, possibly Geoffrey of Coutances, not so much Lanfranc" in the households of Norman bishops (1988: 226). They came from similar high social backgrounds and received their training in Normandy, above all at Bec. In England, these aristocratic clerks would eventually go on to enjoy episcopal tenures of twenty-three years on average, which points to their young age at appointment, an age that would still allow for successful language acquisition, especially at the lexical level, although not native-like competence.

Overall, then, the majority of administrators running the church and state shared such social parameters as status, age, education, first and/or second language; many of them had also been trained in the same schools or employed in the same households. Down to the level of shires (if not below), they would maintain a social network bound by group solidarity and common interests, not unlike the Mercian coalition of King Alfred's reign, reform and reinforce the legal discourse community, and lay the foundation of mixed-language bookkeeping.

To give an example of the latter, I reproduce a random entry from the *Exon Domesday*, first in its original form (Figure 7.1) and then with the editorial expansions and translation by the Exon project. In the expanded version, emphasis is added to highlight the lexical items discussed in this chapter.

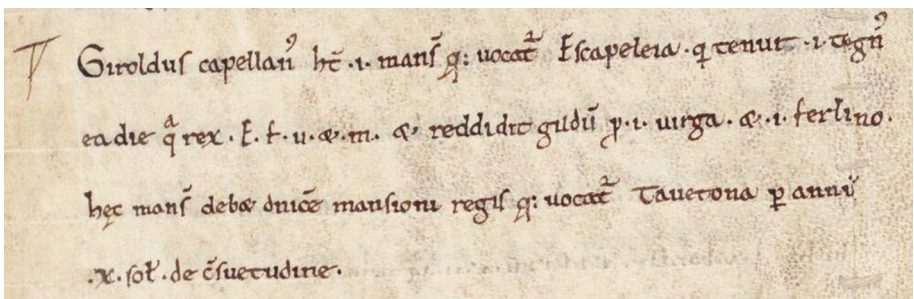


Figure 7.1 *Exon Domesday*, entry f.456a3 (Exeter Cathedral Library MS 3500)
© Exeter Cathedral Dean and Chapter

- (12) § Girolodus **capellanus** habet .i. **mansionem** que uocatur Escapeleia. *quam* tenuit .i. **tegnus** ea die qua rex **Eduuardus** fuit uiuus et mortuus et reddidit **gildum** pro .i. **uirga**. et .i. ferlino. Hec **mansio** debet **dominice mansioni** regis que uocatur Tauetona per annum .x. solidos. de consuetudine.

[Exminster Hundred] § Gerald the chaplain has 1 estate which is called Shapley, which 1 thegn held on the day that King Eadweard was alive and dead, and it paid geld for 1 virgate and 1 ferding. This estate owes to the king's demesne estate which is called South Tawton, 10 shillings a year from custom.'

In a fashion that is typical of Domesday Book as well as of later documentary texts, this entry abbreviates functional morphemes and even whole phrases (*Eduuardus fuit uiuus et mortuus* > *E f u & m*). The text is not in a mixed code as such, for all French and English items, including placenames, are integrated morphosyntactically (despite the abbreviations). Its matrix Latin is also simple enough to enable the audience at the shire court, where the returns were checked and summarized, to follow it with minimal translation and, over time, perhaps to develop a degree of passive genre competence in this variety of Latin. As we have observed in the beginning of this chapter, court sessions were generally the occasions at which the Normans and English, high and low, professional administrators and peripheral members of the discourse community, would regularly come together and interact. Through the weak ties of those at the lower and least professional end of the community, the terminology analyzed in the preceding sections could reach far beyond the courts and ultimately diffuse among monolingual English as well as, conversely, monolingual Norman speakers. Thus, the social and linguistic changes that we have addressed here, although more abrupt at the elite level, clearly penetrated the whole society within a generation of the Conquest.

7.6 Conclusions

This study has shown that contact-induced effects in the legal domain following the Norman Conquest and, especially, the shift of the royal chancery into Latin in 1070 were immediate. Legal insular Latin and, presumably, Norman were flooded with English terminology denoting penalties and crimes, rights and privileges, metrical and administrative units, titles and social positions. It was at least equally affected by the influx of Norman, or Norman Latin, lexical norms. Traditional Old English genres such as writs and notices were recast in written Latin (and spoken Norman), replicating not only the structure of Old English formulae and templates but also the lexical matter of their franchise clauses. Norman linguistic

influence, on the other hand, was felt particularly strongly in borrowed verbs and inflectional morphology. At the level of writ protocol, it can be associated with the reduced use of prohibition clauses and the increase of imperatives. Most of these innovations were initiated by the notorious Norman scribes. The swiftness of the changes, however, was greatly facilitated by the existence of a developed network of centralised and local scribal and administrative communities which participated in the production, circulation, consumption, and preservation of writs and other publicly important genres. In spite of the challenges that this community had to face – code shift and takeover by new members – it managed to renegotiate and redefine its discourse norms by allowing for mutual translatability between the three codes involved in legal and administrative procedures at the various levels of society. These internalised multilingual practices enabled it later to approach the tasks of the Domesday inquest with an arsenal of ready terms and translation solutions, contributing to the success of this big enterprise. The definitive role of the Norman scribes lay in identifying untranslatable terms, coding them either as regular Latin lexemes or as indeclinable legalese lexemes, and internalising these decisions as new discourse norms. Direct borrowing was preferable in these circumstances as it allowed to reduce the processing load on those members who were involved in the various multilingual practices of the community. These practices must have become well established by the time the task of hearing the results of the Domesday inquest fell on shire courts, whose effective running of this business now partly depended on speedy translation of all written sources and oral testimonies that were coming in.

Appendix 1

Abbreviations

AND	= <i>Anglo-Norman Dictionary</i> online (2021).
Bates	= <i>Regesta regum anglo-normannorum: The acts of William I, 1066–1087</i> (1998).
DMLBS	= <i>Dictionary of Medieval Latin from British Sources</i> online (2012–).
DOE	= <i>Dictionary of Old English: A to I</i> online (2018).
DOEC	= <i>Dictionary of Old English Web Corpus</i> (2009–).
MED	= <i>Middle English Dictionary</i> online (2000–2018).
OED	= <i>Oxford English Dictionary</i> online (2021).
OT's dataset	= the sample in Bates's edition described in Chapter 7.

The headwords are given as in DMLBS.

A catalogue of English terms in Latin *acta* of William I

1. Rights and privileges:

1. *fyrdwita* [< OE *fyrðwite* n] 'fine for non-performance of military service; revenue derived from such fines'. First attestations in DMLBS date to late 11th century.
Occurrences: 7 DOEC; 5 Bates (s.v. *fearðwite*), of these 1 in OT's dataset (*ferdwite*).
2. *fihtwita* [< OE *fiht(e)wite* n] 'fine for fighting; revenue derived from such fines'. First attestations in DMLBS date to mid 12th century, the word can thus be antedated. The term is found next to *ferdwite* in B122 in a list of privileges (Ely, 1075x1087).
Occurrences: 9 DOEC; 4 Bates (s.v. *fihtwite*), of these 1 in OT's dataset (*fithwite*).
3. *flemenfremtha* [< OE *flymena fyrmþ* f] '(right to collect) fine for harbouring fugitives'. First attestations in DMLBS date to the late 12th century, thus an antedating is possible; the term has about 30 occurrences in DOEC, predominantly in writs of Edward the Confessor. Interestingly, the form is mostly unverbated in Anglo-Latin sources (DMLBS and Bates), but two-word spellings prevail in Old English texts.
Occurrences: 34 DOEC; 17 Bates (s.v. *fleamenafirmthe*), of these 1 in OT's dataset (*flymenafyrmthe*).
4. *forestallum*, ~is; [< OE *foresteall* m] '(right to collect) fine for assault or obstruction'; cf. *forstal* AND. The term is found next to *flymenafyrmthe* in B69 in a list of privileges (Canterbury, cathedral, 1072/3). Although it is weakly integrated morphologically in this early writ, slightly later examples from Domesday Book (Stotz 2002: 683) in DMLBS suggest that regularly declined forms were also current. OE attestations are mostly in charters.
Occurrences: c.50 DOEC; 23 Bates (s.v. *forestal*), of these 1 in OT's dataset (*foresteal*).
5. *gabulum*, -us, -a [< OE *gafol* n] 'rent, gavel (for land or similar)'; cf. *gable* AND. DMLBS records the first attestation in 1070 (cf. discussion in Stotz 2002: 684), but a much earlier borrowing is suggested by the *Electronic Sawyer* – S1624 dates to 835. Declension typically follows neuter, as in Old English. The term is fairly frequent in Old English: DOE entry is based on c.200 occurrences, with sense 'rent' being limited to legal documents.
Occurrences: c.200 DOEC; 3 Bates (s.v. *gabulum*), of these 1 in OT's dataset (*gabli*).

6. *geldum*, -a, -us [< OE *gyld*, *gi(e)ld* n] 'payment; tax payable to the king'; cf. *gelde*¹ AND. The loan appears to be an established one, with the first recorded use in DMLBS dating to mid tenth century and declined forms being of the regular type, normally in the neuter. DOE records 100 occurrences, many of these coming from chronicles and legislation. Occurrences: c.100 DOE; 31 Bates (s.v. *geld*), of these 3 in OT's dataset (*geldis*, *geldo*).
7. *grithbricha* [< OE *griþbrice* m] '(right to collect) fine for breach of peace'. The two occurrences are in the lists of privileges. The only example in DMLBS dates to 1185; antedating needed. The Old English data are c.50 occurrences, exclusively in legal texts. Occurrences: c.50 DOE; 15 Bates (s.v. *gridbrich*), of these 2 in OT's dataset (*grithbrece*, *grithbrice*).
8. *hamfara* [< OE *hamfaru* f] '(right to collect) fine for breach of peace in house'; cf. *hemfare* AND. The term is not attested in Latin before 1066 (cf. Stotz 2002: 683) and has no record in either DOE or the *Electronic Sawyer*. Although DOE has an entry on *hamfaru*, its earliest attestations are from the 13th-century copies of legislation composed after the Conquest. Occurrences: 0 DOE; 3 Bates (s.v. *haimfare*), of these 1 in OT's dataset (*haimfare*).
9. *hamsocna* [< OE *hamsocn* f] '(right to collect) *ham-soken*, fine for assault of a person in his own home, or house-breaking'; cf. *hamsokne* AND. DMLBS earliest records are c.1200. DOE has 46 occurrences, cf. DOE (s.v. *hamsocn*). Occurrences: 46 DOE; 20 Bates (s.v. *hamsocna*), of these 1 in OT's dataset (*hamsocna*).
10. *infangenetheofa* [< OE *infangeneþeof* m] '(right to profit from) jurisdiction over a thief captured on one's land'; cf. *infangenthef* AND. The first attestation in DMLBS can be antedated by about a century. DOE records 42 uninflected and 21 two-word forms, predominantly in lists of privileges. Occurrences: 63 DOE; 41 Bates (s.v. *infangenetheof*), of these 3 in OT's dataset (*infangenetheof*, *infangethef*, *infangenneþeof*).
11. *saca* [< OE *sacu* f] 'right to conduct a court within a special jurisdiction, also the right to revenues from such a court; sake'; cf. *sac*¹ AND. Recorded forms in DMLBS, frequently in the fem.acc.sg., are contemporary with OT's data. Vernacular occurrences are c.250, with sense 'revenue from court' being mostly restricted to legal documents. Occurrences: c.250 DOE; 103 Bates (s.v. *saca*), of these 9 in OT's dataset (*saca*, *sacam*, *saccham*, *sace*).
12. *sceattum*, *scottum*, *scotum* [< OE *sceatt* m] '(exemption from) tax payable to the king'; cf. *escot* AND. DMLBS earliest attestations of sense 'tax' are from Domesday Book. The Old English etymon has a broader scope 'money, treasure', including 'tax, revenues'. Occurrences: c.300 DOE; 16 Bates (s.v. *scot*), of these 1 in OT's dataset (*scottis*).
13. *soca*, *socna* [< OE *socn* f] 'a lord's right to conduct a court within a special jurisdiction; soke'; cf. *soke*¹ AND. DMLBS first attestation date to the time of Domesday Book (cf. Baxter 2011: 306). Declined forms take feminine gender (discussed in Stotz 2002: 682). Again, the Old English etymon is much broader semantically – 'seeking', also 'seeking protection and justice'. Occurrences: c.200 DOE; 147 Bates (s.v. *soc*), of these 41 in OT's dataset (31 in B117), forms attested *soc*, *soca*, *socam*, *soccham*, *socna*, *socne*.
14. *teamum* [< OE *team* m] 'right of jurisdiction in a suit of *team* (originally for the recovery of goods alleged to have been stolen) and to fees or similar accruing from it'; cf. *tem*¹ AND. The occurrences in William I's acta predate the sole example in DMLBS by about a century. Occurrences: c.120 DOE; 68 Bates (s.v. *team*), of these 3 in OT's dataset (*team*, *team*).

15. *tollum*, ~*a* [< OE *toll* n/m; cf. et. *tolneum*, CL *teloneum*] ‘payment exacted as impost, toll; duty to pay toll; right to exact toll’; cf. *tol* AND. The same antedating in Anglo-Latin is needed as for *teamum*, with which *tollum* also shares Old English frequencies, as the two typically collocate.

Occurrences: c.120 DOEC; 66 Bates (s.v. *tol*), of these 3 in OT’s dataset (*thol*, *toll*).

16. *wer(e)gildum* [< OE *wer(e)gild* n] ‘price set upon man (according to rank) to be paid as compensation in case of homicide or injury, wergild’. The attestation in OT’s dataset is about 50 years earlier than the first in DMLBS.

Occurrences: 33 DOEC; 1 Bates (s.v. *wergeldum*), of these 1 in OT’s dataset.

2. Units of land and administrative division:

1. *burgus*, ~*um*, ~*a* [< OE *burh* f/n/m] ‘fortified town’; cf. *burg* AND. The term is used widely in Anglo-Latin starting with William I’s acta and Domesday Book (DMLBS). Although *burgus* is also attested in medieval Latin more generally,¹⁹ I suggest that first-language or translation transfer effect is at least an additional factor here.

Occurrences: c.2,100 DOEC; 110 Bates (s.v. *burg*), of these 6 in OT’s dataset (*burgis*, *burgo*, *burgum*).

2. *denna* [< OE *denn* n] ‘den; woodland pasture’; DMLBS earliest examples are from Domesday Book. DOE refers to c.40 occurrences, the sense ‘pasture’ features mostly in charters.

Occurrences: c.40 DOEC; 2 Bates (s.v. *denna*), of these 2 in OT’s dataset (*dennas*).

3. *hida* [< OE *hid* f] ‘hide, unit of arable land’; cf. *hide*¹ AND. DMLBS first attestations are contemporary with OT’s data, the term has a wide currency in Anglo-Latin, the forms typically follow the first declension and retain feminine gender (Stotz 2002: 681).

Occurrences: c.1,000 DOEC; 117 Bates (s.v. *hida*), of these 26 in OT’s dataset (21 in B117; *hida*, *hidam*, *hidas*).

4. *hundredum*, ~*us*, ~*a* [< OE *hundred* n] ‘hundred, territorial division of shire; hundred-court’; cf. *hundred* AND. The earliest evidence for this term in Anglo-Latin is from 964. The forms tend to take the second declension neuter inflections (DMLBS), which, however, is not immediately obvious in OT’s data (Stotz 2002: 682). DOE total record is c.300 occurrences, of these about a third are in legal documents, where sense ‘division of shire; court’ is most likely to occur.

Occurrences: c.300 DOEC; 44 Bates (s.v. *hundredum*), of these 7 in OT’s dataset (3 in B117; *hundred*, *hundredis*, *hundret*, *hundrez*).

5. *scira*, ~*us*, ~*um* [< OE *scir* f] ‘shire’. DMLBS first attestations are from Domesday Book. The term has a wide currency, inflected mostly in the feminine (Stotz 2002: 682).

Occurrences: c.270 DOEC, 28 Bates (s.v. *scira*), of these 3 in OT’s dataset (*schires*, *scyras*).

6. *thegnlanda* [< OE *þegn* + *land* n] ‘thegn-land’. DMLBS record is minimal, with earliest attestations from Domesday Book.

Occurrences: 1 DOEC; 2 Bates (s.v. *theinland*), of these 2 in OT’s dataset (*theinlandes*, *theinlandis*).

19. For example LLT-A records 221 occurrences in post-classical texts. Brepolis Library of Latin Texts – Series A. Brepolis Databases. Brepols. <http://clt.brepolis.net/llta/Default.aspx>.

3. Titles:

1. *socamannus* [< OE *soca* + *man* m] 'sokeman, free tenant who holds land in socage and comes under the jurisdiction of a landlord'; cf. *sokeman* AND. First attestations in DMLBS are contemporary with OT's data.
Occurrences: 1 DOEC (*socne men* in S1129); 21 Bates (s.v. *socaman*), of these 13 in OT's dataset (13 in B117; *socaman*, *socamans*).
2. *thegnus* [< OE *þegn* m] 'thegn,thane, lord'; cf. *thein* AND. DMLBS earliest recorded forms are from the late 11th century.
Occurrences: c.1,600 DOEC; 38 Bates (s.v. *tainnus*), of these 3 in OT's dataset (*tarcinis*, *taunis*, *thennis*).

A catalogue of French terms in Latin acta of William I

1. Units of land and administrative division:

1. *aripennis* [OF *arpent* < Gall.] 'measure of land, esp. of vineyard'. DMLBS marks *aripennis* explicitly as a Gallicism and dates the earliest examples to 1080. OT's only instance B21 has the same date. In AND, there are no instances of *arpent* before the second half of the twelfth century (s.v.). There are no records in English before the Early Modern period (OED s.v. *arpent*), although MED quotes one instance of a derivative *arpentier* 'a surveyor of land' in a1475 (s.v.).
Occurrences: 0 DOEC; 17 Bates (s.v. *arpennus*), of these 1 in OT's dataset (*arpennos*).
2. *dominicus*, -um [CL] adj. and noun 'belonging to demesne; demesne'. This term is attested in Bates from 1070 on – 2 times in B24 (*dominica*) and one each in B14(i), B69(i), B119 (*dominico*), B126, and B129 (*dominicas*) – about a decade earlier than in DMLBS. It is the source of Anglo-Norman *demeine* (s.v. 1; attested from the late twelfth century) and English (via Anglo-Norman) *demesne* (OED s.v.; from 1290s).
Occurrences: 0 DOEC; 46 Bates (s.v. *dominicus*), of these 7 in OT's dataset (*dominica*, *dominicas*, *dominico*).
3. *manerium* [AN *maner* < *manere*] 'manor'. DMLBS gives a clear indication that this lexeme is a Latinisation of an Anglo-Norman term dated to 1070s (cf. OED s.v. *manor*; cf. Baxter 2011: 302–303). The attestations in Bates are contemporary: B8, B18, B78, two in B121 (*manerium*), and four in B177 (*maneria*, *maneriorum*, *manerium*). In AND, the etymon *maner* 1 is not recorded until 1200, and the earliest occurrences in English are still a century later (MED, OED s.v.).
Occurrences: 0 DOEC; 101 Bates (s.v. *manerium*), of these 9 in OT's dataset.
4. *mansio* [CL]. The classical senses of *mansio* – 'the act of remaining; staying at place; house, dwelling' – are well attested in Anglo-Latin before the Norman Conquest. The semantic development to 'mansion, manor' appears to be triggered by Anglo-Norman (DMLBS, OED s.v. *mansion*), even though the attestations in the source language are, as with many previous examples, two centuries later than in Latin (c.1070) (AND s.v. *mansiun*). There are five occurrences in OT's data: two in B81 (*mansionum*) and three in B176 (*mansionem*). The earliest records in English are from the time of Chaucer (MED s.v. *mansioun*; OED s.v. *mansion*).
Occurrences: 0 DOEC; 21 Bates (s.v. *mansio*), of these 5 in OT's dataset.
5. *virgata* [CL *virga* + -ata] 'yard; measure of land; yardland, virgate', attested in DMLBS from the 1070s on; AND s.v. *virgate* from 1290s; OED s.v. *virgate* from 1655.
Occurrences: 0 DOEC; 22 Bates (s.v. *virgata*), of these 10 in OT's dataset (9 in B117; *virgatas*).

2. Titles/occupations:

1. *baro* [OF *ber*, *baron* (?) < Frk.] ‘baron, royal vassal, or tenant in chief’ has 14 attestations in the selection from Bates in 12 charters, the earliest being 1066 (B2 and B15), forms *barones*, *baronibus*. These occurrences are contemporary with those mentioned in DMLBS but predate the first attestations in Anglo-Norman by about 50 years (AND s.v. *baron*) and in English by more than a century (OED s.v. *baron*).
Occurrences: 0 DOEC; 115 Bates (s.v. *baro*), of these 14 in OT’s dataset.
2. *cancellarius* [LL] ‘chancellor (royal)’. There are 4 occurrences of the term in OT’s data – forms *cancellarius* and *cancellarii* (B39, B81, B82, B138). It is found exclusively in witness lists, with the earliest in 1069, which is contemporary with DMLBS, but c.50 years earlier than those in AND (s.v. *chanceler* 1). The first record in English is 1093 in the *Peterborough Chronicle* (DOE s.v. *canceler*; cf. OED s.v. *chancellor*).
Occurrences: 4 DOEC; 33 Bates (s.v. *cancellarius*), of these 4 in OT’s dataset.
3. *capellanus* ‘chaplain’. The only attestation in OT’s data is in the witness list of B39, dated to 1081. DMLBS has earlier examples of *capellanos* serving King Alfred (Asser, *Life of Alfred* 77.13) and bishops (Alcuin, *Ep.* 264), but continuous attestations appear only from the 1060s. This is a few decades earlier than in English (OED s.v. *chaplain*; DOE s.v. *capellan*, in the *Peterborough Chronicle*) and Anglo-Norman (s.v. *chapeleyn*).
Occurrences: 3 DOEC; 60 Bates (s.v. *capellanus*), of these 1 in OT’s dataset.
4. *carpentarius* [LL; cf. AN *carpenter*, OF *charpentier*] ‘carpenter, woodworker’. The term is glossed as *wænwyrrhta* and *wængerefa* ‘cartwright’ in Old English glossaries, but the more general sense ‘carpenter’ is first attested in B121, 1070 (cf. DMLBS). The only occurrence in OT’s data is *carpentarii* in the main text of B121. The term is not registered in Anglo-Norman until 1272 (AND s.v. *charpenter* 1) and in English until c.1300 (MED s.v. *carpenter*; cf. OED s.v. *carpenter*).
Occurrences: 0 DOEC; 7 Bates (s.v. *carpentarius*), of these 1 in OT’s dataset.
5. *dapifer* ‘attendant at meals, sewer, steward (royal)’. The term appears 8 times in OT’s data (B6, B18, B70, B72, B82, B88, B117, B118) from 1070 onwards. The dating is consistent with DMLBS. This term has no direct parallel in Anglo-Norman. If *dapifer* is equivalent to *senescalcus* and *dispensator*, as DMLBS suggests (s.v. *dapifer*), an Anglo-Norman source (or, at least, contributory influence) can be seen in *seneschal* or *dispensator* and *despenser* (AND s.vv.). In pre-Conquest Anglo-Latin, *discifer* is the most common term, with Old English *discpegn* as equivalent. In poetry, *byrele* is preferred (Gautier 2017).
Occurrences: 0 DOEC; 61 Bates (s.v. *dapifer*), of these 8 in OT’s dataset.
6. *fideiussor* ‘one who gives surety, guarantor’. The term is glossed as *borhhand* in Old English glossaries and has a possible parallel in Anglo-Norman *mainprendre* (AND s.v.). There are two occurrences in OT’s data: *fideiussores* in B18 (1070) and *fidei iussores* in B105 (1066x1086). Possibly a semantic loan from Anglo-Norman.
Occurrences: 0 DOEC; 5 Bates (s.v. *fideiussor*), of these 2 in OT’s dataset.
7. *justitarius* [ML] ‘a justice, justiciar, judge (royal)’ is attested once, in B14 of 1070, which records an abbreviated form *iusticiar(iis)*. This occurrence is a few decades earlier than those in DMLBS and AND (s.v. *justiser* 1). In English, the loan is not registered before the fifteenth century (MED s.v. *justicer*; OED s.vv. *justicer*, *justiciar*).
Occurrences: 0 DOEC; 8 Bates (s.v. *iusticius*), of these 1 in OT’s dataset.

8. *vicecomes* [*vice-* + *comes*; cf. OF *vicomte*] is the most frequent term in OT's data – 44 occurrences in 32 acta. It is used in lists of addressees and witnesses and refers both to Norman 'vicomtes' and to English 'sheriffs'. The first attestations (1066) can be found in B33, B35 and B132, which is in line with DMLBS, but at least 150 earlier than in Anglo-Norman (AND s.vv. *visconte* and *vicomté*). Our records for Middle English are from the fourteenth century on (MED, OED s.v. *viscount*).

Occurrences: 0 DOEC; 225 Bates (s.v. *vicecomes*), of these 44 in OT's dataset.

3. Other legal terms:

1. *captio* [CL] 'trickery' is one more classical term that develops new senses 'capture, seizure; captivity' in Anglo-Latin after 1066. In OT's data, 'captivity' occurs two times – B42 (*captione*) dated to between 1066 and 1087. This example predates DMLBS by almost a century, AND by two centuries (s.v. *capciun*), and OED by three centuries (s.v. *caption*; cf. MED s.v. *capcioun*).

Occurrences: 0 DOEC; 2 Bates (s.v. *captio*), of these 2 in OT's dataset.

2. *excambium* 'exchange; compensation' is attested in DMLBS in Domesday Book records. OT's sole example from charters – *escambitionem* (B119, 1081) – is only a few years earlier. Its source, Anglo-Norman *eschange*, is registered in c.1185 (AND s.v.). In English, the first attestations are found in Chaucer (MED s.v. *eschauunge*; OED s.v. *exchange*).

Occurrences: 0 DOEC; 11 Bates (s.v. *excambium*), of these 1 in OT's dataset.

3. *forisfactura* 'offence; forfeiture' occurs two times in OT's files in B117 and B122, both dated to the 1070s. Examples in DMLBS are roughly contemporary. The earliest attestation in Anglo-Norman is from c.1150 (AND s.v. *forfaiture*) and in English from c.1380 (MED, OED s.v. *forfeiture*).

Occurrences: 0 DOEC; 38 Bates (s.v. *forisfactura*), of these 2 in OT's dataset.

4. *placitum* 'agreement' is a classical term, but the sense 'plea, legal action' is not attested in Anglo-Latin before the Norman Conquest. There are 16 occurrences in OT's data from 1070 onwards: B69(i) (6 instances), B105, B117, B119, B120 (x2), B123 (x2), B125 (x2 *placitum* and *placitorum*), and B128 (*placita*). The Anglo-Norman etymon *plai(d)* is first registered some 50–60 years later (AND s.v. *plai* 1). The earliest occurrence in Middle English is c.1275, in *The Owl and the Nightingale* (MED, OED s.v. *plea*).

Occurrences: 0 DOEC; 85 Bates (s.v. *placitum*), of these 16 in OT's dataset.

4. Verbs:

1. *clamare* in classical Latin 'to cry, shout, exclaim' develops new legal senses 'to claim, assert; make claims, object' under the influence Anglo-Norman. The first attestation in OT's sample can be dated to 1066 – *clamabunt* in B120, followed by B69(i), B105 (*clamo*), B132 (x2 *clamet*, *clamaverit*), B178 (*clamat*). The record in Anglo-Norman is about 70 years later (AND s.v. *clamer*), in English *claim* is found only from c.1320 (OED s.v.; MED s.v. *claimen*). The near-synonymous *reclamare* shows a similar semantic development and attestations soon after the Conquest: *reclamaverit* in B43 and *reclamat* in B119 (cf. DMLBS s.v.; AND *reclamer*; OED s.v. *reclaim*).

Occurrences: 0 DOEC; 18 Bates (s.v. *clamo*), of these 6 in OT's dataset (plus 2 occ. of *reclamo*). There is no entry on *reclamo* in Bates.

2. *placitare* 'to sue, plead' is derived from *placitum* (see above) by analogy with Anglo-Norman *plai(d)* > *plaidier*. The simplex form occurs in OT's data from the early 1070s in B69(i) and B123 (x4), which is consistent with DMLBS. Attestations in English are from c.1275 on (MED s.v. *pledēn*; OED s.v. *plead*). Two derivatives emerge in Anglo-Latin at about the same time: *explacitare* 'to gain by pleading' (*explacitavit* B135, 1078) and *deplacitare* 'to establish a claim to' (*deplacitare* B123, 1081). These prefixed forms have no record in Anglo-Norman or Middle English (but cf. AND s.v. ?*espleider*).
Occurrences: 0 DOEC; 11 + 2 + 1 Bates (s.vv. *placito*, *deplacito*, *explacito*), of these 5, 1, and 1, respectively, in OT's dataset.
3. *saisire*, *seisire* 'to put in legal possession', possibly of Germanic origin, may be a rare case of a borrowing "returned" to its source. DMLBS reconstructs its etymology as follows: AN *seisir*, *saisir*, OF *saisir*, *seisir*, ME *seisen* < LL *sacire*, perh. < Frk. *sakjan*; AS *sacu*, *sōkjan* = 'to seek'; cf. also CL *sessio* < *sedere*. OED, however, traces Latin *sacire* to Germanic **satjan* 'to place, set'. Whatever the prehistoric origin, in Anglo-Latin, the source of the form *saisire* in the late eleventh century is Anglo-Norman. This is confirmed by examples in Bates. Both the simplex and derivatives are attested in legal documents soon after the Conquest: past participle *saisitus* in B119 and B126 (1081); *deseisierunt* (of *desaisire* 'des-seise, dispossess') in B43 (1066); *reseiseatis* (of *resaisire* 'reseise, put back into possession') in B43 (1070), *resaisire* in B83, and *resaisiri* in B121. AND dates its first examples to 1130s (s.vv. *seisir*, *disseisir*, *reseisir*). The record in English begins with the *South English Legendary* c.1290 (OED s.vv. *seize*, *disseise*, *reseize*; MED s.v. *seisen*, *disseisen*, *reseisen*).
Occurrences: 0 DOEC; 9 + 1 + 3 Bates (s.vv. *saisio*, *deseisio*, *resaisio*), of these 2, 1, and 3, respectively, in OT's dataset.
4. *dirationare* 'deraign, maintain right to' is not attested in Anglo-Latin before the Norman Conquest. Together with a less assimilated *dereinare*, it is derived from Anglo-Norman *dereiner* (AND s.v. 2). There are 9 occurrences in OT's data: in B3, B69(i) (x6), B122, and B134, with the first attestation dating to 1072. AND record is, as always, later – from the first third of the twelfth century. This loan does not reach written English until c.1240 (MED s.v. *dereinen*; OED s.v. *deraign*).
Occurrences: 0 DOEC; 26 Bates (s.v. *deratiocino*), of these 9 in OT's dataset.
5. *submonere*, in classical Latin 'to remind, hint', in post-Conquest Anglo-Latin, develops senses 'to exhort, order' and 'to summon (to court)', both seemingly under Norman influence (AND s.v. *somondre*). In charters, the later sense is present from c.1070: *submonete* in B119, *summonete* and *summonebitis* in B129. In AND, sense 'to summon' is recorded only in 1270s, which is contemporary with the earliest attestation of *summon* in English (OED s.v.; cf. MED s.v. *sommen*).
Occurrences: 0 DOEC; 9 Bates (s.v. *summoneo*), of these 3 in OT's dataset.

Epilogue

With this book, I wanted to explore the possibilities of a sociolinguistic enquiry into the Old English period. I have mentioned in the introduction that many insights were already reached in the domain of language contact, standardising processes, interactional sociolinguistics, and in the history of individual registers and genres. I have brought many of the former approaches under the same cover but was also able to demonstrate new methodological and qualitative procedures and means that can help us reconstruct the various communities of language users, characterise them hierarchically and correlate their linguistic performance with age, gender, social status, and role and dynamics within those communities. In this short epilogue, I would like to highlight the main findings of this experiment and to suggest avenues for future research.

First, as concerns the methodology, it seems fruitful to apply modern frameworks, such as discourse communities, social networks, and communities of practice, to historical data even in this remote period. Obviously, “fieldwork” in Old English would always be much more limited and, often, only qualitative in nature, but in the absence of recordings and living informants, we shall also be able to avoid the observer’s paradox. Questionnaires, on the other hand, can be partly substituted by such detailed resources as the *Prosopography of Anglo-Saxon England*. In combination with charters, these databases have proved to uncover exciting personal histories and some correlations between, e.g. gender and linguistic variables (Chapter 6) or age and acquisition of English by the Normans scribes (Chapter 7). Chapters 4 and 7, in particular, have demonstrated how vital it is to consider not only vernacular texts but also their contemporary Anglo-Latin counterparts (cf. Bolton 1967; Orchard 2014). For many genres, the latter can provide much more extensive comparative data, as well as qualify chronology and frequency information of monolingual corpora and dictionaries. Additionally, unlike most Old English genres, charters with their promulgation dates and archival histories offer exceptional precision for the localisation of linguistic norms and innovations.

At the general socio-historical level, we have been able to observe that legal and historical registers are very sensitive to political change. Several times over the inspected period, the episodes of political centralisation were correlated with linguistic focusing and supralocalisation. Conversely, the times of political fragmentation and instability were correlated with divergence of common linguistic practices. The

examples of the former are lexical focusing in the common stock of the *Anglo-Saxon Chronicle* and its tenth-century continuations (Chapter 2), standardisation of writ and letter protocol and etiquette during the Benedictine Revival in the second half of the tenth century (if not during the Alfredian period (Chapter 5)), or the centralised switch of the royal chancery into Latin following the consolidation of the Norman rule in 1070 (Chapter 7; cf. Keynes 1980, 1988, 1990, 1994, 1998b; Bates 1998; Snook 2015). The examples of the latter are heightened variation between dispositive verbs in wills before c.900 (Chapter 6) or localisation of William I's charter templates between 1066 and 1070 (Chapter 7).

The degree or stage of political centralisation is only one of the many aspects that contributes to these centripetal versus centrifugal phases of language history. As such, these phases are frequently preceded, accompanied, or followed by other sociolinguistic processes, in particular, those of proliferation, differentiation, and selection of features and practices. The latter, in turn, seem to be propelled most by language and dialect contact and by contact of practices (between Mercian and West Saxon or between late Old English and Norman). For example, dispositive clauses in vernacular wills before c.900 display a lot of variation: they employ verbs of granting, possession, bequeathing, etc. Many of those are region- or even scriptorium-specific. In other words, there is a proliferation of dispositive strategies. Over time, however, one dispositive verb (*ge*)*unnan* is selected as more suitable to express a bequest than others. Alongside this selection, a differentiation of dispositive verbs is taking place: (*ge*)*unnan* becomes the preferable option in the legal register, while *sellan* expands outside it (Chapter 6). It is tempting and not unreasonable to connect the phase of selection with the elevation of Wessex in the late ninth century. Similarly, the immediate aftermath of 1066 was a proliferation of diplomatic conventions and terminological options in insular English and Latin as well as in Norman French and Norman Latin. A few years later, Latin with compromise features from both vernaculars (translated from English as *sciatis* in the notification or borrowed from Norman as *saisire*), was selected as the main code (Chapter 7).

Innovation is the expected outcome of contact. But what we have also learnt from the preceding chapters is that innovation is often intertwined with conservatism, and conservatism with innovation. The writ templates proved to be incredibly robust and open to change at the same time. In spite of many conquests and civil wars, in spite of the chancery language shift from English to Latin to French to English to Latin to English, some of the features that we have described remain recognisably Alfredian, even today (Chapter 5). On the other hand, Bury St Edmunds innovation of the (*ge*)*unnan þæt land* construction seems to have happened notwithstanding this notorious rigidity of bureaucratic norms and the strong supra-localisation trend in the late Old English period (Chapter 6).

Finally, the processes of convergence and divergence happen at both communal and individual level. Many lexical innovations are motivated and imposed by political circumstances, or even communities of political actors. Administrative reform and political change of the eleventh century, promoted the semantic development of *eorl* and the borrowing of *baron*, both seemingly at the expense of *ealdorman*. Lexical convergence and eventual elimination of such terms as *ealdorman* (as well as *þegn*) is probably unavoidable when associated with centralisation and political dominance of social actors initiating the lexical change (Chapters 5 and 7). Similarly, but conversely, the lack of political interest and investment in the old *here* vs. *fyrð* norm appears to have led to its decay and to divergence of lexical practice of denoting the out- and in-group (Chapter 2). Convergence in individuals can be exemplified by Ælfric. We have seen in Chapter 3 that Ælfric was an elusive legal person – he cannot be identified with any of the Ælfrics witnessing surviving charters with confidence, possibly, because he was not important enough to take part in the royal assembly and to have his name listed on a royal diploma (Hill 2009: 36–37). Nevertheless, he was sufficiently well placed to understand the etiquette of royal announcements, and, in his own correspondence, he displays adequate genre competence and calibrates his salutations in relation to his own and his addressees' social status (Chapter 5). Ælfric's lexical development away from hermeneutic Winchester norms towards more common vernacular usage has also been documented by Malcolm Godden (1980). Hermit Mantat, on the other hand, is eager to diverge from secular norms and, thus, to identify himself with a kind of transcendental community (Chapter 6).

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This is the first extensive study of Old English to utilise the insights and methodologies of sociolinguistics. Building on previous philological and historical work, it takes into account the sociology and social dialectology of Old English and offers a description of its speech communities informed by the theory of social networks and communities of practice. Specifically, this book uses data from historical narratives and legal documents and examines the interplay of linguistic innovation, variation, and change with such sociolinguistic parameters as region, scribal office, gender, and social status. Special attention is given to the processes of supralocalisation and their correlation with periods of political centralisation in the history of Anglo-Saxon England.

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