Law, Lineage, and Royal Authority in King Alfred's Project of Educational Reform

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List of Abbreviations

Abt	Laws of Æthelberht, *Die Gesetze der Angelsachsen*, ed. Felix Liebermann, 3 vols (Halle, 1898–1916), I, 3–8.
Af	Laws of Alfred, *Die Gesetze der Angelsachsen*, ed. Felix Liebermann, 3 vols (Halle, 1898–1916), I, 16–88.
AfEl	Laws of Alfred, Prologue.
AfRb	Laws of Alfred, Rubric.
AGu	Alfred-Guthrum treaty, *Die Gesetze der Angelsachsen*, ed. Felix Liebermann, 3 vols (Halle, 1898–1916), I, 126–9.
ASE	*Anglo-Saxon England.*
ASPR	*The Anglo-Saxon Poetic Records*, ed. G. P. Krapp and E. van. K. Dobbie, 6 vols. (New York, 1931–42).
BEASE	Lapidge, Michael, John Blair, Simon Keynes, and Donald Scragg, ed., *The Wiley–Blackwell Encyclopaedia of Anglo-Saxon England* (Oxford, 1999 repr. 2014).
BL	British Library.
Bo	*The Old English Boethius: An Edition of the Old English Versions of Boethius's De Consolatione Philosophiae*, ed. Malcolm Godden and Susan Irvine with Mark Griffith and Rohini Jayatilaka, 2 vols. (Oxford, 2009).
C&S	*Councils and Synods with other Documents Relating to the English Church I: A.D. 871–1204*, trans. D. Whitelock, M. Brett, and C. N. L. Brooke, 2 vols (Oxford, 1981).
CCCC	Corpus Christi College, Cambridge.
CLASP	*A Consolidated Library of Anglo-Saxon Poetry*, ed. Andy Orchard *et al*. (Oxford, 2016–22). <https://clasp.ell.ox.ac.uk/>.
DOE	*Dictionary of Old English: A to I* online, ed. Angus Cameron, Ashley Crandell Amos, Antonette diPaolo Healey *et al*. (Toronto: Dictionary of Old English Project, 2018). <https://tapor.library.utoronto.ca/doe/>.
DOEC	*Dictionary of Old English Web Corpus*, compiled by Antonette diPaolo Healey with John PriceWilkin and Xin Xiang. (Toronto: Dictionary of Old English Project, 2009). <https://tapor.library.utoronto.ca/doecorpus/>.
DOML	Dumbarton Oaks Medieval Library, ed. Daniel Donoghue *et al*.
EEMF	Early English Manuscripts in Facsimile
EETS	Early English Texts Society, original series (OS) and supplementary series (SS).
G&L	Gneuss, Helmut, and Michael Lapidge, *Anglo-Saxon Manuscripts: A Bibliographical Handlist of Manuscripts and Manuscript Fragments Written or Owned in England up to 1100* (Toronto: University of Toronto Press, 2014). Now also via *CLASP*: <https://clasp.ell.ox.ac.uk/db-latest/apmo/>.
Hl	Laws of Hlothere and Eadric, *Die Gesetze der Angelsachsen*, ed. Felix Liebermann, 3 vols (Halle, 1898–1916), I, 9–11.
Ine	Laws of Ine, *Die Gesetze der Angelsachsen*, ed. Felix Liebermann, 3 vols (Halle, 1898–1916), I, 88–123.
JEGP	*Journal of English and Germanic Philology*.

K&L	*Alfred the Great: Asser's* Life of King Alfred *and Other Contemporary Sources*, ed. and trans. Simon Keynes and Michael Lapidge (London, 1983).
Getsetze	*Die Gesetze der Angelsachsen*, ed. Felix Liebermann, 3 vols. (Halle, 1898–1916).
MEL	Wormald, Patrick, *The Making of English Law: King Alfred to the Twelfth Century, Vol.1: Legislation and its Limits* (Oxford: Blackwell, 1999).
MGH	*Monumenta Germaniae Historica*.
OED	Oxford English Dictionary.
OTA	*The University of Oxford Text Archive*, Corpora 2488: *Dictionary of Old English Corpus in Electronic Form (DOEC)*, ed. Antonette diPaolo Healey *et al*., Dictionary of Old English Project on CD-ROM (Toronto, 2000), <http://ota.ox.ac.uk/desc/2488>.
SOEALLC	*The Sources of Old English and Anglo-Latin Literary Culture, 500–1100*, 2022, <https://soeallc.hcommons.org/>.
VA	*Asser's Life of King Alfred Together With the Annals of Saint Neots Erroneously Ascribed to Asser*, ed. W. H. Stevenson (Oxford, 1904 repr. 1959).
Wi	Laws of Wihtræd, *Die Gesetze der Angelsachsen*, ed. Felix Liebermann, 3 vols (Halle, 1898–1916), I, 12–14.

Introduction

This thesis explores the literary and educational reforms carried out under the rule of King Alfred the Great (871–99), with a particular emphasis on intellectual diversity, intertextuality, and sources of inspiration. Focusing on a collection of understudied texts associated with this movement, including the *Domboc*, *Bald's Leechbook*, a collection of charters, and Alfred's royal will, this thesis studies the themes of rightful power and royal authority that are common to nearly all written works produced under Alfred's aegis.[1] Detailed analysis is also undertaken of those Alfredian translations which enable a fuller understanding of the aforementioned works: especially relevant are the *Pastoral Care*, the first fifty prose psalms of the Paris Psalter, and important Latin writings including the *Vita Alfredi*, archbishop Fulk's letter to Alfred, examples of Late Antique and Anglo-Latin verse, and two acrostic poems composed in praise of the king. It is a contention of this thesis that these documentary and administrative writings share in some of the same sources of inspiration as the literary productions of the royal court, offering previously overlooked evidence of the intellectual preoccupations of its principal workers. It has therefore been an aim of this study to contribute a range of analytical data concerning these works to the developing body of research that has looked upon the integrity of the Alfredian corpus with scepticism, in order to facilitate efforts to read the corpus more broadly and better understand how Alfred's reforms came into being.[2]

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[1] David Pratt, *The Political Thought of King Alfred the Great* (Cambridge, 2007), 3 and 338–50.

[2] See especially Malcolm Godden, 'Did King Alfred Write Anything?' *Medium Aevum* 76 (2007), 1–23; Malcolm Godden, 'Alfredian Prose: Myth and Reality', *Filologia Germanica* 5 (2013), 131–58; Malcolm Godden, 'Why did the English Switch from Verse to Prose?', in *The Age of Alfred: Rethinking English Literary Culture c. 850–950*, ed. Amy Faulkner and Francis Leneghan (Turnhout: Brepols, forthcoming). Discussion of a broadening Alfredian corpus, much of it in response to Godden's doubts, is offered in Faulkner and Leneghan's forthcoming volume, and in *A Companion to Alfred the Great*, ed. Nicole Guenther Discenza and Paul E. Szarmach (Leiden: Brill, 2015).

Themes of law and justice are examined across the Alfredian corpus of writings and feature more prominently than in past studies of Alfred's philosophy of kingship. These concepts are most emphatically expressed in Alfred's law code, or *Domboc*, and its Mosaic prologue, in which Alfred compares his laws to those of God and traces their authority through to his day. The scant attention the laws have received has been highlighted in a number of recent discussions and was the rationale for undertaking the present study before extending to additional works;[3] meanwhile, an emerging consensus suggests that the *Domboc* may be among the earliest of Alfred's writings and possibly a tool for educating his ecclesiastical and secular authorities on matters of judgement.[4] In light of Daniel Anlezark's questioning of the significance of the phrase 'those books most necessary to know', his suggestion that it may in fact refer to Scripture rather than to the Alfredian court's translations of works by Boethius, Augustine, and Gregory, carries key implications for the *Domboc*'s nearly two-thousand-word translation of Exodus.[5] Elsewhere, the articulation of just judgement is a chief concern of Asser's *Vita Alfredi* and figures prominently in several documentary writings in addition to important appearances in the Alfredian translations as an essential characteristic of model leadership. An important question to be answered by this thesis is therefore whether the laws, alongside *Bald's Leechbook*, the charters, and Alfred's will, might have been left understudied due to perceptions that they are 'legal,' 'medical,' or 'documentary' and therefore not 'literary.'[6] Common inspirations, particularly descending

[3] *The Laws of Alfred: the* Domboc *and the Making of Anglo-Saxon Law*, ed. and trans. Stefan Jurasinski and Lisi Oliver (Cambridge, 2021), 112; Bryan Carella, 'Evidence for Hiberno-Latin Thought in the Prologue to the Laws of Alfred', *Studies in Philology* 108.1 (2011), 1–26 at 2; Stefan Jurasinski, 'Slavery, Learning and the Law of Marriage in Alfred's Mosaic Prologue', in *Secular Learning in Anglo-Saxon England: Exploring the Vernacular*, ed. László Sándor Chardonnens and Bryan Carella (Amsterdam: Rodopi, 2012), 45–64 at 45–6.
[4] Jurasinski and Oliver, *The Laws of Alfred*, 51–7 and 102–5; Patrick Wormald, *The Making of English Law: King Alfred to the Twelfth Century, Vol.1: Legislation and its Limits* (Oxford: Blackwell, 1999), 428–9; Pratt, *Political Thought*, 167–9.
[5] Daniel Anlezark, 'Which Books are "Most Necessary" to Know? The Old English *Pastoral Care* Preface and King Alfred's Educational Reform', *English Studies* 98.8 (2017), 759–80 at 760 and 777.
[6] For the closeness of law and literature in Anglo-Saxon England, see especially Wormald, *MEL*, 416–65.

from traditions of Latin learning, are explored throughout this thesis to critique false dichotomies dividing the corpus in the critical discourse.

Lineage and royal authority are two further themes investigated by this study, particularly in relation to administrative writing at the Alfredian court. The employment of Alfred's first-person voice in several Alfredian translations is rarely compared with a collection of charters in which it also appears, despite shared concerns to communicate Alfred's dependence on the advice of his councillors and their collective channelling of knowledge and authority from past leaders and regimes representing the highest echelons of worldly power. In the most elaborate documentary examples, lengthy exposition of ideas in prefaces introducing the documents can be seen to stretch definitions of literature that test the limits of the court's intellectual boundaries. Therefore, separating these texts from more famous examples of Alfredian prose can prove difficult if one cannot rely on Alfred's personal authorship as a criterion for doing so.

However, it has not been the intention of this project to substitute a traditional reckoning of the Alfredian corpus with a list of works more closely tied to the administration of the king's reign. The evidence presented in this thesis advocates for a more comprehensive understanding of the Alfredian oeuvre, in which intellectual rather than authorial motives can be seen to connect its relevant works. In this sense, the division of the corpus between works of 'royal' authorial attribution and the rest as 'Alfrediana' only loosely associated with the king, is not a helpful schema to gain a greater appreciation of how an Anglo-Saxon court producing a range of writings might have worked from common inspirations which were not differentiated by a modern understanding of genre. A closer look at the works engaged by this thesis reveals that, by way of their sources, structure, style, and content, there are multiple avenues for comparison between these texts and definitions of literature, as well as

important insights to be made into the developing standards of literacy in late ninth-century Anglo-Saxon England.

As the subject-area has developed substantially in the last decade, most notably through re-analysis of Alfred's role as author, the potential for this project to contribute to the ongoing research is clear. Updated evaluations of most of the works in the Alfredian corpus have been published, and a significant recent companion reader reflects the academic status quo on Alfred.[7] However, many works with Alfredian associations remain at the periphery of the critical discourse, on an understanding that they may not have fit within the court's vision of educational reform. Here, oversights such as the exclusion of the *Domboc* from the list of Alfredian texts offered in the recently updated *Wiley–Blackwell Encyclopedia of Anglo-Saxon England*, seem especially glaring.[8] Therefore, as the reconsideration of Alfred's courtly ambitions continues, it is important to consider in what ways works of a more practical focus, such as those of law, medicine, and documentary administration, may have participated in the intellectual milieu of Alfred's court. The aim of this project has been to produce a compelling body of evidence that demonstrates links not only between Alfred's ostensibly personal translations, but also those peripheral works that share the academic motivations of Alfred and his court helpers.

Thesis Organisation and Methodologies

I have divided this thesis into five chapters, each exploring a different collection of texts. As I wish to promote greater intertextuality among the corpus of Alfredian writings, frequent comparison is made between works demonstrating parallels with one another. The benefits of this approach lie in the capacity to gain a broader understanding of the shared concerns and interests of the Alfredian court, uninterrupted by questions of genre or authenticity.

[7] Nicole G. Discenza and Paul E. Szarmach, ed., *A Companion to Alfred the Great*, Brill's Companions to the Christian Tradition 58 (Leiden: Brill, 2015).
[8] 'Alfredian Texts', *BEASE*, 31–2.

In recent years, there has been a move away from Alfred's biographical person as the ascribed author of translations bearing his name and voice. One theory, which employs Michel Foucault's idea of the author-function to promote a concept of King Alfred as a literary persona rather than as a man who actually put quill to parchment, asserts that we may conceive of authorship as denoting textual homogeneity, filiation, authentication, or shared discourse between works.[9] This thesis will show how such a conception of authorship no longer supports a division between royal translations and documentary writings, on the basis that there is no consistent feature left to distinguish the two. Alfred's voice is frequently employed in the documentary writings as an expression of his royal authority, whereas in several of the translations it is absent. Moreover, shared discourse and expression of literary themes more often unites the two sides of the corpus than it divides it, in which subjects of law, lineage, and royal authority are just one facet of the Alfredian court's intellectual interests.

The methodologies employed in this thesis have reflected the needs required by each chapter, dealing with topics of translation, source-study, rhetorical argument, and historical inspiration, among others. One methodology common to several chapters is the analysis of compositional style, especially in relation to an author's choice of vocabulary, or diction, in approaching their writing. These sections draw upon a body of research produced for this thesis that included the generation of concordances to quantify linguistic patterns, as well as the creation of a database of rare words and *hapax legomena* that first arose as the result of overcoming the constraints posed by legal terminology and syntax identified by previous scholars as barriers to undertaking the same types of stylistic analyses being done for the rest of the Alfredian corpus.[10] Two prior doctoral theses have produced lists of *hapax legomena* in Old English: the first by Norman Waldorf in 1953 (compiled from the Bosworth-Toller

[9] 'Introduction', *A Companion to Alfred the Great*, ed. Discenza and Szarmach, 2–3.
[10] Wormald, *MEL*, 273.

Anglo-Saxon Dictionary), and the second by Arnold Talentino in 1971 (focusing on *hapax legomena* in Old English poetry only).[11] In 1997, Patrizia Lendinara published an article with an appendix of *hapax legomena* occurring in the early Kentish laws, but her analysis only dealt with the three law codes preceding Ine and Alfred.[12] Therefore, my own research was undertaken to fill this analytical gap for the *Domboc*, which then extended to other works.

For the purposes of this study, *hapax legomena* are defined as words appearing one or more times in only a single text in the Old English corpus, while rare words are more broadly attested but generally occur fewer than fifteen times in total. In the dataset drawn from the *Domboc*, for example, a text of over 8,500 words yielded more than 200 rare words, nearly all occurring fifteen times in the Old English corpus or fewer; of these, around 130 words occur five times or fewer, and around 75 are *hapax legomena* in the strictest sense in that they only occur once across the Old English corpus. The designation of these thresholds as 'rare' was not pursued dogmatically but was nonetheless considered in respect to the arrangement of the Old English corpus generally, which consists of around 58,000 lemmas attested in roughly three million tokens, or 'words', over two million of which are classed as prose.[13] Prior linguistic studies of *hapax legomena* in Old English have indicated the significance that low-frequency occurrence words have for the purposes of composition, particularly for lexical variety in poetry and to serve the needs of vernacular terminology and rhetorical function in prose.[14] It therefore seemed useful to incorporate an analysis of rare words into

[11] Arnold V. Talentino, 'A Study of Compound *Hapax Legomena* in Old English Poetry', unpublished doctorate dissertation (State University of New York at Binghamton, 1971); Norman O. Waldorf, 'The *Hapax Legomena* in the Old English Vocabulary: a Study Based upon the Bosworth-Toller Dictionary', unpublished doctorate dissertation (Stanford, 1953).
[12] Patrizia Lendinara, 'The Kentish Laws', in *The Anglo-Saxons from the Migration Period to the Eighth Century: An Ethnographic Perspective*, ed. John Hines (Woodbridge: Boydell, 1997), 211–30.
[13] A. P. Versloot and E. Adamczyk, 'Corpus Size and Composition: Evidence from the Inflectional Morphology of Nouns in Old English and Old Frisian', *Amsterdamer Beiträge zur älteren Germanistik* 73.1 (2014), 539–69 at 541–2.
[14] Talentino, 'A Study of Compound *Hapax Legomena* in Old English Poetry', v–xii; Waldorf, 'The *Hapax Legomena* in the Old English Vocabulary', 1–8; Lisi Oliver, *The Beginnings of English Law* (Toronto, 2002), 25–34; *The Laws of Alfred: the* Domboc *and the Making of Anglo-Saxon Law*, ed. and trans. Stefan Jurasinski and Lisi Oliver (Cambridge, 2021), 5 and 12–15.

this study of Alfredian style, serving in part to complement several existing stylometric analyses of the Alfredian corpus that have focused on high-frequency occurrence words only.[15]

Due to variability in word occurrence, rare words had to be identified manually via the methodology devised for creating this database, which involved taking digital copies of the Alfredian texts from the *Oxford Text Archive* and using them to compile a lexicon for further analysis, generated by parsing the texts into concordances that could be sorted alphabetically and sifted. Each potential rare word was individually researched using a combination of the *Dictionary of Old English*, the *Dictionary of Old English Web Corpus*, and the Bosworth-Toller *Anglo-Saxon Dictionary*, to be cross-referenced against Waldorf's and Talentino's lists of *hapax legomena* to ensure that no single-occurrence words were missed. This methodology also allowed for close comparison between two or more texts, as their lexicons could be colour-coded, combined, and re-sorted so that potential rare words were easier to identify when visually isolated against a background of common words. As an enduring interest in the question of Alfredian authorship has already identified which texts might make for helpful stylistic comparisons, this research has built upon past observations and stylometric studies to further systematise its methodology and reduce the risk of introducing errors.

While limitations of space prevented inclusion of this database in its entirety alongside submission of my thesis, several chapters provide tables of sample rare words to aid in the stylistic analysis undertaken for the texts concerned. These lists are provided as

[15] Michael Treschow, Tim B. Swartz and Paramjit S. Gill, 'A Stylometric Analysis of King Alfred's Literary Works', *Journal of Applied Statistics* 34.10 (2007), 1251–8; Janet Bately, 'Lexical Evidence for the Authorship of the Prose Psalms in the Paris Psalter', *ASE* 10 (1982), 69–95; *King Alfred's Old English Prose Translation of the First Fifty Psalms*, ed. Patrick O'Neill, Medieval Academy Books 104 (Cambridge, MA, 2001), 45–96; William H. Brown, 'Method and Style in the Old English *Pastoral Care*', *JEGP* 68.4 (1969), 666–84.

supporting evidence for the other arguments being advanced and are not duplications of entire lexicons of rare words. As per the methodology of the *Consolidated Library of Anglo-Saxon Poetry*, a project that was being assembled alongside this thesis and for which I served as researcher, lexical analysis is just one of several modes of stylistic enquiry and is best exercised when taken in context of other evidence. However, lexical analysis of this kind can be of immense comparative value for reasons to be mirrored with dictionaries: that is, whereas dictionaries are primarily consulted to know particular meanings of specific words in restricted contexts, a rare word lexicon aids in 'identifying and cataloguing individual habits of word-formation, usage, and distribution' in the employment of compositional style, long held to be characteristic of Old English verse and thus also considered to be a distinctive feature of Alfred's purported inauguration of Old English prose.[16]

The methodologies employed in this thesis reflect the varied nature of its subject matter. As the works discussed differ somewhat in their length, style, and purpose, each thesis chapter has likewise taken on a different form to cater to those differing needs. However, the broader argument of this study is strengthened by the varying methods of analysis, to arrive at common conclusions from different perspectives. A brief summary of the topics and arrangement of each chapter will be the final concern of this introduction.

Chapter 1 explores the social and political contexts of Alfred's reign that conspired to make his educational project possible. I have situated the far-reaching connections of the Alfredian court in relation to the intellectual horizons demonstrated by its range of authored works and the sources used to compile them. Source-study is therefore presented as one avenue through which Alfredian educational priorities can be recovered. In the broader context of Alfred's rule, an historical overview is given to demonstrate the variegated social complexion of Alfred's court, with particular emphasis placed on the recruitment of Mercian

[16] A. Orchard, 'Preface', *Word-Hord: A Lexicon of Old English Verse with a Particular Focus on the Distribution of Nominal and Adjectival Compounds*, CLASP Ancillary Publications 1 (Oxford, 2022), v. Accessible online, at <https://clasp.ell.ox.ac.uk/publications/>.

scholars. This history is surveyed to help contextualise a renewed interest in West Saxon–Mercian connections that has emerged in recent scholarship, as well as the reconsideration of Anglian influence on the origins of West Saxon prose.[17] While Mercia was only one of several important cultural influences on Wessex, this social and political sympathy is covered for its particular importance to a collection charters that illuminate Alfred's growing political reputation and literary appetites discussed in Chapter 4, as well as the corpus of medical writings discussed in Chapter 5.[18]

Chapter 2 analyses the manuscript contexts, style, and transmission of Alfred's *Domboc* to elucidate its connections to existing structures of Anglo-Saxon law. Material evidence therefore informs this chapter's conclusions about the *Domboc*'s importance. However, the text's audience, to whom the *Domboc* seems to have imparted a powerful message concerning the administration of justice and the arrangement of royal legal authority, is outlined in a section discussing Anglo-Saxon royal assemblies and their function in promulgating law. Additionally, the development of legal prologues in earlier Anglo-Saxon law codes (as well as several Continental analogues) is investigated to show how little these resemble Alfredian examples. In this way, the connection between Alfred's *Domboc* and other literary productions of the Alfredian court is argued to be closer than is currently acknowledged, on an erroneous understanding the *Domboc*'s legal focus earmarks it as possibly the product of 'speech writers'.[19]

Chapter 3 explores the literary dimensions of the *Domboc* further, connecting these to other important examples of just judgement and rulership expressed elsewhere in the

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[17] Robert Fulk, 'Localizing and Dating Old English Anonymous Prose, and How the Inherent Problems Relate to Anglo-Saxon Legislation', in *English Law Before Magna Carta* ed. Stefan Jurasinski, Lisi Oliver, and Andrew Rabin (Leiden: Brill, 2010), 59–79 at 73–9.

[18] Ben Snook, *The Anglo-Saxon Chancery: The History, Language and Production of Anglo-Saxon Charters from Alfred to Edgar* (Woodbridge: Boydell, 2015), 29–56; Janet Bately, 'Old English Prose before and during the Reign of King Alfred', *ASE* 17 (1988), 93–138 at 94–104.

[19] As argued in Janet Bately, 'Alfred as Author and Translator' in *A Companion to Alfred the Great*, ed. Nicole Guenther Discenza and Paul E. Szarmach (Leiden: Brill, 2015), 113–42, at 117.

Alfredian corpus. As this chapter positions Latin learning as a likely source for these literary models, the methodological focus shifts to issues of translation and the routes through which the Alfredian court may have come into contact with specific examples of Anglo-Latin and late classical Byzantine poetry. The latter half of the discussion is dedicated to the verse epilogue of the *Pastoral Care*, to investigate an interrelated theme of royal authority issuing from God. Intertextuality and source-analysis are employed to posit a theory of Alfredian inspiration from specific Latin models.

Chapter 4 follows on from Chapter 1 in taking charters as its primary focus, but instead traverses the literary leanings of these documents, following on from Chapter 3. As documentary writings are traditionally considered to be especially different from literary paradigms, an outline of the vernacularisation of pre-Alfredian charters is provided to see where Alfred's court may fit within this textual history. Moreover, themes of lineage are probed in this section to discover how they impacted Alfredian discourse; a discussion of Alfred's will shows how it was composed with a preface that was probably an intermingling of documentary and literary influences, expressing ideas about inheritance and the passage of time. This chapter questions whether the most verbose specimens of Alfredian documentary writing should be read alongside literary examples, as they share some patterns of composition with texts such as the prefaces and epilogues to the royal corpus of translations.

Finally, Chapter 5 concerns *Bald's Leechbook*, offering it as a substantial achievement in medical learning that can considerably broaden our understanding of the intellectual scope of Alfred's court if the text can be placed there. While compilation within an Alfredian milieu has frequently been postulated,[20] much of the interest in the text has

[20] Audrey Meaney, 'King Alfred and his Secretariat', *Parergon* 11 (1975), 16–24; Audrey Meaney, 'Variant Versions of the Old English Medical Remedies and the Compilation of Bald's Leechbook', *ASE* 13 (1984), 235–68; David Pratt, 'The Illnesses of King Alfred the Great', *ASE* 30 (2001), 39–90 at 70–1; Richard S. Nokes, 'The Old English Charms and King Alfred's Court', *Medieval English Studies* 10.1 (2002), 5–16 at 14; Richard S. Nokes, 'The Several Compilers of Bald's Leechbook', *ASE* 33 (2004), 51–76 at 73–4; Emily Kesling, 'The

stemmed from a series of cures sent to Alfred by Elias, Patriarch of Jerusalem, apparently to assuage the symptoms of the king's mysterious ailment.[21] Therefore, this chapter seeks to support those connections with additional evidence, particularly the unique attestation of a medical diagnosis concerning synovial fluid, only to be found in *Bald's Leechbook* and the *Domboc*'s personal injury tariff (*Af* 44–77). An overarching theme of this chapter is that ecclesiastical, legal, and medical knowledge can be shown to be of interest to the same courtly authorities that were the focus of Alfred's educational reforms, and therefore that *Bald's Leechbook* would have been a text of obvious benefit to the project. Whether or not it was a 'book most necessary to know' is a question irrelevant to its shared concerns of translation and improving accessibility of Latin learning among those with vernacular literacy. Therefore, this chapter is the most methodologically concerned with questions of genre and how it can obfuscate important evidence of intertextuality.

The traditional reception of the Alfredian corpus seems to reflect modern attitudes toward the philosophy of Alfred's reign rather than its historical realities. Works of law, medicine, and public administration were important tools of practical governance that helped realise the political stability that the Alfredian court envisaged by encouraging reform among its secular and ecclesiastical authorities. The fruit of this labour was to be vernacular literacy, and the texts of this thesis share no less in that aim than any other. The *Domboc* resumed a tradition of law-giving that had lapsed for nearly two centuries, while Alfred's charters were among the first to be written in the vernacular; *Bald's Leechbook* survives as the oldest and most sophisticated text among the corpus of Old English medical writings, while Alfred's will is likewise the earliest extant of any Anglo-Saxon king.

Old English Medical Collections in Their Literary Context', Unpublished doctorate dissertation (Oxford University, 2016), 71–6.

[21] Pratt, 'The Illnesses of King Alfred the Great'; Audrey Meaney, 'Alfred, The Patriarch and the White Stone', *Journal of Language, Literature and Culture* 49.1 (1978), 65–79.

To suggest that these texts were any less important than the translation of literary works by Boethius, Augustine, or Gregory overlooks the opportunity to investigate the common concerns of both sides of the Alfredian corpus to see them as an integrated whole, offering shared insights into the court's aspirations. In a kingdom beset by ailing literacy, it is unlikely that written works produced in any genre would have taken drastically different sources of inspiration. Moreover, the rhetorical advantages of literary methods of argument occasioned their appearance in many different works: whether legal inspiration taken from Moses, or the characterisation of learning as medicine for the mind, Alfredian allusions frequently conflated interdisciplinary boundaries to make a point. The chapters that follow endeavour to show the benefits of reading the Alfredian corpus more broadly, specifically in relation to themes of law, lineage, and royal authority.

Chapter 1: The Social and Political Contexts of Alfred's Reign

Introduction

King Alfred's accession to the West Saxon throne in 871 brought with it in its later stages an extraordinary burst of royal learned activity that followed a long period of military strife between 871 and 878.[1] Alfred's eventual successes against years of Viking incursions in this period established a peace in the later 880s and 890s that laid the groundwork for a project of educational reform throughout his kingdom, partly spurred by criticisms directed at the English people by popes and other ecclesiastics on the Continent who spoke of the Anglo-Saxons as unlearned and spiritually lax.[2] Alfred's solution was to assemble a court of scholars who would carry out Old English prose translations of Latin texts to be disseminated throughout his territories, a process in which he himself was supposedly involved. The traditional view is that Alfred, in the last decade of the ninth century, authored the extant Old English translations of Gregory the Great's *Regula pastoralis*, Boethius' *De consolatione Philosophiae*, Augustine's *Soliloquiae*, and the first fifty psalms. He is additionally believed to have overseen or instigated the translations by others of Orosius' *Historiae aduersus paganos*, Gregory the Great's *Dialogi*, and probably Bede's *Historia ecclesiastica gentis Anglorum*, and to have personally written at least parts of the Old English law code or *Domboc* as well as his own will.[3] However, a series of articles written by Malcolm Godden

[1] Dorothy Whitelock, 'The Importance of the Battle of Edington', repr. *From Bede to Alfred: Studies in Early Anglo-Saxon Literature and History* (London, 1980), 6–15; R. Abels, 'Alfred the Great, the *micel hæðen here* and the Viking Threat', *Alfred the Great: Papers from the Eleventh-Centenary Conferences*, ed. Timothy Reuter (Aldershot: Ashgate, 2003), 265–79; Richard Gameson, 'Alfred the Great and the Destruction and Production of Christian Books', *Scriptorium* 49.2 (1995), 180–210; Georgina Pitt, 'Alfredian Military Reform: The Materialization of Ideology and the Social Practice of Garrisoning', *Early Medieval Europe* 30.3 (2022), 408–36.

[2] The attitude is epitomised by a letter sent by Fulk, archbishop of Rheims, to accompany the appointment of his priest, Grimbald, to Alfred's court around 886. The communication is peppered with invective, offered mainly in contrast to its praise of Alfred and support for his project. Notably, Fulk alludes to Alfred's missive when offering a description of the decline of learning that paraphrases the lament Alfred would later offer in the preface to the *Pastoral Care*, suggesting Alfred may have solicited such remarks to bolster his reformatory efforts. *C&S*, no. 4, 6–12; *K&L*, 182–6; see further David Pratt, 'The Illnesses of King Alfred the Great', *ASE* 30 (2001), 39–90 at 50.

[3] Dorothy Whitelock, 'The Prose of Alfred's Reign', *Continuations and Beginnings*, ed. Eric G. Stanley (London, 1966), 67–103 at 71; Janet Bately, *The Literary Prose of King Alfred's Reign: Translation or*

questioned Alfred's direct involvement in these translations and suggested that, because Alfred did not learn Latin until age thirty-nine (in 888, very near to the time he was supposedly translating), and because Alfred's own councilor and biographer, Asser, did not mention any ongoing translation projects at the time of his writing the *Vita Alfredi* in 893 (except for the translation of Gregory's *Dialogi* by Alfred's scholar Wærferth), the notion that Alfred alone had personally translated as many as four or more of these texts in the last six years of his life was highly improbable.[4] Janet Bately defended the traditional view of the Alfredian corpus in 2009 and again in 2015, arguing mostly on lexical grounds that Alfred probably authored or had substantial personal involvement in the translations of the *Regula pastoralis, De consolatione Philosophiae, Soliloquiae,* and the psalms.[5] However, as Francis Leneghan has noted, 'the confidence with which scholars once assigned all these texts, both those thought to be the king's own works, and others … thought to have been commissioned by him, to Alfred's reign has now been replaced by a cautious uncertainty.'[6]

The upheaval caused by Godden's remarks has as much to do with Alfred's place at the epicentre of England's political transformation under united Anglo-Saxon rule as it does his disputed status as author of a handful of texts ascribed his name. Debates about the facts

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Transformation (London, 1980), 14–15; David Pratt, *The Political Thought of Alfred the Great*, 118; Malcolm Godden, 'Did King Alfred Write Anything?' *Medium Aevum* 76 (2007), 1–23 at 3–4; *K&L,* 28–9; Francis Leneghan, '*Translatio Imperii*: The Old English *Orosius* and the Rise of Wessex', *Anglia* 133 (2015), 656–705 at 658.

[4] Godden, 'Did King Alfred Write Anything?', at 2–3; cf. Malcolm Godden, 'The Alfredian Project and its Aftermath: Rethinking the Literary History of the Ninth and Tenth Centuries', in *Proceedings of the British Academy* 162 (2009), 93–122; Malcolm Godden, 'The Old English Orosius and its Sources', *Anglia* 129 (2011), 297–320; Malcolm Godden, 'The Old English Orosius and its Context: Who Wrote it, for Whom, and Why?', *Quaestio Insularis: Selected Proceedings of the Cambridge Colloquium in Anglo-Saxon, Norse and Celtic* 12 (2011), 1–30; Malcolm Godden, 'Prologues and Epilogues in the Old English Pastoral Care, and their Carolingian Models', *Journal of English and Germanic Philology* 110 (2011), 441–73; Malcolm Godden, 'Stories From the Court of King Alfred', in *Saints and Scholars: New Perspectives on Anglo-Saxon Literature and Culture*, ed. Stuart McWilliams (Cambridge: D. S. Brewer, 2012), 123–40; Malcolm Godden, 'Alfredian Prose: Myth and Reality', *Filologia Germanica* 5 (2013), 131–58.

[5] Janet Bately, 'Did King Alfred Actually Translate Anything? The Integrity of the Alfredian Canon Revisited', *Medium Ævum* 76 (2009), 1–23; Janet Bately, 'Alfred as Author and Translator', 113–42 and 'The Old English Orosius', 313–43, both in *A Companion to Alfred the Great*, ed. Nicole Guenther Discenza and Paul E. Szarmach (Leiden: Brill, 2015), 113–42.

[6] Leneghan, '*Translatio Imperii*', 658; cf. the overview of the authorship dilemma in *A Companion to Alfred the Great*, ed. Discenza and Szarmach, 397–415.

of Alfred's life and the historicity of his literacy have rekindled suspicions that the king's rule was prone to aggrandisement by authors writing shortly after his death and for centuries afterward.[7] The magnitude of these doubts is exemplified by an argument that Asser's *Vita Alfredi*, a text of crucial importance for understanding Alfred's life and rule, was itself a possible medieval forgery on the grounds of perceived anachronisms and unflattering details, to be held in balance of ample motives for fraudulent dissemination in the tenth century; that these arguments were advanced as recently as 1964 by V. H. Galbraith underscores the degree to which Godden's scepticism was preceded by an academic undercurrent that regarded Alfred's triumphs with uncertainty.[8] Repeated attempts, particularly by Victorian thinkers, to enshrine Alfred as the foremost pre-Conquest icon of British patriotism has clouded his historical portrait with centuries-worth of myth-making.[9]

This disposition of overzealous appraisal has attracted no shortage of criticism, perhaps best encapsulated by the so-called 'Curse of King Alfred', which James Campbell reported to be a 'tendency for learned scholars of good judgment to lurch occasionally into nonsense when they come to write about the king.'[10] Such a statement may be seen to characterise how the study of Alfred, more than that of any other Anglo-Saxon ruler, has struggled against the grip of its own historiography.[11] It is a vein of academic enquiry into the Anglo-Saxon inheritance that has moderated—or at times perpetuated—a memorial outpouring for Alfred's rule that has been identified not only as an obsession but an

[7] In prelude to Godden's work, some of these doubts were conveyed in anticipation of the eleventh centenary of Alfred's death at the turn of the millennium. For example, Simon Keynes, 'The Cult of King Alfred the Great', *ASE* 28 (1999), 225–356; James Campbell, 'Placing King Alfred', 3–23 at 13, and Allen Frantzen, 'The Form and Function of the Preface in the Poetry and Prose of Alfred's Reign', 121–36 at 136, both in *Alfred the Great: Papers from the Eleventh-Centenary Conferences,* ed. Timothy Reuter (Aldershot, 2003).
[8] V. H. Galbraith, 'Who Wrote Asser's Life of Alfred?', in *An Introduction to the Study of History* (London: C. A. Watts, 1964), 88–128 at 91–103; for refutations, see Dorothy Whitelock, *The Genuine Asser* (Reading, 1968); *K&L,* 50–1.
[9] Richard Abels, *Alfred the Great: War, Kingship and Culture in Anglo-Saxon England* (New York, 1998), 7.
[10] James Campbell, 'Placing King Alfred', 6.
[11] Alfred P. Smyth, *King Alfred the Great* (Oxford: Oxford University Press, 1995), xxii.

industry.[12] However, what is perhaps more surprising than the debates themselves is the controversy caused by Godden's remarks given the long history of polemic and scepticism directed at Alfred that has continually relitigated the facts of the king's educational project. Here, it is helpful to consider not only Alfred's role in the production of books but also the farther reaching investigations into source-study and the development of Anglo-Saxon literature in verse and prose that have been greatly amplified over the last four decades by the advent of searchable electronic corpora and reconstructed library contents via manuscript handlists.[13] Through these tools, it has been possible to better quantify and contextualise the development of Old English literary composition in the era preceding Alfred's reign, which in turn has both illuminated the methods with which the Alfredian corpus was devised and cast a shadow on some of its claims to novelty given the well-sourced literary traditions it seems to have drawn upon to establish its list of works and invest them with potent statements of royal authority.

Placed in context, the Alfredian works demonstrate an abiding interest in themes such as wisdom, loyalty, faith, and the wielding of power, yet also in those of royal authority, lineage, and of just rule in accordance with legal and moral rectitude.[14] The models upon which the Alfredian court drew when assembling its corpus of writings suggest widespread

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[12] Keynes, 'The Cult of King Alfred', 225.

[13] Two indispensable resources share an inception date of this era: the *Toronto Dictionary of Old English* (*DOE*) produced its first electronic corpus (*DOEC*) in 1981, utilising concordances prepared on microfiche not long before by Richard L. Venezky and Antonette diPaolo Healey, *A Microfiche Concordance to Old English*, PDOE 1 (Toronto: PIMS 1980). Simultaneously, Helmut Gneuss published his 'Preliminary Handlist of Manuscripts written or owned in England up to 1100', *ASE* 9 (1981), 1–60. Gneuss' project (*G&L*) was much expanded by his own efforts over the ensuring decades and the help of further editors Mechthild Gretsch and Michael Lapidge, now with fully indexed electronic contents supplied by the *Consolidated Library of Anglo-Saxon Poetry* (*CLASP*); the latest standalone edition available as Helmut Gneuss and Michael Lapidge, *Anglo-Saxon Manuscripts: A Bibliographical Handlist of Manuscripts and Manuscript Fragments Written or Owned in England up to 1100* (Toronto: University of Toronto Press, 2014). For preparatory remarks, see further: Roberta Frank and Angus Cameron, *A Plan for the Dictionary of Old English*, TOES 2 (Toronto: UTP 1973); Helmut Gneuss, 'A Handlist of Anglo-Saxon Manuscripts', *Latin Culture in the Eleventh Century: Proceedings of the Third International Conference on Medieval Latin Studies,* ed. M. W. Herren, C. J. McDonough and R. G. Arthur, I, 345–52; and '*A Handlist of Anglo-Saxon Manuscripts*: Origins, Facts, Problems', *Anglo-Saxon Books and their Readers: Essays in Celebration of Helmut Gneuss' Handlist of Anglo-Saxon Manuscripts*, ed. T. N. Hall and D. Scragg (Kalamazoo, MI, 2008), 1–21.

[14] Discenza, 'The Old English Boethius', 210–23; Schreiber, '*Searðonca hord*', 187–93; Bately, 'Alfred as Author and Translator', 130–4.

learning and a substantial leveraging of creative innovation to craft the distinctive writings with which we are familiar today. However, it is worth considering both the confines of this fount of inspiration as well as the political backdrop that facilitated West-Saxon contacts with Wales, Mercia, Ireland, the Frankish Continent, and even locales as distant as the Byzantine East. It is through a sustained and thorough engagement with these sources of knowledge that the Alfredian court came to express an interest in those themes named above, expressed not only in the translations of Latin literature, but also other texts and material objects produced within an Alfredian milieu, including charters, coins, and legal and historical texts. In this chapter, a general investigation of Alfred's sources will be undertaken to demonstrate the types of learning the royal court was attracted towards, before proceeding to an overview of the Mercian political backdrop of Alfred's early reign. While this chapter will not argue that Alfred's project of educational reform was inherited from an earlier tradition in England or abroad, the influences discussed herein reveal some of the channels through which Alfred and his helpers acquired their sources of inspiration that are explored subsequently in this thesis. Importantly, the division between the royal corpus of translations and those texts which are less closely associated with the king is critiqued as being unhelpful for understanding the aspirations of the Alfredian court.

Anglo-Saxon Libraries in the Age of Alfred

The literary output of the Alfredian era was exceptional by any Insular standard. Alfredian prose comprises nearly 450,000 words,[15] accounting for around one quarter of the two million words of Old English prose that survives to the present day:[16]

[15] While there is no agreed-upon date for the beginning of the project, the present chapter will outline some of the political challenges that would have posed an obstacle for a date of inception before Alfred's overlordship of Mercia in 883; the recruitment of Mercian scholars around this time, and of others from the Continent by 885, provide a *terminus ante quem* for the works they supposedly helped produce in the mid-890s. See further *K&L,* 23–44. On the style of Alfredian prose compared to what came later, *BEASE,* 'Prose Style, OE', 388–9 and 'West Saxon Dialect', 492.

TABLE 1: The Corpus of Alfredian Texts

Text	Length	Manuscripts	Earliest MS	Date	*G&L*
GD	91k	2 MSS	CCCC 322	s. xi[1]	92
CP	69k	6 MS	Oxford, Hatton 20	890 × 897	626
Bo	48k	3 MSS[17]	Oxford, Bodley 180	s. xi/xii	555
Solil	16k	1 MS	BL, Cotton Tiberius A.iii	s. xi[med]	363
PPs (prose)	19k	1 MS	Paris, BnF, lat. 8824	s. xi[med]	891
LawAf	8.5k	6 MSS	CCCC 173	s. x[2/4]	52
Or	51k	4 MSS	BL, Add. 47967	s. x[1]/s. x[2/4]	300
Bede	81k	6 MSS	BL, Cotton Domitian ix	s. ix[ex]	330
ChronA	14.5k	7 MSS	CCCC 173	s. ix/x	52
Lch II	40k	1 MS	BL, Royal 12. D. xvii	s. x[med]	479
Asser *VA*	N/A	1 MS	BL, Cotton Otho A.xii	s. xi[3/4]/s. xi[2]	350

Many of the works associated with Alfred are longer and more sophisticated than others of the same type, incorporating a wider variety of sources into their composition; the idea that Alfred's court gathered together the foremost knowledge available in the ninth century has been championed as being emblematic of the king's desire to render accessible those books 'most necessary to know', whether applied to translations of Latin literature, hagiography, legal and historical writing, or medical compendia.[18]

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[16] An impressive proportion, given the flourishing of vernacular prose writing that occurred after the Benedictine Reform of the 960s. The estimate of the Alfredian corpus size drawn from my own concordances produced of the texts listed in the table below, figures rounded down, using workable *OTA* files with editor's apparatus removed. *CP* data includes the Cotton MS variants, per *DOEC* designation of that text as a separate version. The total word count grows substantially if incorporating works of less frequent Alfredian association like the Old English *Martyrology* or *Scriftboc*. Versloot and Adamczyk, 'Corpus Size and Composition: Evidence from the Inflectional Morphology of Nouns in Old English and Old Frisian', *Amsterdamer Beiträge zur älteren Germanistik* 73.1 (2014), 539–69 at 542 provide a table with figures estimating corpus size by by genre, derived from *DOEC*; the exactness of these figures should be approached with due caution, but they provide a useful guide. Around three million words of Old English survive in all genres from the seventh through twelfth centuries.

[17] A leaf (now lost) evidences the existence of an earlier manuscript dated s.x[1]or s.xi[med]: Oxford, Bodleian Library, Junius 86, cf. *G&L* no. 643.

[18] The 'most necessary' books have generally been assumed to be the literary translations of the Alfredian court that are still extant, as in Janet Bately, 'Those Books That are Most Necessary for All Men to Know: The Classics and Late Ninth-Century England, A Reappraisal', *The Classics in the Middle Ages*, ed. Aldo S. Bernardo and Saul Levin (Binghamton, NY, 1990), 45–78, but cf. Daniel Anlezark, 'Which Books are "Most Necessary" to Know? The Old English *Pastoral Care* Preface and King Alfred's Educational Reform', *English Studies* 98.8 (2017), 759–80, who cautions against this assumption and suggests Alfred may have had scripture in mind. Of hagiography: the Old English *Martyrology* has been placed by Michael Lapidge at Alfred's court and complementary to its 'most necessary' scheme, *The Anglo-Saxon Library* (Oxford: Oxford University Press, 2006), 46–8. Of historical writing: the Ohthere and Wulfstan interpolation in the Old English *Orosius* has frequently been read as an attempt to expand and localise the contents of that work; whether it was 'most necessary' is a question entertained by Janet Bately in 'The Old English Orosius' in *A Companion to Alfred the Great*, ed. Nicole Guenther Discenza and Paul E. Szarmach (Leiden: Brill, 2015), 313–343. Of the laws: collecting together past traditions of law-making and supplementing these with disputes settled by Alfred and his judges has been considered an attempt to create a reference work equally affected by Alfred's educational

It is clear from Alfred's military undertakings and his efforts to improve the defensive infrastructure of Wessex that Viking activity posed an impediment to his educational revitalisation, corroborated by an allusion to the sacking and burning of English churches that the king offers as a driving reason for the initiation of his project of learning in the prose preface of the Old English *Pastoral Care*.[19] However, the changing landscape of book production in early ninth-century Continental Europe exacted a toll on the Anglo-Saxon scriptoria that were immensely popular exporters of books in the eighth century, then rapidly less so as German counterparts proliferated amid the changing complexion of Continental literacy under Charlemagne and his successors.[20] The survival of libraries in West Mercia throughout the ninth century may have been possible if this arrangement proved a mechanism for the collapse of literacy, as the region was beyond the deepest reaches of Viking encroachment and Alfred was able to recruit at least four esteemed Mercian scholars from there who produced the thoroughly Anglian translations of Gregory's *Dialogi* and Bede's *Historia ecclesiastica*, beyond which the manuscript evidence for this theory is limited.[21] However, on an artistic and paleographical basis, more than a dozen manuscripts largely comprising psalters, saints lives, and gospels once affiliated with Canterbury and known broadly as the Tiberius group, are now believed to have been produced at Mercian monastic

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ambitions, *The Laws of Alfred: the* Domboc *and the Making of Anglo-Saxon Law*, ed. and trans. Stefan Jurasinski and Lisi Oliver (Cambridge, 2021) at 7. Of medical works: an interpolation of cures sent for King Alfred in *Bald's Leechbook*, as well as its sophisticated efforts to compile and syncretise numerous sources of Latin medical learning, have attracted attention to it as a book 'most necessary', Emily Kesling, 'The Old English Medical Collections in Their Literary Context', Unpublished doctorate dissertation (Oxford University, 2016), at 71–9.

[19] *King Alfred's West-Saxon Version of Gregory's Pastoral Care*, ed. Henry Sweet and Neil Ker, 2 vols, EETS OS 45 and 50 (London, 1871), at 5. On Alfred's system of burhs and their functional importance, *K&L*, 23–5 and Abels, 'English Logistics and Military Administration 871–1066: the Impact of the Viking Wars', *Military Aspects of Scandinavian Society in a European Perspective, A.D. 1–1300*, ed. A. N. Jørgensen and B. L. Clausen (Copenhagen, 1997), 257–65.

[20] Lapidge, *The Anglo-Saxon Library*, 44–5.

[21] Helmut Gneuss, 'King Alfred and the History of Anglo-Saxon Libraries', *Modes of Interpretation in Old English Literature: Essays in Honour of Stanley B. Greenfield*, ed. P. R. Brown, G. R. Crampton and F. C. Robinson (Toronto: University of Toronto Press, 1986), 29–50, at 38. On Alfred's recruitment of four Mercian scholars to his court, see *VA*, Ch. 77, *Asser's Life of King Alfred Together With the Annals of Saint Neots Erroneously Ascribed to Asser*, ed. W. H. Stevenson (Oxford: Oxford University Press 1904 repr. 1959); *K&L*, 92–6.

centres located throughout the kingdom, only some of which were located in Kent during the period of Mercian supremacy in the eighth and early ninth centuries.[22] Among these are the prayerbooks London, British Library, Royal 2. A. xx,[23] the Book of Nunnaminster,[24] and London, British Library, Harley 7653,[25] which have important personal and thematic associations with Alfred's court. Ownership of the Book of Nunnaminster has been plausibly linked to Alfred's wife, the Mercian noblewoman Ealhswith, and centres prominently on the life of Christ; it shares a date and place of origin with the Royal 2. A. xx prayerbook, which takes Christ's role as the *medicus* or healer as its theme in its Gospel lections, to an extent that it has been surmised that it may have been a tool for a physician.[26] Another Mercian manuscript able to be directly provenanced to the court is Bishop Wærferth's copy of Aldhelm's prose *De virginitate*, preserved in London, British Library, Royal 5. F. iii.[27] That themes from these works should show up in the Alfredian texts in important ways, so closely traceable to Alfred's personal associates,[28] is an intriguing aspect of the court's activities that need not speak with the king's voice to signal their interest.

The evidence available from linguistic analysis is somewhat stronger, and can be seen to complement the reconsideration of Anglian influence on West-Saxon texts that has re-emerged in recent years.[29] From it, we can observe that a large body of homilies and hagiographic material aside from the *Martyrology* has survived and is probably attributable to

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[22] Michelle Brown, 'Mercian Manuscripts? The "Tiberius" Group and its Historical Context', *Mercia: An Anglo- Saxon Kingdom in Europe*, ed. Michelle P. Brown and Carol A. Farr (London: Leicester University Press, 2001), 281–91.
[23] *G&L* no. 450.
[24] London, British Library, Harley 2965 (*G&L* no. 432).
[25] *G&L* no. 443.
[26] Brown, 'Mercian Manuscripts', 288–9.
[27] *G&L* no. 462; Brown, 'Mercian Manuscripts', 290.
[28] Note also Alfred's links to Aldhelm, with whom he may have shared a royal lineage. See further Chapter 2 and Lapidge, 'The Career of Aldhelm', *ASE* 36 (2007), 15–69. In Chapter 4, I explore themes of lineage constructed by the Alfredian court deployed in charters and Alfred's will.
[29] A notion most thoroughly explored by Robert D. Fulk, 'Localizing and Dating Old English Anonymous Prose, and How the Inherent Problems Relate to Anglo-Saxon Legislation', in *English Law Before Magna Carta* ed. Stefan Jurasinski, Lisi Oliver, and Andrew Rabin (Leiden: Brill, 2010), 59–79; Fulk, 'Anglian Features in Late West Saxon Prose', in *Analysing Older English*, ed. David Denison et al. (Cambridge, 2012), 63–74; *The Old English Canons of Theodore*, ed. R.D. Fulk and Stefan Jurasinski, EETS SS 25 (Oxford, 2012), xxxvi–xl.

Mercia, often in variant versions where the process of West-Saxonising an Anglian original is evident.[30] Works likely having an Anglian affiliation at some point in their history include the penitential texts known as the *Scriftboc* and the *Old English Canons of Theodore*, the corpus of Anglo-Saxon medical collections comprised of *Bald's Leechbook*, the *Lacnunga*, the *Old English Herbarium*, and the *Medicina de quadrupedibus*, the travel literature *Alexander's Letter to Aristotle* and *The Marvels of the East*, the philosophical treatises *Solomon and Saturn I & II*, and a considerably more miscellaneous group of medical recipes, prognostics, liturgical texts, charters, and glosses of psalters and exegesis.[31] Acknowledging that some of these works may have descended from a Mercian centre of learning to become available as models in Winchester by the time the Alfredian court had set to work helps to explain some of the preoccupations evident in Alfredian prose, providing at least inspirational exempla if not textual prototypes that the court's principal thinkers leveraged with considerable ingenuity.

Asser relates that Alfred recruited not only Mercian scholars to his court but clerics from Francia disciplined in every facet of ecclesiastical doctrine and literary endeavour, whose teachings he adopted with fervour.[32] The two known by name, Grimbald of St Bertin's and John the Old Saxon, are assumed to have brought manuscripts to Alfred's court to sustain their scholarly activities, which were to help the ailing literacy of churchmen in England.[33] Of around eighty books produced in ninth-century Continental scriptoria with provenance in English libraries before the year 1100, no fewer than seven can be traced to St Bertin's or Rheims specifically, suggesting some of the surviving manuscripts may have crossed the

[30] Compare, for example, the recensions of the prose life of St Guthlac, where the A-text features a wealth of Anglian vocabulary redacted by the B-text compiler, Fulk, 'Anglian Features', 68–9.
[31] Fulk, 'Anglian Features', 72 and n. 15. While not all these works need have existed before the tenth century to explain their Anglian features, Fulk contends that these linguistic characteristics strongly correlate with archaic composition.
[32] *VA*, Ch. 78, *K&L*, 93.
[33] As archbishop Fulk relates in his letter; cf. *K&L*, 214 n. 26.

channel destined for Alfred's court.[34] These books evince a range of classical learning reflective of what can be divined from the Alfredian texts themselves, which is an area of source-study presently still incomplete.[35] Nevertheless, the range of authors identifiable via quotation or paraphrase in the *Soliloquies* and the *Consolation of Philosophy* includes several likely traceable to manuscripts of Carolingian extraction such as those just mentioned, including Alcuin, Ambrose, Augustine, Bede, Boethius, Eutropius, Isidore of Seville, Jerome, Julian of Toledo, Macrobius, Ovid, Servius, and Vergil.[36] From Asser's *Vita Alfredi* a yet longer list of sources can be adduced, including the authors Aldhelm, Arnobius Iunior, Athanasius, John Cassian, Cassiodorus, Flavius Cresconius Corippus, Einhard, Justinus, Lucan, Paulus Diaconus, Caelius Sedulius, and the anonymous authors of the *Historia Brittonum*, the *Proverbia grecorum,* and *Vita Alcuini*.[37] Just this list of sources is a

[34] Lapidge, *The Anglo-Saxon Library*, 49 and 167–73. These manuscripts include Cambridge, CCC 223, s. ix$^{3/4}$, containing works of Prudentius (*G&L* no. 70); Cambridge, CCC 272, 883x884, a psalter (*G&L* no. 77); Cambridge, Pembroke College 308, s. ix^{2}, containing works of Hrabanus Maurus (*G&L* no. 140); Hereford, Cathedral Library, O. iii. 2, s. ix$^{3/4}$, containing works of Jerome, Isidore, Augustine, Cassiodorus, and Gennadius (*G&L* no. 263); London, British Library, Royal 15. A. xxxiii, s.ix/x, containing works by Remigius of Auxerre on Martianus Capella (*G&L* no. 490); London, British Library Royal 15. B. xix, s. ix$^{4/4}$, of Bede's *De temporum ratione* (*G&L* no. 492); and Utrecht, Universiteitsbibliotheek, 32, s. ix^{1}, a psalter (*G&L* no. 939).

[35] As Lapidge, *The Anglo-Saxon Library*, 91–3 noted over a decade ago, the principal tool of source analysis for Anglo-Saxon texts, the *Fontes Anglo-Saxonici* database, has had gaps in its data that remain to the present day despite present attempts to revitalise the project at the University of St. Andrews. Specifically, the major Anglo-Latin authors such as Theodore, Aldhelm, Bede, Alcuin, Byrhtferth, and others, are not fully represented in the *Fontes* database, making the exact impact of their influence on later Anglo-Saxon literature unquantifiable. In Alfred's case, a further complication is that only limited source analysis has been completed for the *Soliloquies*, the *Consolation of Philosophy*, the *Pastoral Care*, and the *Dialogues*. Even these entries—while credible and verifiable—should not be considered fully representative of the range of sources influencing those texts. Of the two translations of Gregory's works, for instance, only quotations from the Bible and Gregory have been presently identified, in absence of numerous others including authors such as Alcuin and Jerome.

[36] Sources identified by *Fontes Anglo-Saxonici* for the *Soliloques* and *Consolation of Philosophy* by quotation or paraphrase include the following works in addition to those directly translated by the court: Alcuin's *De animae ratione*, Ambrose's *Hexaemeron*, Augustine's *Retractiones*, *Epistulae* and *Dei civitate Dei*, Bede's *De natura rerum* and *De temporum ratione*, Eutropius' *Breviarium historiae Romanae*, Gregory's *Homiliae in evangelia*, Isidore's *De natura rerum* and *Etymologiae*, Jerome's *Commentarii in Danielem*, Julian of Toledo's *Prognosticum futuri saeculi*, Macrobius' *Commentarius in Somnium Scipionis*, Ovid's *Metamorphoses*, Remigius of *Auxerre's Commentarius in Boethii Consolationem Philosophiae*, Servius' *Commentarius in Vergilii Georgica* and *Commentarius in Vergilii Aeneidos*, Vergil's *Georgica* and *Aeneid*, and the anonymous works *Vitae boetii*, *Commentarius in Virgilius Eclogas et Georgica*, and anonymous or pseudo-anonymous commentaries of Orosius' *Historia adversus paganos* and *Commentarius in Boethii Consolationem Philosophiae*.

[37] Lapidge, *The Anglo-Saxon Library*, 237–9 identifies the following authors quoted or paraphrased in Asser's *Vita Alfredi*: Aldhelm's prose *De virginitate*, Arnobius Iunior's *Commentarii in psalmos*, Athanasius' *Vita S. Antonii*, Augustine's *Enchiridion ad Laurentium*, Bede's *De temporum ratione* and *Historia ecclesiastica gentis Anglorum*, John Cassian's *Consolationes*, Cassiodorus' *Expositio psalmorum*, Flavius Cresconius Corippus' *In laudem Iustini*, Einhard's *Vita Karoli magni*, Eutropius' *Breviarium historiae Romanae*, Gregory's *Dialogi,*

considerable amplification of the archetypical Anglo-Saxon monastic library housing in their book-chests fewer than fifty volumes written by only a handful of major patristic authors, calling to attention the widespread connections of the Alfredian court and the possibility of its access to since-vanished libraries at important episcopal sees, such as Asser's at Sherborne, where Aldhelm was bishop two centuries earlier.[38]

This thesis explores a number of works important to the Alfredian project not normally included in literary source-study. Despite the more prosaic and technical focus of works of law like the *Domboc*, medical collections like *Bald's Leechbook*, penitentials such as the *Scriftboc*, and the range of miscellaneous acrostics, charters, and documentary records including the Fonthill Letter and the king's royal will, literate influences can be enumerated for these texts as well.[39] Far from a simple symbol of royal authority or a remnant of Germanic ancestral traditions, the *Domboc* displays a host of connections to legal and scriptural antecedents that are completely at home in a project of educational renewal engineered by the king's ecclesiastical elite. The associations between scripture and the law evident in the *Domboc* encapsulate the same kinds of clerical help evident in the rest of the corpus,[40] where there, too, the fundamentally legal resonances of scripture have gone largely unacknowledged in Alfredian works such as the *Pastoral Care* or the prose psalms of the Paris Psalter. Accordingly, the downstream effects of noticing the use of *Domboc* sources such as the *Liber ex lege Moysi*, the *Collatio legum Mosaicarum et Romanarum*, the *Collectio canonum hibernensis*, the *Lex Baiwariorum*, the *Lex Frisionum*, Charlemagne's *Admonitio generalis*, penitentials such as the *Poeniteniale Theodori*, or those of Haltigar and the

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Moralia in Iob and *Regula pastoralis*, Justinus' *Epitome*, Lucan's *Bellum civile*, Orosius' *Historiae aduersus paganos*, Paulus Diaconus' *Historia Langobardum*, Caelius Sedulius' *Carmen paschale*, and Vergil's *Aeneid*.

[38] Lapidge, *The Anglo-Saxon Library*, 118–19 and 127–32. See also Rachel Stockdale, 'Benedictine books, writers and libraries, some surviving manuscripts from Sherborne and south-west England', *St Wulfsige and Sherborne: Essays to Celebrate the Millennium of the Benedictine Abbey, 998-1998*, ed. K. Barker, D. A. Hinton and Alan Hunt (Bournemouth, 2005), 164–76.

[39] For practical considerations of the *Domboc* and its penitential inspirations, see Chapter 2. For literary influences in the *Domboc* and Fonthill Letter, see Chapter 3. Chapter 4 covers literary themes of lineage in the charters and will, while Chapter 5 centres on the connections of *Bald's Leechbook*.

[40] Jurasinski and Oliver, *The Laws of Alfred*, 10–12.

Scriftboc, and of course Ine's West-Saxon laws appended to Alfred's own code that demonstrate influence of synodal decrees while explicitly acknowledging clerical help, collectively promise to expand our understanding of the demography of Alfred's court.[41] The fact that bishops and other ecclesiastics played an essential role in devising and writing down laws, extending the boundaries of pastoral care as far as according secular penalties for moral offenses, demonstrates the importance of the ecclesiastical elite in Alfred's court.[42] There is little basis to assume these authorities should be any different from those deciding what among a burgeoning literate class should be read as 'the books most necessary to know'.

From the strong Alfredian associations demonstrated by *Bald's Leechbook* there comes the best evidence of sources of knowledge as far flung as the Byzantine East, funnelled more immediately through post-Roman and Carolingian channels. In addition to a list of remedies sent to Alfred by Elias, Patriarch of Jerusalem (878–906), an encompassing wealth of medical sources available in Continental Europe inform the contents of *Bald's Leechbook*, including Oribasius' *Synopsis* and *Euporistes*, Alexander of Tralles' *Practica Alexandri*, Marcellus' *De medicamentis*, Galen and pseudo-Galen's *Ad Glauconem de methodo medendi*, *Liber tertius*, and *Passonarius Galeni*, the late antique distillations of Pliny the Elder's work to be found in the *Physica Plinii* and the *Medicina Plini*, Vindicianus' *Epitome Altera*, the anonymous collections known as the *Petrocellus*, the *Liber Aurelii*, and the *Liber Esculapii*, the pseudo-Dioscorides' *Liber medicinae ex herbis femininis* and *Curae herbarum*, and the *Pseudo-Apuleius Herbarius*.[43] Many of these works represent abridgements of earlier Greek or Roman medical treatises that became popular in early medieval Europe through Byzantine physicians such as Oribasius and Alexander of Tralles,

[41] Jurasinski and Oliver, *The Laws of Alfred*, 49–77.
[42] Jurasinski and Oliver, *The Laws of Alfred*, 103–5; Stefan Jurasinski, *The Old English Penitentials and Anglo-Saxon Law*, 204–14.
[43] M. L. Cameron, *Anglo-Saxon Medicine*, 65–73; M. L. Cameron, 'Bald's Leechbook: its Sources and their Use in its Compilation', *ASE* 12 (1983), 153–182 at 154–66; 'Medical Literature and Medicine', *BEASE*, 309–11; Linda Voigts, 'Anglo-Saxon Plant Remedies and the Anglo-Saxons'. *Isis* 70 (1979), 250–68; Emily Kesling, 'The Old English Medical Collections in their Literary Context', 20.

both of whom Anglo-Saxon and Carolingian authors seem to have favoured.[44] More broadly, Byzantine influence on Latin literacy figured prominently in the early stages of Anglo-Saxon Christianisation, as the important seventh-century school established at Canterbury by the Byzantine expatriates Theodore of Tarsus (d. 690) and Hadrian of Libya Cyrenaica (d. 709 or 710) provided an immediate contact with the Cilician and Greek-African cultures they brought with them to the archepiscopal see.[45] Theodore's training in Antioch and Constantinople, attested in biblical commentaries surviving from the Canterbury school, assert expertise in biblical exegesis, metrics, astronomy, computus, philosophy, rhetoric, metrology, and medicine.[46] The immense impact that this teaching must have had in Canterbury has left behind scant traces of its influence, with perhaps only a sole surviving manuscript of the Acts of the Apostles written in Theodore's native Greek to physically attest to his teaching's existence.[47] However, it is difficult not to notice the prestige that Greek would continue to enjoy as a language of erudition and cosmopolitanism throughout the Mercian supremacy into the early ninth century, which was to include the continued copying of both Greek and Hebrew in prayerbooks.[48] Theodore's influence on the corpus of Old English penitential handbooks exceeded that of other sources,[49] and in these texts frequent reference is made to Greek and Roman precedent on matters such as consanguinity, oath-

[44] Florence Eliza Glaze, 'The Perforated Wall: The Ownership and Circulation of Medical Books in Medieval Europe, ca. 800–1200', unpublished PhD dissertation (Duke, 1999), at 32–6.
[45] Michael Lapidge, 'Byzantium, Rome and England', *Roma fra Oriente e Occidente, Settimane di Studio del Centro Italiano di Studi sull'alto Medioevo* 49 (2002), 363–400; Michael Lapidge, 'The School of Theodore and Hadrian', *ASE* 15 (1986), 45–72; Michael Lapidge, 'The career of Archbishop Theodore', *Archbishop Theodore: Commenorative Studies on his Life and Influence*, ed. Michael Lapidge (Cambridge: Cambridge University Press, 1995), 1–29; 'Theodore', *BEASE*, 461–3.
[46] Lapidge, 'Byzantium, Rome and England', 370.
[47] *Ibid.*., 364–5 and 371; Oxford, Bodleian Library, Laud graec 35, s. vi or vii, *G&L* no. 654.
[48] Brown, 'Mercian Manuscripts', 289; Lapidge, 'The Study of Greek at the school of Canterbury in the seventh century', *The Sacred Nectar of the Greeks: The Study of Greek in the West in the Early Middle Ages*, ed. M. Herren (London: King's College, 1988), 169–94. Greek, like Hebrew and Latin, was among the *tres linguae sacrae* of essential importance to the understanding of scripture in Late Antiquity and the medieval period, including at Alfred's court, as revealed by the remarks in the prose preface to the *Pastoral Care*.
[49] Jurasinski, *The Old English Penitentials and Anglo-Saxon Law*, 26–7.

swearing and practice with regard to the Eucharist.[50] This is consistent with the understanding of history demonstrated at Alfred's court, where the Greeks were credited as the first translators of the Pentateuch (*æ*) and of all the other books of the Bible (*ealle oðre bec*), as King Alfred relates in the prose preface to the *Pastoral Care*.[51] Collectively, this evidence would indicate that sources from the Greek-speaking Byzantine world were prized as important early witnesses of the transfer of knowledge from the patristic past, and that *Bald's Leechbook* represents in some sense a continuation of this tradition. Whether *Bald's Leechbook* demonstrates a conscious appreciation of this tradition or is an unwitting inheritor of Byzantine medical learning, its engagement with these sources and its testimony of Alfred's connections with Elias, Patriarch of Jerusalem, broadens our understanding of the intellectual horizons of the Alfredian court.

It is also important to consider the avenues for cross-pollination of these texts at Alfredian centres of learning, where, as Asser poetically related, scholarly activity must have been like busy bees tending the flowers of important books.[52] Most of the court's translations of Latin literature show some degree of parallel phrasing, which occurs irrespective of genre. Asser's *Vita Alfredi* draws heavily upon Orosius' *Historiae aduersus paganos*, particularly for its vocabulary for battle and military campaigning;[53] Bately subsequently identified patterns of misspelling in the Old English *Orosius* that suggested possible dictation from the Latin version by a Welsh speaker, nominating Asser as an obvious candidate owing to his Welsh background and the interest in Orosius displayed in his own writings.[54] For the author of the *Domboc* prologue, who employed a rhetorical conceit to introduce the Mosaic

[50] See for example the following sections from the *Scriftboc*, §11, §20–3, and §25, *Das altenglische Bussbuch (Sog. Confessionale Pseudo- Egberti)* ed. Robert Spindler (Liepzig: Bernhard Tauchnitz, 1934, 1934).
[51] *Ða gemunde ic hu sio æ wæs ærest on Ebreisc geðiode funden, ða hie Creacas geliornodon, ða wendon hie hie on hiora agen geðiode ealle, & eac ealle oðre bec* 'Then I remembered how the law was known in Hebrew, and again, when the Greeks had learned it, they translated it all into their own language, and also all other books', Sweet, *Pastoral Care*, 5–6.
[52] *VA*, ch. 88.
[53] Lapidge, *The Anglo-Saxon Library*, 119.
[54] *The Old English Orosius*, ed. Janet Bately, EETS SS 6 (London, 1980), cx–cxvi.

translation as a conversation between God and Moses to be passed on to Christ and Alfred, the parallel in the *Pastoral Care* of Moses entering and exiting the tabernacle to seek divine insight on worldly affairs to serve as an example for rulers must have seemed an interrelated idea.[55] The intellectual domains of Alfred's literate elite were broad-ranging and unlikely to have only included translations of Latin literature. The fact that bishops engaged in the administration of law and the practice of medicine, for example, is demonstrated by the intermixture of ecclesiastical and secular modes of punishment in legal writings and the surviving letters of Anglo-Saxon bishops asking other episcopal sees for medical recipes and ingredients.[56] Therefore, the legal and medical themes that can be observed in the royal corpus of Latin translations have an obvious connection to the writings from those specialisms which Alfred's court also produced. It is notable that, as we have already seen, Theodore's episcopal training included both law and medicine, and that his legacy (as indeed is true of Alfred's bishops) includes documentary records such as charters among his scope of influence. To separate these concerns from Alfred's literate audience is to ignore in some sense a complete understanding of their life and duties, and therefore, the sorts of productions the Alfredian court may have undertaken to facilitate educational expansion among their class.

Lastly, the documentary footprint of Alfred's reign, which includes more than a dozen charters, a royal will, a contemporary chronicle, a law code, and a biography penned by a close associate of the king, represents an important source of historical and administrative interest to Alfred's reign, yet also a collection of writings which lie at the furthest remove from the Latin translations supposedly engineered to restore Anglo-Saxon literacy. This collection of documents is inarguably rich by ninth-century English standards, yet

[55] Sweet, *Pastoral Care*, 103; see further my analysis in Chapter 3.
[56] Jurasinski and Oliver, *The Laws of Alfred*, 3–5; Tom Lambert, *Law and Order in Anglo-Saxon England*, 95–7; Linda Voigts, 'Anglo-Saxon Plant Remedies', 259–61.

nevertheless comparatively sparse when seen in contrast with Continental examples.[57] In the context of an Insular government which seems to have been less dependent upon the written word than its Carolingian predecessors, this has served to bias analysis against the value of the Alfredian court's documentary productions, as the insights they would normally provide into Alfred's enterprises have nourished instead by the translations of Latin literature the court also produced, in effect fusing the models of governance linked to Alfred's kingdom with the intellectual preoccupations of the court's literate elite. There is therefore a great deal resting upon the king's personal association with these texts, which, in a roundabout way, came to illuminate details not only of Alfred's project of educational reform, but also his political and philosophical values as a ruler in the administration of his kingdom. However, such an understanding of Alfred's reign does not exclude the documentary corpus from sharing in these insights, and important themes of law, lineage, and royal authority present in the literary works are continued in the documentary activity of the royal court, which drew force in all directions from Alfred's erudite reputation and wise system of rule. It is a subtle but important difference, then, that Alfred's involvement in the production of these texts has been questioned without doubting their compilation within a courtly milieu, effectively decentralising his personal role as author while leaving open possibilities for his reputation to continue to operate as a literary device or 'Alfred-persona' in writings as a textual authority.

The particular contentions of the Alfredian authorship debate have proven to be of secondary importance to the reassessment of Alfred's literary identity and royal authority that has followed in its wake. From this reanalysis, there remain several important questions for study in this area. In short, how does this re-evaluation of Alfred's status as author affect our understanding of the context and origins of the works with which he is associated? What political and historical precedent was set by his court in assuming his voice and using it to

[57] Campbell, 'Placing King Alfred', 5.

introduce the works that were disseminated throughout his kingdom, if at least some of these works and documents were not authored by the king? And in dealing with the particular themes of the texts themselves, how might Alfred's own views on kingship and royal authority have affected his or his court's approach in translating or compiling these works? In weighing questions such as these, it is significant that the authorship debates of the last decade were presaged by a mode of academic discussion that at least entertained the possibility of decentralising Alfred and the effects this would have on his image in history. Patrick Wormald, for example, has written that, 'what gives Alfred's movement its unique distinction is his own part in it. No Carolingian king is known to have put quill to parchment; Einhard explicitly says that Charlemagne was unable to do so … To argue that Alfred may not actually have *written* these books is to split hairs; more certainly than any other work of Europe's middle ages, they bear the impress of a single, royal, mind'.[58] As much as our understanding of Alfred has changed in the intervening years, this statement has accreted a deeper meaning in light of the reassessment of Alfred as author: the king's works, several of which may not have been produced by him, still bear the characteristics of a single set of values ascribed to a ruler shepherding a people toward spiritual and educational reform. Thus, reassessing the Alfredian corpus on the new understanding that the documentary works produced at Alfred's behest are equivalent to those translations produced by the king himself, there lies the potential for a greater understanding of Alfred's rule and his ambitions for his court.

[58] Patrick Wormald, 'Alfred', *Oxford Dictionary of National Biography: From the Earliest Times to the Year 2000*, ed. H. C. Matthew and Brian Harrison, 60 vols (Oxford: Oxford University Press, 1980), I, 718–23 at 723.

Alfredian Translations

To foreground the study of the documentary works and to recognise how they share in the authority of the corpus of translations from Latin literature, it is worthwhile firstly to explore the established view of the Alfredian corpus and the features that make the Alfredian translations exceptional. Of the texts associated with Alfred's literary movement, there is traditionally a division between so-called 'royal' texts—that is, those texts assumed to be directly tied to Alfred's authorship in some way—and what might be called 'Alfrediana'—that is, the texts assumed to have involved Alfred somewhere along their production, whether through commission or through royal acknowledgement, but which do not bear a significant association with the king.[59] Concordant with Janet Bately's lexical analysis of the royal corpus,[60] we see the strongest associations with Alfred in the works that are the most emphatic about expressing them: in the prose preface to the *Pastoral Care,* for instance, Alfred mentions via a first-person remark that he himself translated the work from the Latin, albeit with the assistance of several prominent members of his court,[61] and in the prose preface to the Old English *Boethius*, an unknown narrator relates in similar language to the *Pastoral Care* how Alfred struggled with distractions of both mind and body in his attempt to render the text into English as intelligibly as he could.[62] These parallels are repeated in the

[59] This division follows the terminology of the latest reckoning of the corpus in Discenza, Nicole Guenther and Paul E. Szarmach, ed., *A Companion to Alfred the Great*, Brill's Companions to the Christian Tradition 58 (Leiden: Brill, 2015). See further Pratt, 'Problems of Authorship and Audience in the Writings of King Alfred the Great', in *Lay Intellectuals in the Carolingian World*, ed. Patrick Wormald and Janet L. Nelson (Cambridge: Cambridge University Press, 2007), 162–91.
[60] Bately, 'Did King Alfred Actually Translate Anything? The Integrity of the Alfredian Canon Revisited', *Medium Ævum* 76 (2009), 1–23.
[61] Sweet, *Pastoral Care*, 7. Alfred names his archbishop, Plegmund, his bishop, Asser, and his mass-priests Grimbald and John the old Saxon. Asser mentions these individuals and others of Alfred's court in *Vita Alfredi*, §§77–9.
[62] *The Old English Boethius: An Edition of the Old English Versions of Boethius's De Consolatione Philosophiae*, ed. Malcolm Godden and Susan Irvine with Mark Griffith and Rohini Jayatilaka, 2 vols. (Oxford, 2009), I, 239. Specifically, the passages share the leitmotif of Alfred's translation project: '*hwilum he sette word be worde, hwilum andgit of andgite*', 'sometimes word for word, sometimes sense for sense'.

Soliloquies and the prose psalms of the Paris Psalter, with the caveat that some problems with each of these texts must be overlooked to regard them as royal.[63]

The last of the royal texts, and the one which seems to repeatedly need special acknowledgement with respect to the others, is the law code or *Domboc*. Nearly one third of the work consists of a preface normally called the Mosaic prologue that is a product of Latin translation that includes a lengthy statement of authorship explaining how the work came to fruition, written in the king's own voice. However, this preface is alone among the royal corpus in the respect that it has frequently been regarded as being of peripheral interest to the main corpus of Alfredian translations outlined by editors and commentators throughout its critical history. Legal commentators have typically excised all of the Mosaic prologue with the exception of Alfred's statement of authorship on the basis that a partial translation of the Exodus is not of legislative interest, while to literary scholars, the entirety of the prologue has seemed too parochial to merit inclusion among the rest of the royal corpus, which mainly comprises works of philosophy.[64] While limitations of space might excuse some examples of this editorial procedure continuing to the present day,[65] it is notable that the *Domboc* is overlooked even in summaries of the productions of Alfred's court, such as in the entry titled

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[63] In the case of the *Soliloques*, the identifying part of the first-person preface has been lost, and Alfred is only invoked at the end of the work for having selected the Latin passages included therein, which is not in itself an endorsement of authorship. And in the case of the prose psalms, the text lacks any concrete royal connection whatsoever, but might be linked to Alfred's person in a number of ways through other sources that leave little doubt to his personal interest in that work. For example, it is known from the *Vita Alfredi* that Alfred learnt the daily services and certain psalms and prayers, and copied them out into a handbook kept by his side well into his later years (*VA*, §§ 24 and 88). And while this alone is not sufficient proof for the existence of the novel translations and commentaries in the extant text of the Psalms, which scholars have subsequently traced to texts such as the seventh-century Hiberno-Latin text, *In Psalmorum Librum Exegesis*, printed among the works of Bede (see Fischer, 'Bedae de titulis psalmorum liber', 93–7), these connections attract Alfredian associations nonetheless due to the court's function as a centre of learning. That the Alfredian court attracted connections such as these is attested in the annal for year 891 in the A-text of the *Chronicle*, which mentions three Irish pilgrims travelling directly to the court of King Alfred's after a seven-day journey from Ireland by boat. See further *K&L*, 302.

[64] A famous comment by F. L. Attenborough that the *Domboc*'s mosaic prologue was of 'purely literary interest and [having] no bearing on English law' epitomises this view, *The Laws of the Earliest English Kings*, trans. F. L. Attenborough (Cambridge, 1922 repr. 1963), vi.

[65] *K&L*, 6 and 163–70, are a recent example of this practice. They cut the entirety of the translated Exodus laws and begin with the historical preamble segueing into the imposition of Alfred's voice. Sequentially, Keynes and Lapidge place the *Domboc* immediately after a section on 'Extracts from the Writings of King Alfred', amid 'Miscellaneous Sources for the Reign of King Alfred' that feature documentary records including several charters, Alfred's treaty with Guthrum, and his royal will.

'Alfredian Texts' in the recent *Wiley–Blackwell Encyclopedia of Anglo-Saxon England*, which makes no reference to the *Domboc* or its translations from the Book Exodus despite expanding the definition of 'Alfredian' to include the Old English *Orosius*, *Martyrology*, *Bede* and *Dialogues* as texts falling under Alfredian patronage or sponsorship.[66]

Another problem that has stymied the *Domboc*'s preface or prologue from being read alongside the others of the royal corpus is a suspicion that even its first-person statement of royal authorship may not have been composed by the king. Notably, the claim put forward in the *Domboc* prologue is that it was Alfred who gathered together the laws and commanded them to be written down (*Ic ða Ælfred cyning þas togædere gegaderode 7 awritan het, monege þara þe ure foregengan heoldan*).[67] Despite this statement bearing as much evidentiary value as other Alfredian inscriptions, Godden singled it out as a formulaic expression of medieval law codes, and therefore not deserving any special interest amid documents of this type that must be promulgated by the king.[68] Such an assumption glosses over important stylistic details that will be further explored in Chapter 2. However, another oversight is the failure to acknowledge similar interests and themes explored in the *Domboc*'s Mosaic prologue that are found throughout the royal corpus, suggesting the *Domboc*'s intellectual focus on matters of law may not have been so narrowly defined. The fact that the Alfredian prefaces and epilogues have been categorised as an 'established tradition of framing pieces … characterised as much by their differences from one another as by their

[66] 'Alfredian Texts', *BEASE*, 31–2.
[67] *AfEl* 49.9.
[68] Godden, 'Did King Alfred Write Anything?', 6. The laws of Æthelred (c. 966–1016) are one such example. After the dedication to God, Æthelred X begins: *ic Æðelred cyning ærest smeade, hu ic Cristendom æfre mihte ond rihtne cynedom fyrmest aræren, ond hu ic mihte þearflicast me sylfum gerædan for Gode ond for worolde, ond eallum minum leodscype rihtlicast lagian þa þing to þearfe, þe we scylan healdan. Mearn to gemynde oft ond gelome, þe godcunde lara ond wislice woroldlaga Cristendom fyrðriað ond cynedom micliað* … ['I, King Æthelred, have been considering first of all how I could best promote Christianity and the just interests of royal authority, and how, in affairs both religious and secular, I could determine with the greatest profit to myself, to most justly legislate for the benefit of all my subjects the things we must keep. Frequently and often it has come to my mind that sacred precepts and wise secular decrees promote Christianity and strengthen royal authority …]', *Die Gesetze der Angelsachsen*, ed. Felix Liebermann, 3 vols. (Halle, 1898–1916), at 269, and *The Laws of the Kings of England from Edmund to Henry I*, ed. A. J. Robertson (Cambridge, 1925), at 131. Yet the received view is that Archbishop Wulfstan (d. 1023) composed these codes in his famously distinctive style, per Wormald, *MEL*, 337.

similarities' does not warrant exclusion of the *Domboc* by virtue of genre if the others are to be united irrespective of acknowledged variances.[69]

The royal voice that is in contention in distinguishing the two parts of the Alfredian corpus is of central importance to the movement, even set apart from the authorship debate. Whether or not it was actually Alfred speaking to the reader through these pronouncements, it can be assumed that the intended effect was to project the views of the king and his court on matters such as history, politics, and religion into the consciousness of England's literate elite, who would ultimately be the ones to carry out the educational and religious reforms Alfred desired.[70] Particular attention has been drawn to the *Pastoral Care* and its carefully constructed prose preface, which, through appeals to history, common memory, and a common experience of an English people, hopes to persuade the intended audience (chiefly Alfred's bishops) to carry out his wishes. It has thus been argued that the use of the king's first-person in the *Pastoral Care* might not be a simple grasping for authority, but also a rhetorical conceit to emphasise the obligations of Alfred's bishops after he has made his case for his own accomplishments and observations on the state of his kingdom.[71] Roughly eighty per cent of the second person singular pronouns in the prose preface are clustered in a single sentence as Alfred comes to his point and asks his bishops for their co-operation:[72]

> and forðon ic ðe bebiode ðæt ðu do swæ ic geliefe ðæt ðu wille, ðæt ðu ðissa woruldðinga to ðæm geæmetige swæ ðu oftost mæge, ðæt ðu ðonne wisdom ðe ðe God sealde ðær ðær ðu hiene befæstan mæge, befæste.
>
> [And therefore I bid you to do as I believe you are willing to do: that, as often as you can, free yourself from worldly affairs so that you may apply that wisdom which God gave you wherever you can.]

Yet while it would be difficult to find an objection to the claim that the prose preface of the *Pastoral Care* has significant propagandistic value and that it deploys several rhetorical tools

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[69] Susan Irvine, 'The Alfredian Prefaces and Epilogues', 145.
[70] Ben Snook, *The Anglo-Saxon Chancery*, 49.
[71] Catherine Karkov, *The Ruler Portraits of Anglo-Saxon England* (Woodbridge: Boydell, 2004), 36.
[72] Sweet, *Pastoral Care*, 5.

to this end, it is difficult not to notice that aspects of its carefully structured prose can be found in other Alfredian works not directly issuing from Alfred's hand. For example, the *modus operandi* of the production of *Pastoral Care* that has come to characterise Alfred's project of translation (to 'translate into English … sometimes word for word, sometimes sense for sense')[73] can also be found in the anonymous prose preface to the *Boethius*:[74]

> Ælfred kuning wæs wealhstod ðisse bec ond hie of Boclædne on Englisc wende, swa hio nu is gedon. Hwilum he sette word be worde, hwilum andgit of andgite, swa swa he hit þa sweotolost ond andgitfullicast gereccan mihte for þam mistlicum ond manigfealdum weoruldbisgum þe hine oft ægðer ge on mode ge lichoman bisgodan.
>
> ['King Alfred was the translator of this book: he turned it from Latin into English, as it now exists. Sometimes he translated word for word, sometimes sense for sense, to interpret it as clearly and intelligibly as he could, given the various and multifarious worldly distractions which frequently occupied him either in mind or body.']

And again in the *Vita Alfredi*, in a passage about Wærferth's translation of the *Dialogues*:[75]

> At tunc Deus quaedam solatia regiae benevolentiae, tam benevolam et iustissimam querelam illius diutius non ferens, veluti quaedam luminaria, transmisit Werfrithum, scilicet Wigernensis ecclesiae episcopum, in divina scilicet scriptura bene eruditum, qui, imperio regis, libros Dialogorum Gregorii papae et Petri sui discipuli de Latinitate primus in Saxonicam linguam, aliquando sensum ex sensu ponens, elucabratim et elegantissime interpretatus est.
>
> ['At that point God (being unable to tolerate so well-intentioned and justifiable a complaint any longer) sent some comforts for this royal intention—certain luminaries, as it were: Werferth, the bishop of Worcester, a man thoroughly learned in holy writings who at the king's command translated for the first time the *Dialogues* between pope Gregory and his disciple Peter from Latin into the English language, sometimes rendering sense for sense, translating intelligently and in a very polished style.']

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[73] Sweet, *Pastoral Care*, 7: ' … *ða ongan ic ongemang oðrum mislicum ond manigfealdum bisgum ðisses kynerices ða boc wenden on Englisc ðe is genemned on Læden Pastoralis, ond on Englisc 'Hierdeboc', hwilum word be worde, hwilum andgit of andgiete, swæ swæ ic hie geliornode æt Plegmunde minum ærcebiscepe, ond æt Assere minum biscepe, ond æt Grimbolde minum mæssprioste, ond æt Iohanne minum mæssprioste.*' [' … I then began, amidst the various and multifarious afflictions of this kingdom, to translate into English the book which in Latin is called *Pastoralis*, in English 'Shepherd-book', sometimes word for word, sometimes sense for sense, as I learnt it from Plegmund my archbishop, and from Asser my bishop, and from Grimbald my mass-priest and from John my mass-priest'].

[74] *Bo*, 239.

[75] *VA*, ch. 77; *K&L*, 92.

As Keynes and Lapidge have observed, the phrase comes from a well-known Latin tag which can be found in a handful of works that were significant to the West Saxon project of translation, especially Jerome's *Epistola* (lvii), Gregory the Great's *Registrum Epistularum* (I, xxix), and Gregory's preface to his *Dialogues*.[76] However, it is interesting to note that the alliterative pair *mistlicum ond manigfealdum* that accompanies the borrowed Latin phrase appears both in Alfred's preface to the *Pastoral Care* (in reference to the 'various and multifarious afflictions' of the kingdom) as well as in the anonymous-author's preface to the *Boethius* (in reference to Alfred's 'various and multifarious' afflictions of mind and body). It is difficult to draw a conclusion about the employment of Alfred's voice here; especially with respect to the alliterative collocation, it must be mentioned that only the *Pastoral Care* survives in one or more manuscripts contemporaneous to Alfred's reign, and that the anonymous preface of the *Boethius* comes from a much later late-eleventh or early-twelfth-century manuscript (Oxford, Bodleian Library, Bodley 180)—a dating that leaves ample room for an originally first-person preface by Alfred to be transcribed into the third-person at some point in the text's transmission history.[77] Nevertheless, the echoing of the phrase in both prefaces, and the two texts' shared use of a Gregorian principle to characterise the figure of the king, does raise the question of whether or not there was a 'house style' that Alfred's court employed when casting the king's royal image.

More than the idea that it is Alfred's personal involvement in translation that separates the royal texts from the domain of Alfrediana, it is this concern over the theory and practice of power, couched in a distinctive political language drawing upon the writings of Gregory the Great and the biblical figures of Solomon, David, and Moses that defines the

[76] Whitelock, 'The Prose of Alfred's Reign', 79; *K&L*, 259 n. 164.
[77] Discenza, 'The Old English Boethius', in *A Companion to Alfred the Great*, ed. Discenza and Szarmach, 200–26 at 201.

royal half of the corpus.[78] In this sense, it was not Alfred-as-author but rather Alfred-as-image that enhanced and imparted special significance to the themes of religion, history, kingship, and empire that are within the royal texts, but which are also common to all the Alfredian works. Indeed, while it might even be said that Alfrediana like the *Orosius*, the *Chronicle*, the *Bede* and the *Domboc* are more concerned with the aforementioned themes than the royal texts, the insertion of Alfred's person into the text as a mediator between the past and the present—between the supposedly forgotten knowledge of yesteryear and its revitalisation for prosperity in the present age—ensures Alfred's kingdom is framed as the inheritor of this legacy, and Alfred as the means of securing it. In the prose preface to the *Pastoral Care*, the Alfred-persona recounts how the Law (i.e. the Pentateuch) was first transmitted from God via Hebrew, then translated into Greek followed by Latin, until such a time that there was a present need for the English to translate it into the vernacular in their own way, thus framing the transmission of scripture as a succession of empires.[79] Of course, the *Pastoral Care* is not a book about scriptural translation, but it serves Alfred's purpose to highlight the cultural succession of worldly power and the role of teachers and leaders in enacting it, as the work will ultimately be circulated amongst his bishops whom he hopes to coax into his project of reform. In translating Gregory, whose works notably seem to have

[78] A broad topic in Alfredian scholarship; ample discussion can be found in Pratt, *The Political Thought of King Alfred the Great*, esp. 134–166, as well as in Janet Nelson, 'Wealth and Wisdom: the Politics of Alfred the Great', 35–6. A brief summary might be that Gregorian language is defined by balancing, especially with respect to the worldly power and authority of a ruler, as contrasted with their obligations to abstain from sin and pursue God's wisdom; it is expounded most fully in the *Pastoral Care*. Solomonic language similarly relates to office-holding and the behaviors of a ruler, albeit with the biblical precedent that, like Solomon, it is the man who looks past present glory and riches to find God's wisdom who will find both; Asser tells us as much in Ch. 76 of the *Vita Alfredi*, affording a rare glimpse into Alfred's reception of Solomonic principle and its applicability to his rule.

[79] Sweet, *Pastoral Care*, 6: '*Ða gemunde ic hu sio æ was ærest on Ebriscgeðiode funden, on eft, ða ða hie Creacas geliornodon, ða wendon hie hie on heora agen geðiode ealle, ond eac ealle oðre bec. Ond eft Lædenware swæ same, siððan hie hie geliornodon, hie hie wendon ealla ðurh wise wealhstodas on hiora agen geðiode. Ond eac ealla oðræ Cristnæ ðioda sumne dæl hiora on hiora agen geðiode wendon*.' ['Then I recalled how the Law was first composed in the Hebrew language, and thereafter, when the Greeks learned it, they translated it all into their own language, and all other books as well. And so too the Romans, after they had mastered them, translated them all through learned interpreters into their own language. Similarly all the other Christian peoples turned some part of them into their own language.']

resonated with Mercian episcopal interests that will be relevant shortly,[80] the *Pastoral Care* author conflates Alfred's and Gregory's voices in prose preface when introducing the translation, and echoes specific passages such as Gregory's reference to good priests and teachers following in the footsteps of the saints:[81]

> Đonne stæpð se sacerd suiðe tælleaslice on ðone weg, ðonne he ða bisene ðara forðgefarenra federa georlice and unblinnendlice sceawað, and on ðæt suæð ðara haligra singallice winnað to spyriganne.
>
> ['The priest walks along the path very blamelessly, and follows eagerly the example of the deceased Fathers without interruption, and ever striving to follow in the track of the saints.']

Alfred's argument is similar, but is expanded to include Solomonic overtones:[82]

> Ða ic ða ðis eall gemunde, ða gemunde ice ac hu ic geseah, ær ðæm ðe hit eall forhergod wære ond forbærned, hu ða ciricean giond eall Angelcynn stodon maðma ond boca gefyldæ, ond eac micel mengeo Godes ðiowa; ond ða swiðe lytle fiorme ðara boca wiston, for ðæm ðe hie hiora nanwuht ongiotan ne meahton, for ðæm ðe hie næron on hiora agen geðiode awritene. Swelce hie cwæden: 'Ure ieldran, ða ðe ðas stowa ær hioldon, hie lufodon wisdom, ond ðurh ðone hie begeaton welan ond us læfdon. Her mon mæg giet gesion hiora swæð, ac we him ne cunnon æfter spyrigean. For ðæm we habbað nu ægðer forlæten ge ðone welan ge ðone wisdom, for ðæm ðe we noldon to ðæm spore mid ure mode onlutan.'
>
> ['When I reflected on all this, I remembered how, before everything was ransacked and burned, the churches throughout England stood filled with treasures and books, and also, that there was a great multitude of those serving God. And they derived very little benefit from those books, because they could not understand them, since they were not written in their own language. It is as if they had said: "Our ancestors, who formerly kept these places, loved wisdom, and through it they obtained wealth and left it for us. Here one can still see their track, but we cannot follow it. Therefore we have now lost the wealth as well as the wisdom, because we did not wish to set our minds to the track."']

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[80] This association comes from the manuscript context of the fire-damaged London, British Library, Cotton Otho A. i. The eighth-century manuscript contains several items of Mercian and 'Gregorian' interest, including the canons of the 747 synod of *Clofesho*; letters by Boniface to Cuthbert, archbishop of Canterbury, and to Æthelbald, king of the Mercians, to which the synod had responded; the charter of privileges issued by Æthelbald at Gumley in 749, which was a further response to the criticisms of Boniface; and finally, a Latin version of the *Regula pastoralis* in abridgement, which reinforced the Gregorian ideals in the attached documents. The manuscript is discussed at length in Keynes, 'The reconstruction of a Burnt Cottonian Manuscript: the Case of Cotton MS. Otho A. I', *British Library Journal* 22.2 (1996): 113–60.

[81] Sweet, *Pastoral Care*, 77.

[82] Sweet, *Pastoral Care*, 5–7.

At an immediate level, Alfred is describing how the tracks of the forefathers have been lost, how this had brought ruin upon the *angelcynn* in the ninth century, and alludes to how this might be remedied—with the implication, of course, that this wisdom of the forefathers would be recovered through his educational reforms.[83] Yet it cannot be overemphasised how strongly Alfred turns from a nostalgic representation of the Anglo-Saxon past to a scathing criticism of the ecclesiasts who immediately preceded the present age, which makes for a juxtaposition that has been called one of the sternest shifts in tone in Old English prose.[84] From its outset, the preface lays out four distinct periods of history in order to make this contrast the most emphatic, [85] and laces in the language of conventional Solomonic wisdom to underscore his statements at lines 36–9 and lines 39–41 that, firstly, the neglect of wisdom prevented the securing of further wealth during an ecclesiastical dark age and, secondly, that the wealth of the seventh-century forbears which had been hoarded and neglected well into the ninth century, is now utterly lost because the Viking invasions (construed as punishments—*witu*) destroyed it in keeping with the material trinket it became.[86]

It redounds to the rhetorical skills of the Alfredian author that he is able to gently persuade (*me ðyncð betre, gif iou swæ ðyncð …*) and roundly chastise his audience at the same time, explaining in great detail how the recent failings in both warfare and wisdom (*ge mid wige ge mid wisdome*) can be traced back to episcopal negligence. The effect is to deploy these appeals to Bedan history, to Gregorian and Solomonic authority, as well as the aspersions aimed at ecclesiastical seats of power, in order to utilise them as a means of establishing and retaining royal authority within the figure of Alfred and his kingdom at

[83] Karkov, *Ruler Portraits*, 36.
[84] Tom Shippey, 'Wealth and Wisdom in King Alfred's Preface to the Old English Pastoral Care', *The English Historical Review* 94.371 (1979), 346–55 at 352.
[85] Shippey, 'Wealth and Wisdom', 351–3. The periods roughly correlate to: (1) Bede's account of the late seventh century Northumbrian 'Golden Age' in the *Historia Ecclesiastica*, iv, 2, which in turns blends into a slightly later period of English prosperity; (2) the time at which Alfred first ascended to the throne in 871, which also caps the end of period 3; (3) the steady descent into illiteracy after period 1, culminating in the decade of 855–65, which Alfred can recall; and (4) The present age, beginning c. 890, when Alfred's reforms have begun, but nevertheless a period still falling short of Bedan glory.
[86] *K&L*, 295, n. 10. The centuries referenced are implied rather than stated.

Wessex.[87] In this light, it might be argued that the prose preface of the *Pastoral Care* operates as a consolidation of authority aligning with the Gregorian and Solomonic ideals laid out in the text, rather than simply as a means of attributing the translation to Alfred's royal person. It is understandable that extra efforts would be made to articulate this political and philosophical relationship between Alfred and his thegns to the leaders who would become part of this structure.

As David Pratt has noted, the Alfredian programme is too easily interpreted as an autonomous act of will, neglecting forces integral to its construction: 'Alfred's image amounted to an extreme extension of West Saxon trends', where, 'the range and quality of West Saxon royal monopolies [was decisive], and the mechanisms by which these monopolies were sustained'.[88] Alfred's literary movement was, like other aspects of his rule, hegemonic in its West Saxon leaning, and it is curious to note that the Alfredian voice which distinguishes the royal texts from the rest of the corpus should preface translations of works concerned with the theory and practice of power and the behavior of those who wield it.[89] If it is true that the use of Alfred's voice connotes some personal association with the texts in which it appears, it also serves as an indicator of how the Alfredian court thought those works might be received by their intended audiences. Significantly, this complicates our view of the imposition of an Alfredian voice in texts falling outside of the royal corpus, and raises questions about the political import of works such as the *Orosius* and the *Chronicle* that do not employ it despite offering powerful statements on kingship, history, and religious ideals.[90] The cosmopolitan sources that the corpus makes use of, including the detectible

[87] Karkov, *Ruler Portraits*, 37.
[88] Pratt, *Political Thought*, 134.
[89] *Ibid..,* 133.
[90] The Old English *Orosius* incorporates an Alfredian interpolation into its narrative that 'invites readers to consider the rapidly expanding West Saxon kingdom in relation to the great empires which preceded it' according to Leneghan, '*Translatio Imperii*', 656 and 673–8. As Leneghan has suggested, the *Orosius* interpolation serves much the same function as the genealogical preamble to the *Chronicle*, which situates the West Saxon royal dynasty within an historical continuum stretching back to biblical times. These impositions of

traces of Mercian dialect that appear through lexical analysis of nearly all of the Alfredian works,[91] further show that Alfred's movement was doing what it announced itself to do in the *Pastoral Care* preface: to recapture the lost knowledge of an earlier age and recast it within a West Saxon frame of reference. That this approach extended to the documentary corpus of charters, laws, and historical texts reflects the scrupulous sensitivity for literary inspiration at the Alfredian court.[92]

The Political Context of Alfred's Reign

It is here that it is necessary to address Alfred's relationship with the Kentish and Mercian territories under his control in the late ninth century, and to discuss this political context in light of Alfred's literary scheme. The waxing West Saxon political power that Alfred inherited from his brother, Æthelred (king of Wessex from 865–71), was one that had long been ascendant in England, largely at Mercian expense.[93] The relationship between the two kingdoms is long and complicated, yet two commonly cited factors that seem to have led to the mid-ninth-century collapse of Mercia were political infighting and the external pressure of Viking depredation. It was under the rule of Ecgberht, Alfred's grandfather, that the Mercian polity began to fray; a decisive victory for the West Saxons against the Mercians in 825 at the battle of Ellendun brought an end to a long period of Mercian supremacy,[94] and led to the cessation of Mercian authority in the south-east.[95] It was at this point that Kent first

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Alfred's imperial authority are emphatically expressed to the reader despite being presented outside of the prefaces and epilogues where they might normally be found.

[91] Discussed in detail below. See chiefly Bately's remarks in 'Old English prose before and during Alfred's reign', 118.

[92] As explored in Chapter 4.

[93] Pratt, *Political Thought*, 105.

[94] S 1435. This and all further charter references cited by Sawyer's numbering, now available online via *The Electric Sawyer*, Centre for Computing in the Humanities at King's College London, 2017.

[95] Keynes, 'The Control of Kent in the Ninth Century', *Early Medieval Europe* 2 (1993), 111–31 at 119–20. It is worth noting that, by 829, Ecgberht would go on to conquer the Mercian kingdom proper, and have coinage issued in his name as 'King of the Mercians', a styling which Alfred was also sometimes afforded; Blunt, 'The Coinage of Ecgbeorht, king of Wessex, 802–39', in *British Numismatic Journal* 28 (1955), 467–76 at 472–3. A

changes hands and was transferred into West Saxon control, a process fully realised under the reign of Alfred's father Æthelwulf (king of Wessex from 839–858), and which constituted an important extension of the West Saxon realm. Prior to Æthelwulf leaving for Rome in 855, he installed his sons Æthelberht and Æthelbald as kings of Kent and 'west' Wessex respectively, which became a formal bipartite arrangement upon his return.[96] However, the turnover of the ninth-century West Saxon kings was rapid, and would see Alfred placed in charge of both these territories in short order: Æthelwulf died in 858, Æthelbald in 860, Æthelberht in 865, and Æthelred in 871, at which point the united kingdom of Wessex was then passed to Alfred.

Even without considering the complex relationship between Mercia and Wessex in the period prior to Alfred's reign, this meant that Alfred was handed the difficult position of presiding over a southern territory that had been under Mercian control until the reign of his grandfather, and which had been treated separately from the rest of the West Saxon kingdom until the decade before his rule. While it has been said that Alfred's appeals to past rulers of both Kent and Mercia in the law code might only reflect the fact he now governed these geographical areas,[97] it is significant to consider the shifting political landscape of Anglo-Saxon England in the period prior to his rule. To the extent that Alfred demonstrated considerable skill in cooperating with other leaders to bolster his own political authority in unstable areas of his kingdom (as we shall see), such appeals to established authority in his written works should not be overlooked as evidence of his collusion with these independent cultural legacies.

Mercian regnal list also assigns him a reign of one year, in London, British Library, Cotton Tiberius A.xiii, fol. 114v.

[96] Keynes, 'King Alfred and the Mercians', in *Kings, Currency and Alliances: History and Coinage of Southern England in the Ninth Century*, ed. Blackburn and Dumville (Woodbridge: Boydell, 1998), 1–45 at 7.

[97] LawAf §49.9–10. Stanley, 'On the Laws of King Alfred: the End of the Preface and the Beginning of the Laws', in *Alfred the Wise*, ed. J. Roberts, J. Nelson, and M. Godden (Woodbridge: D.S. Brewer, 1997), 211–22 at 212–13.

Due in large part to Simon Keynes' parsing of evidence left by charters, coins and chronicle entries, the relationship between Mercia and Wessex in the ninth century is now better understood. Working against a received view that Mercia and Wessex were ancient political rivals lasting until the early tenth century,[98] Keynes averred that struggles and tentative alliances throughout the first three quarters of the ninth century amounted to the rise of a new political order in the early 880s under Alfred, whose control had now extended over Kent, Wessex, and Mercia (including the Mercian city of London), and whose unified rule oversaw the forging of an Anglo-Saxon identity that seemed to be universally accepted by its diverse constituents.[99] The catalyst that aided the unification of the kingdoms extended beyond a mutual concern over the Viking threat and represented a desire to extend the English territory northward and westward into Wales. To this end, in 853 King Æthelwulf aided the Mercian King Burgred in his efforts 'to bring the Welsh under subjection to him'.[100] Throughout the 850s and 860s further cooperation can be detected through land transactions and episcopal attestations of charters, where curiosities such as a West Saxon land grant issued by Burgred (S 1701) and charters of Æthelwulf attested by a Mercian bishop of London (S 327, S 337) can be found. The alliance also found expression in the harmonising of West Saxon and Mercian monetary systems, which gave rise to a uniform currency from the 860s onwards;[101] this new period of cooperation was dynastically cemented in 868 with

[98] In past scholarship, the fact that London fell under Viking control after the partition of Mercia in 877, and that it remained in this state until Alfred took it in 886, as well as the fact that Alfred's son, Edward the Elder, extended his authority over the Mercians into the second decade of the tenth century, led to suppositions that Mercia operated with some degree of autonomy. Keynes' contention was that Alfred had already fostered significant political relationships with the Mercians by the time his son came into power, and that Mercia had largely already been reconciled within 'English' England; 'King Alfred and the Mercians', 2.
[99] Keynes, 'King Alfred and the Mercians', 2.
[100] *ASC* 853, *The Anglo-Saxon Chronicle: A Revised Translation*, ed. and trans. D. Whitelock, D. C. Douglas, and S. I. Tucker (London, 1961) at 43.
[101] Blackburn et. al., *Medieval European Coinage: with a Catalogue of the Coins of the Fitzwilliam Museum* (Cambridge, 1986), 311; Keynes, 'King Alfred and the Mercians', 9. Following a period where no coins were minted (probably as a result of the Viking descent on London in 851), the Mercian mint in London began producing *Lunettes* coinage in the 860s; the West Saxons, meanwhile, minted their coins at Canterbury and using a different design, but by the later 860s had moved on to produce coins of the same *Lunettes* type. It is an arrangement that is analogous to Alfred and Ceolwulf's shared coinage of the 870s.

Alfred's marriage of Ealhswith, the daughter of a Mercian ealdorman, and the earlier marriage of Alfred's sister, Æthelswith, to Burgred in 853.[102]

The foregoing meant that, by the time of Alfred's accession in 871, he had already been very closely associated with Mercia. His sister was queen at the Mercian court, he himself had a Mercian wife, the kingdoms had collaborated on a number of military fronts, and the numismatic evidence shows Burgred's London mint was producing coins for both kings into the early 870s.[103] It was, in sum, a period of substantial cooperation between the two kingdoms, and one that lasted until Burgred's successor, Ceolwulf (II, d. 879), took the Mercian throne in 874. There is dispute over Ceolwulf's royal legitimacy, owing in large part to him being an appointee of the Vikings, and thus the *Chronicle*'s entry in 874 that the Mercian kingdom was given to *anum unwisum cyniges þegne*, 'a foolish kings thegn',[104] but there is ample evidence to suggest that Ceolwulf indeed acted as a proper king.[105] Ceolwulf issued at least two charters attested by Mercian bishops (S 215, S 216), and he can be found in a Mercian regnal list from Worcester which assigns him a reign of five years, culminating with his mysterious end in 879 (London, British Library, Cotton Tiberius A. xiii, fo. 114v). Not much is known of his reign outside of the coins that he issued in collaboration with Alfred, but the fact that Alfred as well as Ceolwulf's own people recognised his royal status would suggest the need to move beyond the disparaging remark in the *Chronicle*; Keynes has suggested that the comment likely reflects the chronicler's personal attitude toward Ceolwulf rather than a popular opinion in Wessex—perhaps it was made in contempt of Ceolwulf's

[102] Pratt, *Political Thought*, 105.
[103] Blackburn, *Medieval European Coinage: with a Catalogue of the Coins of the Fitzwilliam Museum*, 311; Keynes, 'King Alfred and the Mercians', 11.
[104] Whitelock, *Anglo-Saxon Chronicle*, 48.
[105] Stenton 'The Anglo-Saxon Coinage and the Historian', in *Prepatory to Anglo-Saxon England*, ed. D. M Stenton (Oxford: Clarendon Press, 1970), 371–82 at 372–3.

division of the Mercian territory in 877 to facilitate the expansion of the Danelaw—but in any case, it is not necessarily proof of anti-Mercian sentiments in Alfred's court.[106]

Following Ceolwulf's disappearance from the historical record, a ruler by the name of Æthelred (d. 911) came into control of West Mercia by 883. As Pratt comments, the fact that political control had shifted almost entirely to Wessex at this point in time is evidenced by his sub-royal styling: 'whereas Ceolwulf had operated as king, Æthelred was accorded the title of "ealdorman" and its variants in charters, where Alfred's permission and witness was expressly acknowledged'.[107] It has been suggested by Keynes that it was in fact Alfred who took control of Mercia after Ceolwulf's end in 879, and that Æthelred, perhaps regarded as a ruler of Mercia in certain circles, had 'thereupon been obliged to acknowledge Alfred's overlordship'.[108] The result seems to be that 'Mercian' London was now in Alfred's hands, and that it had remained free from Viking encroachment from the late 870s onward, barring a brief period of occupation in 883. On this view, and proceeding from Keynes' interpretation of the *Chronicle*, the entry of a Viking force in the Thames estuary in 885 prompted Alfred to occupy London in 886 to secure its defenses; it was not a violent recapture.[109] Essentially, this new agreement from 886 onward seems to have been the formal consolidation of Mercia

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[106] Keynes, 'King Alfred and the Mercians', 18–19; Keynes, 'Mercia and Wessex in the Ninth Century', in *Mercia: An Anglo-Saxon Kingdom in Europe*, ed. Michelle Brown and Carol A. Farr (London: Leicester University Press, 2001 repr. 2005), 310–28 at 320.

[107] Pratt, *Political Thought*, 105.

[108] Keynes, 'King Alfred and the Mercians', 21.

[109] Keynes, 'King Alfred and the Mercians', 21–5 and 35. Clarification is needed, as this is not the reading the *Chronicle* implies: '*Þy ilcan geare gesette Elfred cyning Lundenburg, 7 him all Angelcyn to cirde, þæt buton Deniscra monna hæftniede was, 7 hie þa befæste þa burg Eþerede aldormen to haldonne*' ['That same year King Alfred occupied London; and all the English people that were not under subjection to the Danes submitted to him. And he then entrusted the borough to the control of Ealdorman Ethelred'], *ASC* 886, Whitelock, *The Anglo-Saxon Chronicle*, 52. Whitelock adds in a footnote: 'it is clear from Asser's addition, that it was "after the burning of cities and the massacre of people", that Alfred obtained London by warfare, and it is probably implied by Florence of Worcester, using some lost source, when he says: "After his (the last Mercian king, Ceolwulf's) death, Alfred, king of the West Saxons, in order to expel completely the army of the pagan Danes from his kingdom, recovered London with the surrounding areas by his activity, and acquired part of the kingdom of the Mercians which Ceolwulf had held."' Keynes notes that these remarks are likely directed at the events of 883, and that the 'occupying' in 886 was peaceful; the people 'not under subjection to the Danes' was probably in reference to the Mercian inhabitants of the city, who would have swore an oath to Alfred before he entrusted them under the rule of another Mercian: his appointee Æthelred; see further Patrick Wormald 'Engla-Lond', 6–7.

under Alfred. Concordantly, the stylings used for Alfred in charters dating from the late 880s and early 890s reflect his new status as king of both the West Saxons and Anglians: *rex Anglorum et Saxonum* is used in S 346, dated 889 (Worcester); *Anglorum Saxonum rex* in S 347, dated 891 (Glastonbury); *Angol Saxonum rex* in S 348, dated 892 (Wilton); and *Angul-Saxonum* is used throughout the *Vita Alfredi* (at §1, §13, §21, §64, §67, §71, §73, §83, §87), dated 893.[110] Three other undated charters (S 354–6, belonging to Wincester, Abingdon, and Malmesbury) additionally use these stylings or variants of them.

As for precedent, the terms *Angli Saxones* or *Englesaxones* had originally been coined on the continent to distinguish the Insular Saxons from those remaining in Germany, and its adoption may on the one hand reflect Alfred's Frankish contacts and assistance.[111] However, it would appear that the Alfredian usage denotes the unification of the Anglian kingdom of Mercia with the Saxon kingdom of Wessex and its eastern extensions in Kent.[112] As Pratt has noted, this shows the extent to which Alfred was insistent upon harnessing an English identity, since 'in the *Chronicle* and Prose Preface, Alfred's rule was seen against a wider "English" past, Bedan in its horizons of spiritual unity', and which ultimately was configured as an ethnic boundary that could be used for the common defense of all those whom it described.[113] Therefore, the shifting of Alfred's royal stylings within the charter record is central to understanding the kingly identity that Alfred wished to outwardly project, and it is an argument which can be seen as going hand-in-hand with Alfred's use of terms like *Angelcynn* in the literary texts of his educational reform. As Ben Snook has put it, the essence of the Anglo-Saxon charter is in its language, and through it, the king speaks to his audience: charters 'are carefully and precisely stage-managed pronouncements of royal authority, designed by the most erudite of the kingdom's intelligentsia to impress a very specific

[110] *K&L*, 227, n. 1.
[111] Pratt, *Political Thought*, 106.
[112] Keynes, 'King Alfred and the Mercians', 25.
[113] Pratt, *Political Thought*, 106–7.

message upon their audience'.[114] For Alfred, this message was neither accidental nor incidental to the claims of identity made in the prose texts of his corpus: the king and his court were fastidious in their keeping of Alfred's royal authority and its presentation to his subjects.

The Evidence of Coinage

The Alfredian court's nostalgic approach to history positioned Alfred as a Janus-faced king looking back upon seventh-century wisdom to secure ninth-century prosperity.[115] The success of this endeavour depended in part on the ability to appropriate the ideas and values of past cultures, to fashion a new self-image or identity for the English people. The Alfredian court frequently aligned itself with its seventh-century Anglo-Saxon forebears (as we have seen in the *Pastoral Care*), yet models of exemplary Roman, Byzantine, Frankish, and Anglo-Latin writings and iconography provided potent inspiration for the court's intellectual aspirations. Of course, Alfred is not unique in this aim among other medieval rulers—kings sometimes styled themselves as latter-day Roman emperors presiding over a renewed Roman Empire as *imperium christianum*, for example[116]—but the extent to which these cultural homages were explored at Alfred's court is unique. Certainly by the standards of an Anglo-Saxon ruler, Alfred was an obsessive communicator; he opted to speak to his subjects through as many channels of written communication as possible, including works of political philosophy, exegesis, law, pastoral advice, and charters.[117] However, his translations were never mere reporting: they were often in their own way a means of rewriting past texts to suit present purposes and were accompanied by prefaces and in some cases epilogues that furthered the

[114] Snook, *The Anglo-Saxon Chancery*, 27.
[115] Karkov, *Ruler Portraits*, 23–4.
[116] Leneghan, '*Translatio Imperii*', 663.
[117] Snook, *The Anglo-Saxon Chancery*, 48–9.

king's endorsement of the views therein.[118] Even in cases where the translations deviated very little from their source material, this has been taken as evidence of Alfred's agreement with (or respect toward) the prose that is being copied.[119] In other words, the texts chosen by Alfred or his court, and the construction of Alfred's royal identity as it is expressed through them, has often been assumed to be both purposive and carefully constructed, including in cases where its presence is less obvious.

It should be stressed that Alfred's meticulously curated image of royal authority is not just found in his literary texts as defined above, but also in the essential documents circulated throughout his rule, including charters and coins. Importantly, these documents were likely not authored or issued by Alfred himself, but nonetheless exhibit many of the same characteristics of his royal identity, such as a reverence for the past and an appeal to Christian and Roman ideas of leadership and authority. In much the same way that it was observed earlier that Alfred's royal stylings shifted in the charters issued throughout his reign, similar developments can be observed in the coinage circulated throughout Alfred's kingdom in the late ninth century and can be shown to intermingle with the iconography of the Christian and Roman Golden Ages that Alfred wished to align himself with. Due to the complexity of the relationship between Mercia and Wessex in the 870s, and in light of Alfred's mysterious relationship with Ceolwulf, the two new coin types issued at this time are of particular interest to understanding the development of Alfred's royal identity. Following Burgred's deposition in 874, the *Lunettes* coins that were the standard issue of the 860s and early 870s (the first iteration of the 'uniform currency' mentioned earlier) continued to be struck by Alfred's moneyers, but no surviving examples bear Ceolwulf's name, and it seems the type

[118] Karkov, *Ruler Portraits*, 24.
[119] Richards, 'The Laws of Alfred and Ine', in *A Companion to Alfred the Great*, ed. Nicole Guenther Discenza and Paul E. Szarmach (Leiden: Brill, 2015), 282–312 at 303.

was soon discontinued.[120] One of the two new types, the *Cross-and-Lozenge*, constituted a major issue and a reform of the coinage, probably some time after 875. The weight and fineness of the coin content were both increased, and it has been conjectured that this demarcated the point at which Alfred assumed rulership over Ceowulf's polity.[121] However, the point of greatest interest is that roughly a third of Alfred's surviving *Cross-and-Lozenge* coins were minted at London and appear on stylistic grounds to be earlier than those coins of the same type minted for King Ceolwulf. The significance of this finding is that, if the reform of the coinage is to be regarded as a joint venture between the two rulers, it would seem it was one planned at first by Alfred alone, and in which he was able to persuade Ceolwulf to participate.[122]

The second of the two new Alfred–Ceolwulf coin types, and the one which has seen greater attention for its rarity, artistic significance, and the recent discovery of a new hoard containing several more examples of it in 2015, is that of the *Two Emperors* type. The coin is a careful copy of a fourth century gold solidus of Roman origin, but incorporates icons of Alfred's reign into its late imperial design. On the obverse is a bust of Alfred, depicted in profile and with a diadem (or perhaps a laurel crown) resting on his head; the text 'Alfred Rex Anglo[rum]' surrounds the image. On Ceolwulf's coin, only 'rex' is written—important context, as both coins seem to have been minted sometime around 875 as Alfred's reputation in Mercia grew.[123] On the reverse are two figures seated in profile beneath an angel's wings, and with a cross sitting between them.[124] Karkov proposes both secular and religious explanations for this imagery, claiming that the figures on the reverse may represent either Alfred's coronation with his queen, Ealhswith, or perhaps an alliance with Ceowulf of

[120] Blackburn, *Medieval European Coinage: with a Catalogue of the Coins of the Fitzwilliam Museum*, 311–12; Keynes, 'King Alfred and the Mercians', 15.
[121] Nelson, 'Wealth and Wisdom: the Politics of Alfred the Great', *Kings and Kingship*, ed. J. Rosenthal (New York, 1986), 31–52 at 40–3.
[122] Keynes, 'King Alfred and the Mercians', 17–18.
[123] Keynes, 'King Alfred and the Mercians', 16.
[124] Karkov, *Ruler Portraits*, 25.

Mercia.[125] Her latter interpretation is grounded in the fact that a similar coin was minted for Ceolwulf around the same time, and that a king's baptismal sponsorship of another ruler could be depicted in such a way. As for the baptismal sponsorship itself, this was a practice more common to the seventh than to the ninth century, but Alfred's sponsorship of Guthrum in 878, for example, suggests that the practice persisted through to Alfred's reign.[126]

Whether the difference in royal styling between Alfred and Ceolwulf appearing on the coins was intended to signify the former's elevated status over the later, or whether it simply reflects the reality of yet another coin issue being designed and conceived by Alfred and extended to Ceolwulf as a gesture of good will, the placement of 'Alfred Rex Anglo[rum]' on an item of such wide circulation should not be overlooked. The number of coins circulating in southern England at the beginning in the second quarter of the eighth century would be measured in the millions or possibly even in the tens of millions as the decades stretch on, and all foreign coins entering the country had to be re-minted to local specification.[127] This suggests that a king's image on a coin would have been widespread, and that the royal stylings placed on them would have proved more pervasive than the ones placed in the king's written works. Thus, the iconography of the different issues likely carried specific meanings, in which careful copying and reworking of Roman prototypes served a specific purpose.[128] The sensitivity with which this facet of Alfred's royal authority was handled is an impressive feature of his court. Prior to the ninth century, no Anglo-Saxon king had attempted to exert such influence over his subjects through writing,[129] and Alfred's coinage offers a rare glimpse into how this ruling principle extended to the physical objects of his reign. The material survival of a wealth of Alfredian treasures described by Asser in the *Vita Alfredi* is scarce, yet the extant coinage attests to a fragment of the metalwork Alfred had crafted to his

[125] *Ibid.*., 25–6.
[126] *Ibid.*, 27.
[127] Pratt, *Political Thought*, 17–18.
[128] Karkov, *Ruler Portraits*, 26–7.
[129] Snook, *The Anglo-Saxon Chancery*, 46.

specification.[130] Therefore, as with the prose preface to the *Pastoral Care* and the Alfred jewel with which it is frequently associated,[131] it is possible to interpret the Two Emperor coins as manifestations of the king's authority, and to see that their legitimacy is established through an appeal to a Roman and Christian past that Alfred looks back upon favorably. The use of this past is not idle, nor unconscious. Either by command of his court or that of Alfred himself, his royal image as king is maintained with fastidious care, and communicated to his subjects at every opportunity. Consequently, the scope of Alfred's scheme extends beyond a small corpus of royal texts, which themselves may only attest a portion of what the court produced. These symbolic associations are important to consider, even if they are not believed to have been devised by Alfred himself.

Alfredian Innovation in the Context of Mercia

Nevertheless, it might be wondered what significance these documentary and material insights have to do with Alfred's project of educational reform beyond providing a general understanding of how Alfred's political authority was articulated throughout his rule. To return to an earlier point, it was in the early 880s, after the disappearance of Ceolwulf and during the time at which Alfred had seemingly unfettered control of Mercia and London, that Alfred summoned his four helpers from Mercia who would prove instrumental to his project of translation.[132] The turn to Mercia for learned men trained in Latin is not surprising, as there is a faint but detectable record of intellectual achievement in that area of the country which predated Alfred's period of educational reform.[133] Of the various writings in Old English that

[130] *VA*, §76; Webster, Leslie, 'The Art of Alfred and his Times', in *A Companion to Alfred the Great*, ed. Nicole Guenther Discenza and Paul E. Szarmach (Leiden: Brill, 2015), 47–81 at 47–50.
[131] Webster, 'The Art of Alfred and his Times', 61–5.
[132] *VA*, §77, that is Wærferth, Plegmund, Æthelstan and Werwulf.
[133] *K&L*, 259 n. 167; Rauer, 'The Earliest English Prose', *Journal of Medieval History* 47.4–5 (2021), 485–96; Rauer, 'Early Mercian Text Production: Authors, Dialects, and Reputations', *Amsterdamer Beiträge zur älteren Germanistik* 77.3–4 (2017), 541–58; Wragg, Stefany, 'Vernacular Literature in Eighth- and Ninth-Century Mercia', unpublished doctorate dissertation (University of Oxford, 2017).

have been attributed to ninth-century Mercia,[134] Wærferth's translation of Gregory's *Dialogi* and the anonymous translation of Bede's *Historia Ecclesiastica* represent the apogee of what an Anglian scriptorium may have produced at the turn of the century, though it is unknown whether these works demonstrate the kind of learning that attracted Alfred to Mercia or are themselves a product of the Alfredian educational project.[135] While Wærferth's recruitment to the Alfredian court is chronicled by Asser, it is unclear whether the anonymous author of the *Bede* was part of this transition to Wessex. Taken on the affirmative, this attribution of the *Bede* supplies another example of an Anglian-authored text to come out of the king's court,[136] and on the negative, evidence of the type of scholarship practiced in Mercia prior to Alfredian rule. In either case, the subject matter of the *Bede* would have been of substantial Alfredian interest, as it chronicles the establishment of the Christian Church in England following Saint Augustine's arrival in 597, and emphasies the Church's positive influence on Anglo-Saxon culture thereafter; that this influence would culminate in Bede's completion of the *Historia Ecclesiastica* in 731 cements the connection between faith and literacy in an era which Alfred was keen to emulate.[137]

The claim that there was a Mercian prose tradition predating Alfred was most ardently taken up by Rudolph Vleeskruyer, who wrote in 1953 that there was a 'vigorous tradition of Mercian vernacular writing' prior to Alfred, and that traces of this movement might be

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[134] *K&L*, 259, suggest the poetry of Cynewulf, a copy of the *Life of St. Chad*, the Old English prose *Martyrology*, and the Old English translation of Bede's *Historia Ecclesiastica* as Anglian works that pre-date Alfred's educational project. The evidence of a pre-Alfredian vernacular prose tradition has been interpreted differently by Vleeskruyer and Bately, forming an important debate that is explored further in this chapter; Robert Fulk has reassessed the evidence, especially in 'Localizing and Dating Old English Anonymous Prose, and How the Inherent Problems Relate to Anglo-Saxon Legislation' and 'Anglian Features in Late West Saxon Prose', providing a somewhat broader picture of Anglian influence than prior studies.

[135] Waite, Greg, 'Translation Style, Lexical Systems, Dialect Vocabulary, and the Manuscript Transmission of the Old English Bede', *Medium Ævum* 83 (2014), 1–48 at 21.

[136] In addition to the *Pastoral Care*, Bately, 'Old English Prose Before and During the Reign of Alfred', at 98, believed the Old English *Orosius*, the prose psalms, the first continuation of the *Chronicle* to 896 and the translations of Gregory's *Dialogi* and Bede's *Historia ecclesiastica* to represent Alfred's ninth-century productions of which only the *Dialogues* could be firmly assigned Mercian authorship, with a growing body of evidence for the Old English *Bede*.

[137] *K&L*, 33.

detected from the survival of the Old English *Martyrology*.[138] Two of the suppositions Vleeskruyer made following his somewhat safer lexical conclusions concerning the Mercian corpus were that, firstly, the existence of Mercian glossaries before 800 could prove the existence of an Anglian literary dialect in the early ninth century and earlier, and secondly, that one of the many indications of a Mercian vernacular tradition of prose writing was the 'significantly large proportion of Mercians amongst those who aided Alfred in his efforts to reanimate culture'.[139] Vleeskruyer's ideas held critical currency at least into the mid-1980s, where, for example, Keynes and Lapidge cite his work to provide a Mercian origin for a copy of the *Life of Chad*, and where Greenfield and Calder find a basis for the idea that there was a 'tradition of native composition … deeply imbedded in English culture from the seventh to eleventh centuries' issuing forth from a Mercian wellspring, and which can be presumed to have existed even if 'we need not posit a whole Mercian school of translation such as Alfred later created'.[140] Janet Bately issued a lengthy rebuttal in 1988, refuting a great deal of Vleeskruyer's linguistic evidence.

Bately's own findings were that, while there is a substantial and ultimately inconclusive body of evidence for the existence of a Mercian literary tradition prior to the late ninth century, 'there is no good reason why any of the so-called early literary Mercian texts other than the *Dialogues* and probably also the *Martyrology* should be dated late-ninth-century rather than early-tenth-century', that is 'pre-Alfredian', and that, 'the corpus of vernacular prose literature that can be safely attributed to the period before 900' based on paleographic, lexical and source analysis 'consists of two or three Mercian texts (the *Dialogues* … the *Martyrology* and Bede) and seven West Saxon ones, comprising five by Alfred (the *Pastoral Care*, the *Boethius*, the *Soliloques*, the prose psalms … and the

[138] Dated c. 850. *The Life of St. Chad: An Old English Homily*, ed. Rudolph Vleeskruyer (Amsterdam, 1953), at 41; cf. Bately, 'Old English Prose', 103.
[139] *The Life of St. Chad: An Old English Homily*, ed. Rudolph Vleeskruyer, at 42 and 46.
[140] *K&L*, 260; Greenfield and Calder, *A New Critical History of Old English Literature* (New York, 1986), 38–9; Bately, 'Old English Prose', 94.

introduction to the laws), the *Orosius* and the opening section of the *Chronicle* to 896'.[141] However, Bately acknowledges a substantial corpus of what she refers to as Mercian works with a 'West Saxon veneer', including the *Apocalypse of Thomas*, the *Letter of Alexander to Aristotle,* the lives of *St. Chad* and *St. Guthlac, The Wonders of the East* and the Christopher Homily, as well several medical works 'not of literary interest', including the 'Anglian, possibly Mercian' *Lacnunga*, *Bald's Leechbook*, the Omont medical fragment, and the frequently paired *Herbarium Apuleii* and *Medicina de quadrupedibus.*[142] Bately does not reject the idea that such texts could have pre-dated Alfredian rule, but she dismisses that they necessarily influenced the advent of West Saxon literary prose, as any worker with the requisite training in Latin could deduce analogous sentence structure in the vernacular from what was presented in the Latin original due to the fact that, 'the most important decisions that normally face an author [in rendering prose] had already been made [i.e. by the original, Latin author]'.[143] In effect, the challenges presented to the Alfredian writers when creating a method and style of prose translation were the same ones any writer would have encountered centuries before or after, and therefore the ability of Alfred's court to render Latin into intelligible Old English prose—supposedly for the first time—need not have involved relevantly-experienced Mercians with prior experience, but simply learned Latin scholars from anywhere in England.

Be that as it may, some essential observations must be made about Bately's remarks and applied to the foregoing arguments in this chapter to arrive at new conclusions about Alfred's project of translation. First, it should be observed that the Old English *Dialogues* and the *Bede* are of reliable Mercian origin, and possibly were products of Alfred's court—two of

[141] Bately, 'Old English Prose', 114 and 118.
[142] Bately, 'Old English Prose', 99–100.
[143] Bately, 'Old English Prose', 101 and 132–3.

the first, if so.[144] Second, there was in fact a Anglian tradition of prose writing that Alfred's court might have looked toward as a prototype, which included historical, medical, and documentary writing in addition to scriptural and hagiographical specialisms. Third, with respect to Bately's remark that documentary works are not of literary interest, in the case of the Alfredian corpus, this claim might be contested. For example, the English and Latin charters circulating throughout Mercia and Wessex in the ninth century reveal that Mercia, in spite of its waning power, possessed a substantially better-equipped administration experienced in the production of diplomatic documents, and whose charters, 'in their language, structure and style … stubbornly refused to abandon the ambitious literary techniques which had developed in Mercia over the ninth century'.[145] The influence of authors with clear literary and stylistic ambitions—particularly Aldhelm, rumoured to be Alfred's ancestor and most beloved poet, as we shall see below—has been suggested for the writings of these Mercian charter scribes, and it seems some of these draftsmen ended up in Wessex during Alfred's reign and after.[146] Whether the charter evidence suggests the incorporation of Mercian intellectual achievements alongside others, or the more radical view that 'they reveal the extent to which the brains behind Alfred's cultural renaissance came not from Wessex, but from Mercia', it can at least be said that there was a fluidity to the definitions of what was literary at Alfred's court, even among the production of the most prosaic administrative documents.[147]

The point is not to insist that Mercian scholars were wholly responsible for Alfred's project of reform. However, the early dating of the definite Mercian literary prose texts—the *Dialogues* and the *Bede*—accords with the political climate of Alfred's reign in the early 880s, at least insofar as it was a time in which Mercia had the least political stability, and

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[144] Johnson, 'Alfredian Apocrypha: The Dialogues and the Bede', in *A Companion to Alfred the Great* ed. Nicole Guenther Discenza and Paul E. Szarmach (Leiden: Brill, 2015), 368–95 at 368–74.
[145] Snook, *The Anglo-Saxon Chancery*, 31.
[146] *Ibid.*, 32–56; Lapidge, 'The Career of Aldhelm', 17–18.
[147] *Ibid.*, 31.

Alfred, the greatest control over it. There is also the fact that these two texts directly relate to the Bedan past and the Gregorian ideals that Alfred amply covers in his other works; in the *Dialogues* especially, there seems an attraction to its coverage of sixth-century Italian social history through Christian morals and its contacts with barbarian or heretical invaders.[148] Notably, Wærferth does not attempt to adjust this history to Alfred's time in any substantial way, and criticism of the 'slavish translation' of both the *Dialogues* and the *Bede* has been extensive.[149] Yet where some have seen monotony, others find a respect by the author for his Latin source, and a style which is clear and effective in its expression. As David Johnson has noted, 'the ideology of translation adopted by Wærferth—and by the translators of the [*Bede*]—was one of humility and self-effacement', where the 'intent was produce a translation that came as close to possible to the original without doing too much damage to the syntax and idiom of [the] target language, i.e. Old English'.[150]

The theme of reverence extends to the possible impetus for translating these works. In the *Historia Ecclesiastica*, Bede provides his own list of Gregorian works available in England, and as Bede's text was known to Alfred, it raises the question why he would have selected Gregory's *Dialogues* apart from the others. It is, of course, a question that is of fundamental interest to the historical portrait provided in the *Pastoral Care*: with Latin-learning and faith in Christianity at perilous lows, and therefore the twofold need to foster vernacular literacy and to undertake the further instruction of Latin teachers, a need to invest in early efforts to translate books that would help in this task was clear. Therefore it would seem the *Dialogues* was intended as a didactic tool for either the secular clergy whose Latin skills were still developing, for the use of priests in instructing their lay flocks, or for the

[148] Godden 'Wærferth and King Alfred', 48.
[149] *Ibid.*, 49; Potter, *On the Relation of the Old English Bede to Werferth's Gregory and to Alfred's Translation* (Praugue: La Société Royale des Sciences de Bohême, 1931), 2.
[150] Johnson, 'Alfredian Apocrypha', 379; see also Waite, 'Translation Style', 21.

education of leaders of various types.[151] The distinctions may not have been all that clear to Alfred, whose interest in the text could be more generally described as a means of inculcating Christian morals, beliefs and values; however, it is a desire that Alfred mentions in the first-person preface to the work:[152]

> Ic Ælfred geofendum Criste mid cynehades mærnysse geweorðod, habbe gearolice ongytan and þurh haligra boca gesægene oft gehyred, þatte us, þam þe God swa micle heanesse worldgeþingða forgifen hafað, is seo mæste ðearf, þat we hwilon ure mod betwixt þas eorþlican ymbhigdo geleoðigen and gebigen to ðam godcundan and þam gastlican rihte. And forþan ic sohte and wilnade to minum getreowum freondum, þæt hi me of Godes bocum be haligra manna þeawum and wundrum awriten þas æfterfylgendan lare, þæt ic þurh þa mynegunge and lufe gescyrped on minum mode betwih þas eorðlican gedrefednese hwilum gehicge þa heofonlican.
>
> ['I Alfred, honoured by the grace of Christ with the glory of kingship, have clearly understood and often learned through the tradition of holy books, that for us, to whom God has given great positions of worldly authority, there is the greatest need that amid these earthly anxieties we should ease and turn our minds to the divine and spiritual duties. And therefore I required and sought from my trustworthy friends that they would write for me, out of God's books, the following arrangement of material concerning the virtues and miracles of holy people, so that I, strengthened through the exhortation and love amid these earthly afflictions, might from time to time think of heavenly things.']

Although the *Dialogues* are not considered part of the royal corpus, the preface invites comparison to the prefaces in those other works, as well as to the *Domboc*. The usual hallmarks are here: an indication of Alfred's royal authority, said to be transferred to him through God; the rhetoric of Gregorian balancing, expressed through the need to lay aside earthly anxieties to undertake spiritual duties; and the articulation of a need for faith throughout the nation, grounded not in the observation of the king and an issued command, but rather Alfred's reporting of his own experiences in his spiritual life. The knowledge, too, is acquired through literacy, from a tradition of holy books. It is a preface that is notably personal. And yet, it is almost assuredly not composed by Alfred but by his Mercian helper,

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[151] Johnson, 'Alfredian Apocrypha', 386.

[152] *Bischofs Warferth von Worcester Ubersetzung der Dialoge Gregors den Grossen*, ed. Hans Hecht, Bibliothek der angelsächsischen Prosa 5 (1900–7), 1; discussion of the passage in Godden, 'Wærferth and King Alfred', in *Alfred the Wise,* ed. J. Roberts, J. Nelson, and M. Godden (Woodbridge: D.S. Brewer, 1997), 35–51 at 36.

Wærferth; Malcolm Godden notes that its use of word-pairs such as *ongyten and gehyred, geleoðien and gebigen, gocundren and gastlican, þeawum and wundrum, myne and lufe*, and especially *sohte and wilnade*—which occurs only one other time in the Old English prose corpus, elsewhere in the *Dialogues*—collectively indicate a characteristic of Wærferth's style, not Alfred's.[153] It is likely the preface was written after the work was translated, perhaps by request of Alfred after he decided to circulate the work more broadly. The evidence for this theory is essentially that Wærferth elected for the use of a first-person preface rather than a third-person one, so as to accord with Alfred's royal authority, centralised within his image as king, as we have already seen. Godden notes the manner of the preface resembles much more closely that of royal charters, which Dorothy Whitelock similarly remarked on in a comparison of Alfred's charters with the flamboyant style of Mercian ones:[154]

> The simplicity of the styles in most of Alfred's charters is in line with his references to himself in his vernacular writings merely as 'king' or 'king of the West Saxons'. There is only one exception, in his preface to Weferth's translation of Gregory's *Dialogues*, which begins: "Ic Ælfred geofendum Criste mid cynehades mærnysse geworðod". This lends itself to comparison with the description of Ealdorman Æthelred [of Mercia] in 883 (BCS 551) as "inbryrdendre Godes gife gewelegod and gewlenced mid sume dæle Mercna rices". One suspects that Werferth or one of his clergy had a hand in the composing of Alfred's preface.

As an example that must stand in for the other Alfrediana of Alfred's reign, literary and documentary alike, the *Dialogues* show that there is substantial overlap with the themes and aims of these texts with the rest of the Alfredian corpus, including the documentary 'Alfrediana'. It is significant that Wærferth would come to adopt Alfred's voice, as it reveals the role of Alfred's court in curating his textual image and communicating his royal authority, yet this must be taken as explicit proof that the use of Alfred's voice should not be relied upon so strongly to segregate the Alfredian corpus. Rather, recent doubts about

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[153] Godden, 'Wærferth and King Alfred', 36.
[154] *Ibid.*, 36; Whitelock, 'Some Charters in the name of King Alfred', in *Saints, Scholars and Heroes: Studies in Medieval Culture in Honour of Charles W. Jones*, ed. Margot H. King and Wesley M. Stevens, 2 vols. (Collegeville MN, 1978), I: 77–98 at 90.

Alfred's authorship call attention to the need to reassess the documentary productions of the court in a new light.

Conclusion

Alfred's project of reform has its origins in the early 880s at a time when he called a number of Mercians to his court to help him with translating documents from Latin into the vernacular amid other helpers from throughout the Isles and abroad. The political landscape at this time was one where Wessex had carried out friendly relations with the Mercians for a handful of decades and concluded with a span of five years where Alfred gradually gained political authority over Mercia through his collaboration with King Ceolwulf, and later, Ealdorman Æthelred. Both the waxing of Alfred's political authority over Mercia and the relative peace of the early 880s provided the means for Alfred to realise his vision of educational reform, and from the corpus of the surviving texts, it seems this reform included translations not only of works of political and philosophical significance, but those concerning historical, legal, medical, and other documentary topics as well. The distinction between the so-called royal texts and Alfrediana is primarily the use of the king's voice, and, as it has been shown, this does not substantially demarcate the texts in terms of theme. All of the Alfredian works express similar concerns over the themes of lineage, history, kingship and a concern over just rulers, and can be helpfully read in relation to one another to better understand the ambitions of Alfred and his court. Moreover, as the preface to the *Domboc* illustrates, alongside expansions found in the *Chronicle* and the Old English *Orosius,* among others, it is not true that the historical and documentary productions of Alfred's reign are free of what might be termed literary leanings—even the coinage Alfred issued can be shown to participate in the construction of royal authority that he postulates at length in works of the royal corpus like the *Pastoral Care*. The biblical and historical themes explored in the

Pastoral Care might be more helpfully compared to Alfrediana like the *Domboc* or the *Orosius* than to other royal works associated with Alfred's person, as these other texts, while relegated to the miscellaneous sections of books on Alfred, were almost certainly produced by the same court circle as the royal works and with the same auspices to communicate the royal authority Alfred wished to project as king. There is therefore a demonstrable need in the ongoing re-evaluation of the Alfredian corpus to analyse more closely those works not as firmly affiliated with the king, as evidence now suggests that Alfred's image of royal authority was one which was carefully constructed by his court. Beginning with the *Domboc*, it can be demonstrated how this text was an essential tool of governance for the Alfredian court by virtue of evidence gleaned from its manuscript transmission, language and style, and complement of West-Saxon royal administration. In Chapter 3, thematic connections between the *Domboc* and several other works of Alfredian provenance will be explored to demonstrate literary inspiration among the documentary corpus, thus challenging the notion that the royal texts are alone in their inspirations from Latin literature.

Chapter 2: King Alfred's Law Code—Manuscript Contexts, Language and Style, and the Transmission of Royal Legal Authority

The *Domboc* and the Alfredian Canon

The corpus of ninth-century Old English prose that is associated with the West-Saxon king, Alfred the Great (d. 899), is often credited as the first systematic programme of translation in Anglo-Saxon England.[1] It is a project that has become the subject of vigorous debate in recent years, especially regarding its scope, aims, and manner of authorship, yet Alfred's own insistence in his preface to the Old English *Pastoral Care* that he endeavoured to have some books translated from Latin into the vernacular and so rejuvenate the state of literacy in his kingdom, remains uncontroversial.[2] Where Alfred's law code or *Domboc* lies within this corpus of works has not always been clear, as it is only partly a product of translation and may not conform to the strictest definitions of literature.[3] Nevertheless, features of Alfred's laws have held an enduring interest with scholars who have often praised them for their stylistic, symbolic, and inspirational value, which, when weighed in conjunction with the *Domboc*'s recasting of a biblical and Anglo-Saxon legislative past in the rhetoric of its lengthy prologue, have positioned the work within the Alfredian canon as a powerful statement of royal authority.[4]

In the centuries following Alfred's death, the king's growing reputation as sage and scholar became closely affiliated with his reputation as a law-maker.[5] The particular force

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[1] 'Alfredian Texts', *BEASE,* 31–32; Abels, *Alfred the Great: War Kingship and Culture in Anglo-Saxon England*, 8–9.
[2] 'Introduction', *A Companion to Alfred the Great*, ed. Nicole Guenther Discenza and Paul E. Szarmach, Brill's Companions to the Christian Tradition 58 (Leiden: Brill, 2015), 1–12. Here, and throughout this chapter, designations such as 'Alfred's voice' or 'Alfred's laws' are not intended to imply personal authorship and should be interpreted in consistence with the Alfred-persona.
[3] Wrenn, *A Study of Old English Literature* (London: Harrap, 1967), 195–201.
[4] See especially Wormald, *The Making of English Law: King Alfred to the Twelfth Century, Vol.1: Legislation and its Limits* (Oxford: Blackwell, 1999), 416–29 (hereafter *MEL*); Frantzen, 'King Alfred's Law Code', in *King Alfred* (Boston: Twayne Publishers, 1986), 11–21; Treschow, 'The Prologue to Alfred's Law Code: Instruction in the Spirit of Mercy', *Florilegium* 13 (1994), 79–110; Pratt, 'The *Domboc* as a reorientation of royal law', in *The Political Thought of King Alfred the Great* (Cambridge: Cambridge University Press, 2007), 214–41; Richards, 'The Laws of Alfred and Ine', in *A Companion to Alfred the Great,* ed. Nicole Guenther Discenza and Paul E. Szarmach (Leiden: Brill, 2015), 282–312.
[5] Keynes, 'The Cult of King Alfred the Great', *ASE* 28 (1999), 225–356 at 233–5.

with which this reputation took hold owes a good deal to the king's contemporary biographer, Asser, who dedicated the last third of his *Vita Alfredi* to the miraculous learning of his royal patron, concluding his work with a portrait of Alfred overseeing judicial hearings and handing down judgements to ealdormen and reeves who neglected the pursuit of wisdom.[6] By the time of William of Malmesbury's *Gesta Regum Anglorum* in the 1120s, a sense of Alfred's legal stature is gleaned from the chronicler's superlative account of Alfred promulgating laws amid 'the braying of trumpets and the roar of battle', through which he brought peace to his kingdom:[7]

> Licet enim, ut quidam ait, leges inter arma sileant, ille inter stridores lituorum, inter fremitus armorum leges tulit, quibus sui et diuino cultui et disciplinae militari assuescerent. […] Hoc commento pacem infudit prouintiae, ut etiam per publicos aggeres, ubi semitae in quadruuium finduntur, armillas aureas iuberet suspendi, quae uiantum auiditatem riderent, dum non essent qui eas abriperent.
>
> [It may be true, as someone says, that 'laws are silent amid the clash of arms'; nonetheless, amid the braying of trumpets and the roar of battle Alfred made laws to familiarize his subjects equally with religious practices and military discipline. […] By this new system he spread peace throughout the province, so that even on public highways he would order bracelets of gold to be hung up at crossroads, to mock the greed of passers-by, for no one dared steal them.]

It is from William of Malmesbury that many hallmarks of the Alfredian canon have descended, including his list of its core works; an almost universally accepted claim that Alfred inaugurated the English prose tradition was popularised by the *Gesta Regum Anglorum* despite acknowledgments that the work as a whole is not without flattery.[8] William

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[6] A detail to be explored later. *VA*, Ch. 106, *Asser's Life of King Alfred Together With the Annals of Saint Neots Erroneously Ascribed to Asser*, ed. W. H. Stevenson (Oxford: Oxford University Press 1904 repr. 1959), 92–96; cf. *Alfred the Great: Asser's* Life of King Alfred *and Other Contemporary Sources*, ed. and trans. Simon Keynes and Michael Lapidge (London: Penguin, 1983) at 109–10 and 275 n. 255–60. Notably, the abrupt ending of the *Vita Alfredi* has been argued to indicate that the work is unfinished; for a contrary view, see Tomás Kalmar, '*Si recte non dividas, peccas*: On the coherence of Asser's final chapters', paper read at the online Symposium 'Rethinking English Literary Culture in the Age of Alfred', University of Oxford and University of College London, December 9th, 2021. Accessible online, <https://independent.academia.edu/Tom%C3%A1SKalmar>.

[7] Text and translation by R. A. B. Mynors, R. M. Thomson, and M. Winterbottom, eds., *William of Malmesbury: Gesta Regum Anglorum*. Volume I. (Oxford: Oxford University Press, 1998), 188–91.

[8] Anelzark, 'Which Books are "Most Necessary" to Know? The Old English Pastoral Care Preface and King Alfred's Educational Reform', *English Studies* 98.8 (2017), 759–80 at 760–64. Flattery is not to say falsehood; cf. Winterbottom, 'An Edition of Faricius, *Vita S. Aldhelmi*', *The Journal of Medieval Latin* 15 (2005), 93–147.

foregrounded Alfredian translations of Latin texts that he said included works by Orosius, Bede, Boethius and Gregory.[9] A reference to Alfred's *Enchiridion* or *Handboc* echoed Asser's account of its creation in the *Vita Alfredi*, which William claimed to have read; from these sources, William produces the novel information that Alfred was related to the famed Anglo-Latin poet, Aldhelm, whose poetry he says Alfred held in the highest regard.[10] The impression left of Alfred is both erudite and martial,[11] in which William predicates the kingdom's revival of learning upon the stability that arose from Alfred's legal and militaristic triumphs, suggesting the recruitment of several court advisors who helped produce the canon of Alfredian translations had followed in turn.[12]

Of course, William of Malmesbury was not alone in construing Alfred as England's first law-maker king. Many such post-Alfredian accounts provide mythic assessments of the king's reputation, lauding Alfred as a formidable scholar and sage as well as judge.[13] Certain elaborations, such as Alfred's hanging of forty-four unjust judges described in the late-thirteenth-century *Mirror of Justices*, may indeed have been spurious additions.[14] Others, including William's statements about the dilapidation of English libraries or the recruitment of scholars to Alfred's court, suggests that copies or excerpts of Alfredian texts such as

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[9] *Gesta regum Anglorum*, ed. R. A. B. Mynors, R. M. Thomson and M. Winterbottom, 2 vols., OMT (Oxford, 1998), Chs. II.123, 194–97.

[10] Through shared descent from Aldhelm's father, King Centwine (676–85). *Gesta Pontificum Anglorum*, ed. M. Winterbottom and R. M. Thomson, 2 vols., OMT (Oxford, 2007), Chs. V.188 and 190, 502–6; Asser's account of the *Enchiridion* is in Chs. 88–9 of the *Vita Alfredi*; cf. 'Aldhelm', *BEASE*, 27–9; Lapidge, 'The Career of Aldhelm', *ASE* 48 (2007), 15–69 at 17–18; Orchard, *The Poetic Art of Aldhelm*, 5; Remley, 'Aldhelm as Old English Poet: *Exodus*, Asser, and the *Dicta Ælfredi*', in *Latin Learning and English Lore: Studies in Anglo-Saxon Literature for Michael Lapidge*, 2 vols., ed. Katherine O'Brien O'Keeffe and Andy Orchard (Toronto, 2005), I, 90–108.

[11] Alfred's court looked upon their Anglo-Saxon forebears in a similar way, as noted in the prose preface of the *Pastoral Care*: *hwelce wiotan iu wæron giod Angelcynn, ægðer ge godcundra hada ge woruldcundra ... ond hu him speow ægðer ge mid wige ge mid wisdome,* 'what wise men there formerly were throughout England, both of sacred and secular orders … and how they prospered both with war and with wisdom', *King Alfred's West-Saxon Version of Gregory's Pastoral Care*, ed. Henry Sweet and Neil Ker, 2 vols, EETS OS 45 and 50 (London, 1871), 2.

[12] *Getsa regum Anglorum,* Chs. II.122–3, 190–6. Alfred's dependence on his court is evident: '*His collateralibus rex fretus liberales artes totis medullis indidit*' (relying on these supporters, the king crammed the liberal arts into his heart). William's phrasing recalls that of Asser, who, through an Aldhelmian paraphrase, compares Alfred's eagerness to collect fragments of scripture to the activity of a busy bee cramming full the cells of his hive; *K&L*, 100 and 269 n. 213.

[13] Keynes, 'The Cult of King Alfred the Great', 233–5.

[14] *Ibid.* For perspectives on the *Mirror* in Anglo-Saxon historiography, see Wormald, *MEL*, 4–10 and 15–20.

Asser's *Vita Alfredi* and the preface to the *Pastoral Care* were near to hand for royal biographers like William.[15] In the case of Geffrei Gaimar and his *Estoire des Engleis*, a verse translation of the *Anglo-Saxon Chronicle* composed 1136×1137, Alfred's literary legacy is exemplified by a book of 'events and laws' that appears to typify his reign.[16] If this is not a reference to the Parker Manuscript in which the earliest copies of the *Anglo-Saxon Chronicle* and Alfred's laws survive, and which remains one of the most famous manuscripts in early English studies to the present day,[17] it is at least a reminder that, for readers both medieval and modern, Alfred's literary legacy is one that has descended through his books.

The Manuscripts and Background of Alfred's *Domboc*

The texts most closely affiliated with King Alfred are Old English translations from Latin originals of Gregory the Great's *Cura pastoralis*, Augustine's *Soliliquia*, Boethius' *De consolatione Philosophiae*, the first fifty Psalms, and the translations from the book of Exodus which form the introduction to Alfred's law code or *Domboc*. Strong cases for royal sponsorship can be made for the translations of Gregory's *Dialogi* and Orosius' *Historiae aduersum paganos*, and less certainly for the anonymous translation of Bede's *Historia ecclesiastica gentis Anglorum.*[18] Further works primarily composed in Old English must have included at least the *Anglo-Saxon Chronicle* and the main text of Alfred's law code, yet strong Alfredian connections exist for other texts, including the ninth-century medical work

[15] Anelzark, 'Which Books are "Most Necessary" to Know? The Old English Pastoral Care Preface and King Alfred's Educational Reform', 763–3.
[16] *'Il fist escrivre un livre engleis /des aventures e des leis /e dé batailles de la terre / e des reis k'i firent la guere, / e maint livre fist il escrivre / u li bon clerc vont sovent lire.'* [He had a book written in English of the events that took place, the laws that were enacted, the battles fought in the country, and which kings waged war, and he had a large number of books written which good scholars frequently consult.] *Estoire des Engleis: History of the English*, ed. and trans. Ian Short (Oxford, 2009), ll. 3449–54, 188.
[17] Wormald, *MEL*, 163.
[18] Bately, 'Alfred as Author and Translator' in *A Companion to Alfred the Great*, ed. Nicole Guenther Discenza and Paul E. Szarmach (Leiden: Brill, 2015), 113–42.

known as *Bald's Leechbook*, the anonymous ninth-century collection of saints lives known as *Old English Martyrology*, and the penitential manual now called the *Scriftboc*.[19]

When compared with the output of some Continental scriptoria, such as those producing the Frankish legal collections known as the *Lex Salica*, the *Lex Ribuaria*, the *Lex Baiuwarorium* and the *Lex Alemannorum*, the size of the Alfredian corpus is modest even in its broadest definition. Whereas the Frankish scriptoria produced as many as 209 manuscripts of the aforementioned *leges*, at least 141 of which were produced in the ninth century or before,[20] the entire corpus of Alfredian writings consists of fewer than 30 manuscripts written in the vernacular with only three datable to the 890s on material evidence and none of which are believed to be directly associated with the author or translator who produced them.[21] Insular manuscript survival is very poor for the era preceding Alfred's reign, almost certainly due to the decline of learning and the dilapidation of Anglo-Saxon libraries that the king himself lamented.[22] More than 1,200 manuscripts survive from the Anglo-Saxon period up to the year 1100, yet there are scarcely more than 200 which can be dated to the ninth century or before.[23] Looking again to the Continental scriptoria that produced around 7,000 manuscripts in the ninth century alone, this frames the problem facing analysis of early manuscript production in the Alfredian period.[24]

Despite the relative paucity of the Anglo-Saxon sources, however, great value has been placed on those manuscripts which seem to have circulated in Alfred's lifetime on an

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[19] Rauer, 'The sources of the Old English Matyrology', *ASE* 32 (2003), 89–109 at 98–102; Cubitt, 'Bishops, Priests and Penance in Late Saxon England', *Early Medieval Europe* 14 (2006), 41–63.
[20] Faulkner, *Law and Authority in the Early Middle Ages: The Frankish Leges in the Carolingian Period* (Cambridge: Cambridge University Press, 2016), 9–46 at 17.
[21] 'Introduction', *A Companion to Alfred the Great*, ed. Nicole Guenther Discenza and Paul E. Szarmach (Leiden: Brill, 2015), 1–9 at 5.
[22] As evidenced by the prose preface of the *Pastoral Care*, as printed in *King Alfred's West-Saxon Version*, ed. Sweet and Ker, at 3–9.
[23] Gneuss, 'King Alfred and the History of Anglo-Saxon Libraries', *Modes of Interpretation in Old English Literature: Essays in Honour of Stanley B. Greenfield*, ed. P. R. Brown, G. R. Crampton and F. C. Robinson (Toronto, 1986), 29–50 at 36–7. For a detailed inventory and discussion of the corpus, see Helmut Gneuss and Michael Lapidge, *Anglo-Saxon Manuscripts: A Bibliographical Handlist of Manuscripts and Manuscript Fragments Written or Owned in England up to 1100* (Toronto: University of Toronto Press, 2014).
[24] Brown, 'Latin Palaeography since Traube', *Codicologica* I (1976), 58–74 at 65; Bischoff, *Paläographie des römischen Altertums und des abdenlädischen Mittelalters* (Berlin: E. Schmidt, 1979) at 260.

implicit understanding they put us closer to Alfred's court and the original vision for his programme of translation and reform. In the case of the programme's prototypical work, the Old English *Pastoral Care*, arguments advocating an 'Alfredian vision' have extended as far as the text's simple ornamentation in the late ninth-century manuscript Hatton 20, theorising that it may have suited Gregory's message of forsaking worldly splendour for the pursuit of wisdom.[25] In contrast with lavish Carolingian manuscripts of the period and other Anglo-Saxon examples of earlier and later date, Alfredian books have elicited comments on their stark presentation of vernacular translation, which may have served a functional or symbolic purpose rather than an economic one.[26] Early manuscripts of the corpus preserve important features of dialect that provide valuable insight into the linguistic origins of English prose; [27] in their physical form, the manuscripts also bear witness to routes of transmission and intentions for audience reception that allow us to glimpse the inner workings of the royal court.

Alfred's law code, or *Domboc*, does not survive in any manuscripts dateable to the ninth century but its date of composition would seem to place it very early within the list of Alfredian works, perhaps within just a few years of the receipt of a letter by archbishop Fulk of Rheims in c. 886.[28] The law code's earliest copy resides in Cambridge, Corpus Christi College 173, a manuscript better known for the late-ninth-century A-text of the *Anglo-Saxon*

[25] Webster, 'The Art of Alfred and His Times', *A Companion to Alfred the Great*, ed. Nicole Guenther Discenza and Paul E. Szarmach (Leiden: Brill, 2015), 47–81 at 47–8.
[26] Pratt, 'Persuasion and Invention at the Court of King Alfred the Great', *Court Culture in the Early Middle Ages*, ed. C. Cubitt (Turnhout: Brepols, 2003), 189–221 at 220. The richness of contemporary Carolingian manuscripts is demonstrated by ninth-century examples such as Oxford, Bodelian Library, MS Douce 59, boldly adorned with purple pages and gilded script.
[27] Gneuss, 'King Alfred and the History of Anglo-Saxon Libraries', 29.
[28] Fulk's letter is preserved in British Library, Additional 34890, so-named the 'Grimbald Gospels' for their inclusion of this document outlining Fulk's support of Alfred's educational reforms with the provision of his beloved cleric, Grimbald (*C&S* no. 4, 6–12; *G&L* no. 290). Dating of the laws 886x893 in: *Alfred the Great: Asser's* Life of King Alfred *and Other Contemporary Sources*, ed. and trans. Simon Keynes and Michael Lapidge (London, 1983), at 39, 163 at 304 (hereafter *K&L*); Pratt, *The Political Thought of King Alfred the Great* (Cambridge: Cambridge University Press, 2007), 167–8 and 219; Frantzen, *King Alfred*, 11; Carella, 'Evidence for Hiberno-Latin Thought in the Prologue to the Laws of Alfred', *Studies in Philology* 108.1 (2011), 1–26, at 2. For 'early' dating but post-893: Wormald, *MEL*, 120–1, 281, 286 and 425–6; Richards, 'The Laws of Alfred and Ine', 282; Whitelock, *EHD*, 408.

Chronicle it contains, although it would seem the booklet of leaves containing Alfred's laws are of a slightly later date, probably copied in the mid-tenth century.[29] It has been suggested the *Domboc* may have originated with the *Chronicle*, issuing from one of Winchester's minsters or from the royal court itself, circulating alongside it in an attempt to promote West-Saxon hegemony.[30] Provenance firmly places the Parker Manuscript at Winchester by the mid-tenth century, if it was not there before.[31] By the close of the eleventh-century, it can be traced to the monastic centre of Canterbury, where the manuscript remained until Archbishop Matthew Parker, an antiquarian and Anglican with an interest in the early Anglo-Saxon Church, took possession of it and bequeathed it alongside many others to Corpus Christi College Cambridge in 1574.[32]

Several further manuscripts of the *Domboc* survive, including some copies translated into Latin in the post-conquest period. In roughly chronological order the *Domboc* manuscripts are:[33]

[29] Wormald, *MEL*, 163–72 at 166 argues a firm date of production in the 930s. Gneuss and Lapidge designate s.x$^{2/4}$, *G*&L, no. 52. For discussion of the origins of the *The Anglo-Saxon Chronicle: A Collaborative Edition*, ed. David Dumville, Simon Keynes, et al., 9 vols. (1983–), vol. 3, *MS A*, ed. Bately.
[30] Wormald, 'Law Books', *The Cambridge History of the Book in Britain*, ed. Richard Gameson (Cambridge, 2012) 525–36 at 532.
[31] *G&L*, no. 52.
[32] 'Matthew Parker', *BEASE*, 362–3.
[33] Sigla from Liebermann, *Gesetze* III, 31–2, which includes a much-disputed manuscript *stemma*; some modifications to the sigla made by Wormald, *MEL*, 163–271 at 265, which remains the fullest commentary on the condition and transmission of the manuscripts. The most recent discussions are in Richards, 'The Laws of Alfred and Ine', 283–92; *The Laws of Alfred: the* Domboc *and the Making of Anglo-Saxon Law*, ed. and trans. Stefan Jurasinski and Lisi Oliver (Cambridge, 2021), 113–45; and the online database of *Early English Laws*, ed. Winters, O'Brien et al. (London: University of London Institute of Historical Research and King's College London, 2019), which has a broadly similar list agreeing in number with Wormald's but showing minor differences in the treatment of the *Quadripartitus* manuscripts.

TABLE 2: *Domboc* Manuscripts

MS	Shelfmark	Date	*G&L*
E	CCCC 173	s.x^{med}	53
Ot (Nw)	BL, Cotton Otho B.xi[34]	s.xi$^{1/4}$	357
G	BL, Cotton Nero A.i (A)	s.xi^{med}	340
Bu	BL, Burney MS 277	s.xi^{2}	307
Inst. Cn.	*Instituta Cnuti* III 1–42[35]	various	
B	CCCC 383	s.xii^{in}	102
Q (Lond.)	*Quadripartitus* (London)[36]	various	
Q (rev.)	*Quadripartitus* (revised)[37]	various	
H	*Textus Roffensis*	1123–24	
Nw2	?Nowell's lost MS[38]	?Unknown	

The idea that the surviving corpus represents only ten manuscript copies is a claim traceable to Wormald, who in turn was attempting to untangle the manuscript *stemma* offered by Felix Liebermann in volume three of his *Gesetze der Angelsachsen*, in addition to remarks made about the *Quadripartitus* by Liebermann in his 1892 work of the same name, the first

[34] Largely lost in the cinders of Ashburnham House. Dated from the fragments by Ker, *Catalogue of Manuscripts Containing Anglo-Saxon* (no. 180), but all subsequent study of its contents from the 1562 transcription by Nowell, now London, British Library, Additional 43703 ('**Nw**').

[35] Wormald's shorthand, signifying borrowing from *Alfred–Ine* in an influential post-conquest legal code known as the *Instituta Cnuti*, which derives from manuscripts of various date, the earliest of which is contained in the *Textus Roffensis* of the first quarter of the twelfth century. See further *MEL*, 402–5 and *King Alfred's Book of Laws: A Study of the Domboc and its Influence on English Identity, with a Complete Translation*, ed. and trans. Todd Preston (North Carolina, 2012), 8 and 150 n. 14.

[36] Not a single manuscript, but several; see also note immediately below. Wormald, *MEL*, 236–7 was of the opinion that, because the author of the *Quadripartitus* issued several different versions of his Latin translations, most being the result of revisions following the discovery of new manuscript copies of the codes he was translating, the corpus of *Quadripartitus* versions must be treated as a single manuscript. Wormald's efforts, like Liebermann's before him, have been influential: Richards, 'The Laws of Alfred and Ine', 282–92 at 284 follows Wormald's estimation that the *Domboc* 'survives in ten copies, some incomplete', which must by necessity depend on Wormald's rendering of the *Quadripartitus* manuscripts as a single issue if the missing Nowell manuscript and the *Instituta Cnuti* are also to be counted. The 'London Collection' of the *Quadripartitus* is a series of four manuscripts with provenance traceable to Andrew Horn and the London Guildhall; they now possess the shelfmarks: '**Rs**' Manchester, John Rylands University Library, MS Lat. 155, fos. 4v–9v (s.xiii^{in}); '**K2**' BL, MS Cotton Claudius D.ii (s.xiv^{1}); '**Co**' Cambridge, Corpus Christi College, MSS 70 and 258 (s.xiv^{1}); and '**Or**' Oxford, Oriel College, MS 46 (s.xiv^{1}). Presumably because **K2**, **Co** and **Or** appear to be Horn's drafts along various stages of production, the Early English Laws database only lists **Rs** as an *Alfred–Ine* manuscript of those included in the London Collection.

[37] '**Dm**' London, British Library, Cotton Domitian A. viii, fols. 107r–110v (s.xii$^{2/4}$); '**M**' Manchester, John Rylands University Library, MS Lat. 420, fols. 46r–49v (s.xii^{med}); '**R**' London, British Library, Royal 11 B. ii, fols. 130v–136v (s.xii$^{3/4}$); '**Hk**' London, British Library, Additional 49366 (s.xii$^{3/4}$); '**T**' London, British Library, Cotton Titus A.xxvii, fols. 115v–121r (s.xii/xiii).

[38] An exemplar manuscript containing (at least) a copy of *Iudex* and the Grately and Exeter codes which must have been used by Nowell in his Otho transcript of 1562. Wormald, *MEL*, 260–2 notes its readings of *Alfred–Ine* are similar to those from the *Textus Roffensis*, but states that they cannot be from the same manuscript, as Nowell was not aware of its existence. See further Wormald, 'The Lambarde Problem: Eighty Years On', repr. 1999 in *Legal Culture*, 139–78.

extensive treatment of the manuscripts of the 'Quadripartitus family.'[39] Wormald's efforts have somewhat diminished the productive history of copying Alfred's laws would undergo after being translated into Latin, as the multiple copies of the *Quadripartitus* and *Instituta Cnuti* manuscripts were treated by him as revisions rather than duplications.[40] In both the Old English and Latin versions, however, it is notable that Alfred's and Ine's laws survived even into their late transmission without significant fragmentation. More than fifteen total *Domboc* copies are attested in both languages, yet only four fragments omit the code of one king and include the other; omission occurs twice in incomplete Latin *Quadripartitus* texts (**Dm** and **M**) and twice in Old English fragments (**G** and **Bu**), with the latter showing evidence of attempts in the eleventh century to reconcile the fragments with other relevant or complementary legal materials.

The first of these, London, British Library, Burney 277 preserves only the last few words of Ine's prologue through to the end of his twenty-third law and makes no mention of Alfred, though it is missing part of its extant quire and perhaps others as well.[41] It is considered a *Domboc* fragment only on the grounds that Ine's code survives in no other manuscript without Alfred.[42] The strong association of the two codes even in much later manuscript copies of the laws, as well as this fragment's similarities in date, size and general appearance with the second incomplete manuscript, London, British Library, Cotton Nero A.i (A), have prompted theories that the Burney manuscript fragment might have been destined for a legal compilation with an emphasis on pairing comprehensive works of legislation with

[39] Wormald, *MEL*, 236 n. 298; Liebermann, *Quadripartitus. Ein englisches Rechtsbuch von 1114* (Halle, 1892), 1–5.
[40] Liebermann, 'On the Instituta Cnuti Aliorumque Regum Anglorum', *Transactions of the Royal Historical Society* 7 (1893), 77–107 at 105–6.
[41] Wormald, *MEL*, 257–8. Comparison by Wormald of London, British Library, Burney 277 with the *Textus Roffensis*—the most complete manuscript copy of the nearest date—suggests that neither the remainder of Ine nor the preceding text of Alfred could fit; by Wormald's estimation a further thirty pages would have been needed at the beginning of the fragment and another twelve at the end.
[42] Preston, *King Alfred's Book of Laws*, 9.

excerpts of those codes which inspired them.[43] To date, its bearing on the transmission and reception of either the *Domboc* or Ine's laws remains unclear, owing to the fragment's survival as a single bifolium without any parent manuscript for comparison.

In the case of the second fragment, London, British Library, Cotton Nero A.i (A), the original text is truncated near the end of the Mosaic prologue, having been paired with the comprehensive law codes of *Cnut I* and *II*, the shorter *II-III Edgar*, and also with the comparatively brief legal statements of *Romscot* and *Iudex*, which have been inserted between the chapter list and prologue of the *Domboc*.[44] The omission of the rest of the code was later emended by John Joscelyn with a transcript of the Parker *Domboc* during his ownership of the Cotton manuscript between 1580 and his death in 1603; nonetheless, this has not obfuscated the metatextual function of the original fragment within the broader collection of homilies and law codes it appears alongside.[45] It has been argued, for example, that *Romscot* would serve to update Ine's fourth clause regarding the non-payment of Church-scot, whilst *Iudex*, which is itself a translation of *De iudicibus*, the twentieth chapter of Alcuin's *De virtutibus et vitiis* that proved popular among Anglo-Saxon homilists, would complement the *Domboc*'s insistence upon just laws and judgments set by rulers, expressed in the Alfredian prologue in what must have seemed a familiar homiletic style to later compilers.[46] Modern scholars and editors have extensively discussed the differences in style between the prologue and the rest of the law code, including a contested comment by F. L. Attenborough, who declared the *Domboc* prologue to be of 'purely literary interest and [having] no bearing on English law'; it is possible this disparity is exactly what endeared the prologue to the Nero compiler.[47] Meanwhile, Wormald demonstrated that the laws of Cnut authored by Wulfstan (d. 1023) borrowed from *Alfred–Ine* in at least seven instances,

[43] Wormald, *MEL*, 257–8; cf. *MEL*, 227–8.
[44] Wormald, *MEL*, 226–8.
[45] *A Wulfstan Manuscript*, ed. H. R. Loyn, EEMF 17 (Copenhagen, 1971), 45.
[46] Richards, 'The Laws of Alfred and Ine', 287–8.
[47] *The Laws of the Earliest English Kings*, trans. F. L. Attenborough (Cambridge, 1922 repr. 1963), vi.

ostensibly suggesting that they, too, might not have been out of place in the compilation; however, it is only Alfred's Mosaic prologue that was originally compiled in this fragment.[48] It might therefore be argued that this section of Alfred's code was separated from Ine's in the Nero manuscript specifically to promote what might be called Wulfstanian motives: Loyn postulated that the manuscript exhibited a contemporary interest in Wulfstan's works and the coverage of related issues expressed in earlier texts, whilst Wormald elsewhere cited at least one passage from Alfred's prologue in the manuscript as exhibiting 'Wulfstan glossing.'[49] On the whole, the Nero manuscript demonstrates some of the impact the *Domboc* would have on later works of legislation, as well as a unique example of codicological irregularity in the course of the text's transmission.

The impressive scope and influence of King Alfred's *Domboc* is highlighted by the facts of its textual survival. Among the corpus of Anglo-Saxon legislation, it is the best-preserved pre-conquest law code, attested in whole or in part in ten manuscript copies written in Old English or Latin, almost twice as many as the next best-preserved code.[50] It is also the longest law code promulgated under a single ruler, recorded at a total length of over 8,500 words, including chapter rubrics, introductory materials, and King Ine's contributions.[51] The *Domboc* would not be rivaled in size for well over a century until the composition of Cnut's laws by Wulfstan (d. 1023), and therefore by a law code that was as much augmented by its author's fulsome style as Alfred's own code was by his proclivity for prefaces and

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[48] Wormald, *MEL*, 356–60, table 5.4; Richards, 'The Laws of Alfred and Ine', 290, who notes thirteen borrowings in the *Instituta Cnuti*.
[49] The hand glosses *AfEl* 43. Loyn, *A Wulfstan Manuscript*, 45; Wormald, *MEL*, 226.
[50] Wormald, *MEL*, 265. Notably, the complicated *stemma* of a legal collection known as the *Quadripartitus*, as well as the pattern of borrowing from *Alfred–Ine* observed in the *Instituta Cnuti* (which has its own manuscript tradition), can extend the number of *Domboc* manuscripts past ten depending on how they are counted: for example, eighteen total manuscripts are identified by Preston, *King Alfred's Book of Laws*, 9–10. Richards, 'The Laws of Alfred and Ine', *Companion to Alfred the Great*, ed. Nicole G. Discenza and Paul E. Szarmach, 282–309 at 282–92 agrees with Wormald's numbering, largely using him as a principal source, while the online database of *Early English Laws* (2018, ed. Winters, O'Brien et. al., Institute of Historical Research, KCL) reports ten total manuscripts, but deviates somewhat from Wormald's list in its particulars.
[51] Corpus files drawn from *The Oxford Text Archive*, with editorial adjustments such as titles and numbering having been removed. *LawAfRb* (B14.4.1), *LawIneRb* (B14.4.2), *LawAfEl* (B14.4.3), *LawAf 1* (B14.4.4), *LawIne* (B14.4.5).

translation.[52] The extent of the *Domboc*'s medieval transmission would suggest that it was roughly as influential as the rest of the Alfredian literary corpus combined.[53]

Part of the *Domboc*'s wide dissemination may be linked to the collapse of Anglo-Saxon law-giving in the mid-eighth and ninth centuries, especially under the pressures of Viking depredation and the exigencies of defending the kingdom from political dissolution.[54] It was this tradition of vernacular legislation that the *Domboc* aimed to resume and explicitly pay homage to, despite the contents of the laws showing influence of additional Continental and Insular sources.[55] The code is overtly concerned with ecclesiastical matters and employs penance in the administration of justice more prominently than ever before;[56] a roughly contemporary lapse in canon law gave rise to the Old English *Canons of Theodore* and *Scriftboc*, probably also dateable to the Alfredian period, which has solicited recent comparisons to the *Domboc* and the legislative concerns of Alfred's court.[57] It is notable that Anglo-Saxon legislation developed from a seventh-century educational wellspring in Kent, where the employment of writing rather than the widening scope of royal authority made the development of legal writing as a prose genre possible and therefore principally the domain of bishops rather than secular authorities.[58] Alfred's laws present little disagreement with this

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[52] Wormald, *MEL*, 345.
[53] Excepting the *Chronicle*, which survives in multiple manuscripts. There are eleven total manuscripts of the principal Alfredian translations, comprising the corpus in the narrowest sense: six containing the *Pastoral Care*, three containing the *Boethius*, and one each of the *Soliliques* and *Prose Psalms*.
[54] Frantzen, *King Alfred*, 11.
[55] *Af* 49.9, in which it is claimed the preceding law codes of Æthelberht, Offa and Ine are consulted. For the possible rhetorical conceit of naming these sources, see Stanley, 'On the Laws of King Alfred: the End of the Preface and the Beginning of the Laws', *Alfred the Wise*, ed. Jane Roberts, Janet Nelson, and Malcolm Godden (Woodbridge: D.S. Brewer, 1997), 211–22; for other possible influences on Alfred's code, including Irish, Frankish and Frisian legislation, see especially Oliver, 'Who Wrote Alfred's Laws?', in *Textus Roffensis: Law, Language, and Libraries in Early Medieval England*, ed. Bruce R. O'Brien and Barbara Bombi (Turnhout: Brepols, 2015), 231–54.
[56] Carole Hough, 'Penitential Literature and Secular Law in Anglo-Saxon England', *Anglo-Saxon Studies in Archaeology and History* 11 (2000), 133–41, repr. in *"An Ald Reht": Essays on Anglo-Saxon Law* (Newcastle upon Tyne: Cambridge Scholars Publishing, 2014), 25–45.
[57] Stefan Jurasinski, *The Old English Penitentials and Anglo-Saxon Law* (New York: Cambridge University Press, 2015), 77–85 at 84.
[58] *The Laws of Alfred*, ed. Jurasinski and Oliver, 3–12.

view, as they employ a familiar vehicle of translation to position Alfredian legal innovation within a historical continuum, and law as something to be learned from books.[59]

In light of the king's frustration with the poor education of his judges reported in Asser's *Vita Alfredi*,[60] the laws can also be seen to share in the king's lament of the decay of learning expressed in the *Pastoral Care*, which has in turn served in the eyes of modern critics as Alfred's *modus operandi* for his project of reform.[61] It is notable that Alfred's remarks in the *Domboc*'s Mosaic prologue appear to directly respond to criticisms of regressed Christian learning and relaxed observance of canon law offered by archbishop Fulk in his letter addressed to the Alfredian court.[62] The production of the law code has long carried associations with the *Pastoral Care*, supporting the connection that the laws were an important stepping stone in the king's programme of translation.[63] Like the *Pastoral Care*, the *Domboc* is preserved in six Old English manuscripts, with evidence of a seventh having been lost, and has further copies extant resulting from efforts in the twelfth century to translate the work into Latin, as previously mentioned.[64] The *Domboc* frequently appears as the first royal code within legal encyclopedias, except within the confines of the *Textus Roffensis*, in which the laws of the seventh-century Kentish kings are uniquely attested.[65] In part, this reflects a reticence of later medieval authors to reach back beyond Alfred in their

[59] *Ibid.*, 8.
[60] *VA*, Chs. 105–6.
[61] Schreiber, 'Searoðonca Hord: Alfred's Translation of Gregory the Great's Regula Pastoralis', *A Companion to Alfred the Great*, ed. Nicole Guenther Discenza and Paul E. Szarmach (Leiden: Brill, 2015), 171–99 at 171; cf. Nelson, 'Power and Authority at the Court of Alfred', *Essays on Anglo-Saxon and Related Themes in Memory of Lynne Grundy*, ed. Jane Roberts and Janet Nelson (London: King's College London, 2000), 311–37, at 331, who warns against the non-historical approaches some scholars undertake in dealing with Alfred's project of translation and the *Pastoral Care* in particular.
[62] *K&L*, 184 and 305 n. 3; Pratt, *The Political Thought of King Alfred the Great*, 226–7.
[63] Pratt, *Political Thought*, 214; Wormald, *MEL*, 428–29; Irvine, 'The Alfredian Prefaces and Epilogues', *A Companion to Alfred the Great*, ed. Discenza and Szarmach, 143–170 at 166–7.
[64] On Nowell's lost manuscript, see Wormald, *MEL*, 173–5.
[65] Richards, 'The Laws of Alfred and Ine', 291–2. For important background on the influence of the *Textus Roffensis* on subsequent studies of Anglo-Saxon law, see Oliver, *The Beginnings of English Law* (Toronto: University of Toronto Press, 2002), 20–5.

writings, attesting to his considerable historiographical stature,[66] yet it also emphasises the extent to which the *Domboc* came to represent Alfred's reign in later eras. With the exception of the *Pastoral Care*, to which it may well be an equal, the *Domboc* surpasses any of the Alfredian translations of Latin literature in its importance to governance and educational renewal.

Given the influential legacy of Alfred's legislation, as well as his reputation throughout much of the medieval period as a wise ruler and judge, important questions remain unanswered about the *Domboc*'s place within the Alfredian oeurve.[67] These will be the focus of Chapter 3, where the literary facets of this reputation and their interconnectedness with other texts of the Alfredian corpus will be explored. Presently, I will address the structure and style of Alfred's law code and its resemblance to familiar West-Saxon archetypes, as this can illuminate important facts about its relationship to the Alfredian corpus. The author of the *Domboc* is not known despite acknowledged parallels with history writing and documentary

[66] Not least of which concerns Alfred's supposed development of vernacular prose from a longer-standing tradition of poetry: Peter Clemoes, 'King Alfred's Debt to Vernacular Poetry: The Evidence of *Ellen* and *Cræft*', in *Words, Texts and Manuscripts: Studies in Anglo-Saxon Culture Presented to Helmut Gneuss on the Occasion of his Sixty-Fifth Birthday*, ed. Michael Korhammer (Cambridge: D. S. Brewer, 1992), 213–38; Orchard, 'Oral Tradition', in *Reading Old English Texts*, ed. Katherine O'Brien O'Keeffe (Cambridge: Cambridge University Press, 1997), 101–23; Malcolm Godden, 'Why did the English Switch from Verse to Prose?', *The Age of Alfred: Rethinking English Literary Culture c. 850–950*, ed. Amy Faulkner and Francis Leneghan (Turnhout: Brepols, 2024). Wulfstan's debts to Alfred are readily apparent, not only in his borrowings from Alfredian legislation in the composition of his own laws, but in his writing of history which appears to begin with Alfred and display little genuine knowledge of events or individuals prior to Alfred's reign, Leonard Neidorf, 'Archbishop Wulfstan's Ecclesiastical History of the English People', *English Studies* 97, (2016), 207–25 at 208.

[67] Themes of wisdom and just rulership dominate the Alfredian corpus, as demonstrated in Nicole Discenza, 'Wealth and Wisdom: Symbolic Capital and the Ruler in the Translational Program of Alfred the Great', *Exemplaria* 13:2 (2001), 433–67. These themes are not limited only to the literary translations but are found in the *Chronicle*, Alfred's laws, and elsewhere, as discussed by Anton Scharer, 'The Writing of History at King Alfred's Court', *Early Medieval Europe* 5.2 (1996), 177– 206 at 183 and n. 37. Alfred's wise and judicious reputation became amplified in the post-Conquest period, in both positive and negative respects: see, for example, the positive appraisals of Alfred's judgement and wisdom in the *Proverbs of Alfred*, *The Owl and the Nightingale*, and Laʒamon's *Brut*, all explored by Stefan Jurasinski, 'Andrew Horn, Alfredian Apocrypha, and the Anglo-Saxon Names of the "Mirror of Justices"', *JEGP* 105:4 (2006), 540–63. Stanley, *Die angelsächssische Rechtspflege und wie man sie spatter aufgefaßt hat*, at 17–41, provides a thorough-going analysis of Alfred's reputation as a legislator even into the eighteenth century. Not all of these reports have been positive. A caricature of Alfred offered in the late thirteenth-century *Mirror of Justices*, wherein Alfred hangs forty-four unjust judges for their miscarriage of jurisprudence, perhaps borders on cruelty. In the *Old English Life of St Neot*, the author seems to adopt an explicitly negative appraisal of the king and his usual attributes: Malcolm Godden, 'The Old English Life of St Neot and the legends of King Alfred', *ASE* 39 (2010), 193–225. See also Barbara Yorke, 'Alfredianism: the Use and Abuse of King Alfred's Reputation in Later Centuries', *Alfred the Great: Papers from the Eleventh-Centenary Conferences*, ed. Timothy Reuter (Aldershot: Ashgate, 2003), 361–80.

activity at Alfred's court.[68] Asser's direct input on the *Domboc* has been theorised but not widely accepted;[69] likewise, circumstantial evidence surrounding Alfred's Frankish bishop, Grimbald, has generated interest in his association with Archbishop Fulk of Rheims and therefore the legal legacy of Fulk's Carolingian predecessor, Hincmar.[70] Nevertheless, the manuscript record shows Alfred's laws circulated widely with structural irregularities that were not the flaws of scribes—it is probable that numerous hands set to work on the code's exemplar, and that multiple contributors may have been tasked with completing its different sections.[71] Generally, the observation that the *Domboc*'s structure and patterning may be taken as evidence of its method of composition inheres in a broader discussion about manuscript production at Alfred's court and the law code's connections to other works that can be placed there.

Alfred's *Domboc:* Structure and Style

The tripartite organizational structure of the *Domboc* has been recognised since the publication of its earliest editions.[72] However, previous studies of Alfred's laws have tended to omit commentary on the relative lengths of each of the law code's sections and the significance this may also have. In addition to the chapter rubric—which notably features many differences with the contents of the laws, including in orthography[73]—the *Domboc* is divided into sections comprising the prologue of around 2,000 words, Alfred's law code of

[68] Scharer, 'The Writing of History at King Alfred's Court', *Early Medieval Europe* 5.2 (1996), 177–206 at 183 and 195; Bately, 'Alfred as Author and Translator' in *A Companion to Alfred the Great,* ed. Discenza and Szarmach, 113–42 at 117 n.21.
[69] Carella, 'Asser's Bible and the Prologue to the Laws of Alfred', *Anglia* 130 (2012), 195–206.
[70] For connections between Alfred's court, Fulk and Hincmar, see Wormald, *MEL,* 425–6; *K&L*, 26–7 and 260 fn.168; Treschow, 'The Prologue to Alfred's Law Code', 102–3; Pratt, *Political Thought*, 226–30.
[71] A theory best championed by Lisi Oliver, 'Who Wrote Alfred's Laws?', in *Textus Roffensis: Law, Language, and Libraries in Early Medieval England*, ed. Bruce R. O'Brien and Barbara Bombi (Turnhout: Brepols, 2015), 231–54.
[72] With Ine's laws preceding Alfred's in editions published from the sixteenth through eighteenth centuries, especially following editorial decisions made by Nowell, Lambarde, and Wheelocke. After Thorpe's publication of 1840, the contents predominantly follow the order of the MSS. The most recent list and commentary of the editions now in Jurasinski and Oliver, *The Laws of Alfred: the* Domboc *and the making of Anglo-Saxon Law,* 438–42.
[73] Wormald, *MEL,* 267–70 and 269 n.17; Richards, 'Laws of Ine and Alfred', 292–3 and 297–9.

around 3,300 words, and Ine's code of around 2,700 words.[74] Patrick Wormald's contention that Alfred's Mosaic prologue was a powerful analogical tool used to introduce the king's legislation, and that 'Ine's partly superseded code would be no problem [to the practicality of the *Domboc*] if Alfred's concern was less with legal consistency than with legislative continuity' are claims which are both enhanced by the observation that the king affords nearly equal space to past biblical and Anglo-Saxon traditions of law-giving, each of which bookend his own law code of only slightly greater length.[75] In practical terms, this design may not have been simply ideological as it would have permitted court helpers to work on different sections of the *Domboc* simultaneously.

The strong historical associations the *Domboc* fosters through compilation and allusion to juristic authorities have increasingly been interpreted as essential aspects of the work's creation, such that scholars no longer view them in primarily symbolic terms.[76] The legislative coherence between all three sections—the Mosaic prologue, followed by Alfred's and Ine's laws—affirms the intention of the compiler to present them as an edited whole, even if their integrity has occasionally been overlooked by kings legislating after Alfred and the relevant scholarship in kind.[77] The sophisticated handling of legal antecedents, sometimes seeking to reconcile contradictions in ecclesiastical and secular traditions of law that may have arisen in local practice, gestures toward a genuine effort to establish legislative continuity in Anglo-Saxon England.[78] One avenue through which the royal court exercised its appetite for legal revitalisation is the thirty-four clause injury tariff constituting the final section of Alfred's laws, the precise inspiration for which is disputed. It is likely that Alfred drew at least some inspiration from the Kentish king and Anglo-Saxon legal pioneer,

[74] Figures drawn from *Oxford Text Archive* corpus files mentioned above.
[75] Wormald, *MEL*, 416–7.
[76] Jurasinski and Oliver, *The Laws of Alfred*, 57–60.
[77] *Ibid.*, 61 and 76–7. The manuscript record supports the idea that Alfred's and Ine's laws were transmitted as a unit nearly without exception, Richards, 'The Laws of Alfred and Ine', 283.
[78] Jurasinski and Oliver, *The Laws of Alfred*, 55–6 and 67–9; of laws, cf. 78–81.

Æthelberht (d. 616), whom Alfred acknowledges as a source in his first-person dedication in the *Domboc*'s prologue.[79] However, injury tariffs were a common feature of law codes on the Continent, including Salian Francia, from which Alfred extracted political inspiration, court advisors, and perhaps some legal paradigms.[80] The actual content and structure of the *Domboc* injury tariff departs from Æthelberht's such that his influence is less than it seems; direct borrowing is evident in laws relating damage to the skull and genitalia, beyond which there are a handful of more ambiguous comparanda and several examples of Kentish vocabulary, but few Alfredian laws that exhibit significant overlap in terminology or amount of restitution to indicate their compilers had Æthelberht's laws in a complete form.[81] Paradoxically, this fact has sometimes been cited as proof of the extent of Alfred's reforms of Æthelberht's laws, supposedly demonstrating influence through alteration and erasure.

The *Domboc* exhibits a thorough application of an Alfredian style reminiscent of the other Latin translations. Compared to prior legislation, the use of connectives and relative clauses make the *Domboc* more clearly readable than seventh-century Kentish equivalents. In fact, a substantial argument against Alfred's claims to have borrowed laws from Æthelberht is the *Domboc*'s deletion of verb-final main clause arrangements in the apodosis to reorder them in verb-initial placement, making it such that the *Domboc* author would have had to completely re-write whatever laws he borrowed.[82] Transitional phrases such as *gif þu swa (ne) dest* and a preference for *for þæm* over *for þon* in causal clauses is shared with other Alfredian works, as are certain conceptual parallels in approaching the biblical translations, where, for example, the *Domboc* author agrees with the author of the *Prose Psalms* on

[79] *Af* 49.9.
[80] Wormald, 'The *Leges Barbarorum*: Law and Ethnicity in the Post-Roman West', in *Regna and Gentes: The Relationship Between Late Antique and Early Medieval Peoples and Kingdoms in the Transformation of the Roman World*, ed. Hans-Werner Goetz, Jörg Jarnut and Walter Pohl (Leiden: Brill, 2003), 21–53.
[81] Oliver, 'Who Wrote Alfred's Laws?', 237–41; Richards, 'The Laws of Alfred and Ine', 302; Lendinara, 'The Kentish Laws', in *The Anglo-Saxons from the Migration Period to the Eighth Century: An Ethnographic Perspective*, ed. John Hines (Woodbridge: Boydell, 1997), 211–30.
[82] Oliver, *The Beginnings of English Law*, 31; Schwyter, *Old English legal language: the lexical field of theft* (Odense, 1996); see further my discussion of the employment of style in legal prefaces, below.

translating Latin *aperuit...(ef)fodit* as Old English *adelfe...ontyne* for similar scriptural passages pertaining to the digging of pits, where both translators not only agree in their choice of verbs but also the decision to invert their order, to clarify that the digging of the pit precedes the opening of it.[83] The syntactic similarities to other Alfredian works continue with familiar verb forms including *lician, þyncan, oðfæstan,* and *hæman,* as well as rhetorical constructions of *awðer oððe … oððe* that are characteristic of the Latin translations:[84]

> [CP] 35.241.7: … & gehyt his heafod, sua ðætte betwuh hondum ðu nast hwær him **awðer** cymð, **oððe** fet **oððe** heafod
>
> [Bo] 36.108.12: & ða dysegan nanwuht nellað onginnan ðæs ðe hi him **awðer** mægen to wenan **oððe** lofes **oððe** leana
>
> [Solil] 50.3: … ðy læst ic **awðer oððe** on mode **oððe** on lichaman þy mettrumra si
>
> [PsHead] 30.5: **awþer oþþe** for hine sylfne, oððe for oðerne mann
>
> [Or] 1.15.2: Eal þæt his man **aþer oððe** ettan **oððe** erian mæg
>
> [LawAfEl] 49.9: Ac ða ðe ic gemette **awðer oððe** on Ines dæge, mines mæges, **oððe** on Offan Mercna cyninges **oððe** on æþelbryhtes

Notably, impositions of style such as these are sometimes preferred over literal translations. For example, the sometimes-loose translations from the Book of Exodus in the *Domboc*'s Mosaic prologue exhibit the same effort of syncretism observed in the *Prose Psalms*, where contemporary Anglo-Saxon practice (particularly following penitential example) is interleaved with scriptural readings in much the same way the *Prose Psalms* incorporate complementary glosses and psalter commentaries.[85]

Lexical analysis of the *Domboc* reveals a relatively high proportion of rare words and *hapax legomena* not found elsewhere in the Old English corpus, which to some extent is unsurprising given the recondite vocabulary of Anglo-Saxon law. Out of more than 8,500

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[83] *AfEl* 22 and *PPs* (prose) 7.16; O'Neill, *King Alfred's First Fifty Prose Psalms*, 92, comments on this and other matters of style in his chapter on the authorship of the *Prose Psalms.*

[84] *OTA* citations listed by chapter, page, and line of the printed reference editions, as catalogued by *DOEC* bibliography search.

[85] O'Neill, *King Alfred's First Fifty Prose Psalms*, 45.

words, more than two hundred occur fewer than fifteen times elsewhere in Old English; of these, no fewer than seventy-five are *hapax legomena*,[86] while around double that have no more than five appearances in the Old English corpus.[87] However, the *Domboc* is suffused with familiar Alfredian diction, including a number of words employed in the translation of the Mosaic prologue that are otherwise predominantly found only in other Alfredian works. The following sample of rare words employed in Alfred's translation of Exodus deserve special mention:[88]

[86] Throughout this thesis, *hapax legomena* shall refer to words restricted to only one text, rather than sole occurrences only.
[87] Figures drawn from a database of rare words of the Alfredian corpus assembled for this thesis.
[88] Works cited by Cameron short title and reference counts per *DOEC*.

TABLE 3: Rare Words in Alfred's *Domboc*

Word *(Headword)*	***Occurrences***	***Definition***	***Texts***
bereccan *(bereccan)*	5 occ.	To clear, exculpate (oneself, etc.)	**LawAfEl 15**, 2x **CP**, **Bede**, **LawVAs**
domeras *(domere)*	7 occ.	Judge	**LawAfEl 18.1**, 2x **CP**, 2x **Bo**, 1x **PPs** (prose), **HomU 3**
friðstowe *(friþ-stow)*	7 occ.	Refuge, asylum; place of refuge for fugitive, sanctuary	**LawAfEl 13**, 3x **PPs** (prose), **CP**, **Met (Bo)**
geclysp *(ge-clips)*	3 occ. (all sp.)	Clamour, outcry	**LawAfEl 41**, 2x **CP**
geeowde *(ge-eowan)*	15 occ.	To show, reveal	**LawAfEl 49.10**, 3x **CP**, 2x **GD**, **Bo**, **Solil**, 2x **El**, **Phoen**, **Beo**, Glosses: **MtGl** (Lind), **MtArgGl** (Lind), **LkArgGl** (Lind)
nieddæda *(nid-dæda)*	1 occ. (*Hapax*)	One who does something under compulsion	**LawAfEl 25**
niedling *(nidling)*	7 occ.	One who serves out of necessity, a slave; a sailor	**LawAfEl 35**, 3x **Or**, **Bede**, 2x **ClGl** (glossing '*nauticos*')
oðfæste *(oþ-fæstan)*	14 occ.	To entrust, commit to the charge of another	**LawAfEl 28, LawAf 17 + 20**, **CPLetWærf**, **Bo**, 3x **Ch1507** (Will of King Alfred), **Sat**, **El**, 2x **LS 16** (Margaret)
senoðbec *(seonoþ-boc)*	1 occ. (*Hapax*)	Synod book	**LawAfEl 49.8**
senoð *(seonoþ)*	5 occ. (with sp.)	Synod, council, meeting	**LawAfEl 49.8**, 4x **ChronA**
ðurhðyrel *(þurh-þyrel)*	12 occ.	Pierced through	**LawAfEl 11**, 6x **CP**, **LawAbt** 61.1, **Nic (D)**, **Nic (E)**, **PeriD**
weoruldhlafordas *(weorold-hlaford)*	9 occ.	An earthly master, a temporal lord	**LawAfEl 49.7**, 2x **CP**, 2x **Solil**, **Rec. 2.2**, **WHom 10c**, **WCan 1.1.1**, **WCan 1.1.2**
ymbsyrede *(ymb-sirwan)*	3 occ.	To deliberate about an evil deed; to lie in wait for	**LawAfEl 13**, 2x **CP**

What immediately impresses is the frequency with which the Alfredian authors employed words of rare occurrence across their corpus of writings, in places where they must have seemed fitting over other alternatives. One peculiarity of the *Domboc* is its avoidance of certain words in contexts where one might expect them to appear, perhaps most notably the lack of references to *morþor*, 'murder', despite many of the *Domboc* laws dealing with

killings.[89] Conversely, there is rather sensitive treatment given to matters such as exculpation (*bereccan*), premeditation (*ymbsyrede*), and entrustment (*oðfæste*), where the vocabulary for these situations is shared with other Alfredian texts but rarely or never with other works written in Old English. Other terms such as *domeras*, 'judge', and *friðstowe*, 'place of refuge', reveal associations with translations of Latin literature, as well as the fundamentally scriptural tenor of these terms to an Alfredian understanding, arguing against prosaic legal usage. Concerns of class are evident in terms such as *weoruldhlafordas* and *niedling*, 'earthly lord' and 'slave', respectively, while the *hapax legomenon nieddæda* seems a natural extension of this Alfredian lexis. More technical terms include *ðurhðyrel*, 'pierced through', and *synoðbec*, 'synod books', both of practical usage, but reflective of courtly preference. Lastly, obscure habits of diction are evident in words like *geclysp* (exhibiting metathesis by comparison with the *Pastoral Care*'s, *geclibs*), which, with only three occurrences across the corpus weighed against nearly two-thousand examples of the verb *clipian*, attest a shared idiolect rather than a conscious style.

In their presentation, the laws also offer a formula for analysis that helps to balance their succinct expression. This includes the subject of the law, the content of its language, and the value of the restitution accorded for breaking it, as each of these carries cultural markers probably unknown to their legislators. Legal scholars have been able to demonstrate links to other Germanic traditions of law-making by comparing these features, such as laws for personal injuries appearing in certain jurisdictions but not others, shared usage of terminology (especially of the body), and the ratio of value placed on certain types of injury or crime that reflect socio-cultural priorities that can prove surprisingly regional.[90] However, it might be questioned why, in absence of a discursive narrative style, the wealth of linguistic and thematic parallels between the *Domboc* and the other Alfredian translations has been

[89] Jurasinski and Oliver, *The Laws of Alfred*, 12.
[90] Oliver, 'Who Wrote Alfred's Laws?', 237–51.

ignored on grounds of genre when familiar aspects of Alfredian expression are nonetheless evident.

The Mosaic prologue and the Alfredian Corpus

Despite the codicological evidence that the *Domboc* prologue was regarded as an essential part of the text by medieval compilers, modern scholarship has been slow to recognise its place within the king's corpus of works.[91] At least part of the uncertainty over its place in the Alfredian canon involves an enduring interest in the king's personal involvement in the composition of prologues and epilogues bearing his voice, and a budding suspicion that Alfred may not have been responsible for the production of the entire *Domboc* prologue.[92] Janet Bately has suggested that we might conceive of *Domboc* authorship in the same way we know present-day rulers to 'have their speech writers, drafters, secretaries and advisory committees', and therefore eliminates the laws from her discussion of Alfred's role as author and translator in the recent Brill *Companion to Alfred the Great*.[93] Susan Irvine likewise construes the prologue to the laws as a 'notorious example' of a framing-piece that tests the boundaries of Alfredian archetypes, but nevertheless offers some analysis of its contents, noting especially that its far-reaching circulation and use of 'wide-ranging historical review

[91] Treschow, 'The Prologue to Alfred's Law Code: Instruction in the Spirit of Mercy', 79–81; Stefan Jurasinski, 'Noxal Surrender, the Deodland, and the Laws of King Alfred.' *Studies in Philology* 111.2 (2014), 195–224 at 222–4.

[92] Janet Bately, 'King Alfred and the Old English Translation of Orosius', *Anglia* 88 (1970), 433–60 at 452–3; Janet Bately, 'Old English Prose before and during the Reign of King Alfred', *ASE* 17 (1988), 93–138 at 96–7 and 136–8; Godden 'Did King Alfred Write Anything?' *Medium Aevum* 76 (2007), 1–23 at 6, 10 and 17; Allen Frantzen, 'The Form and Function of the Preface in the Poetry and Prose of Alfred's Reign', in *Alfred the Great: Papers from the Eleventh-Centenary Conferences*, ed. Timothy Reuter (Aldershot: Ashgate, 2003), 121–36 at 122, blames the prologue's neglect on its length relative to other the Alfredian examples that are frequently anthologised.

[93] Bately 'Alfred as Author and Translator' in *A Companion to Alfred the Great*, ed. Discenza and Szarmach, 113–42 at 117 and accompanying note.

as context for political initiative' as productive grounds for comparison with the prose preface of the *Pastoral Care*.[94]

Contemporary scholarship focused directly on the *Domboc* has held that Alfred's Mosaic prologue deserves a significant place in discussions of how Old English came to be used as a vehicle for learning, such as Stefan Jurasinski's observation that 'the attention modern scholars have shown to the Alfredian translations has not extended to this text, and much about its place in the history of Old English prose awaits explanation.'[95] It is perhaps the most peripheral of those works which bear Alfred's voice or are believed to have involved his personal input, and thus is frequently relegated to the end of sections outlining Alfred's personally-authored works in modern editions, if it is included at all. A traditional estimation of the corpus usually elicits mention of some part of the prologue to Alfred's laws in addition to the *Prose Psalms* and the Old English translations of Boethius' *De consolatione philosophiae*, Gregory's *Regula Pastoralis*, and Augustine's *Soliloquia*,[96] yet the critical compilations covering several or all of these works often treat the laws apart from the others.[97] The *Wiley Blackwell Encyclopedia of Anglo-Saxon England* makes no reference to the *Domboc* or its translations from the Book Exodus in the entry titled 'Alfredian Texts', and this in spite of the inclusion of the Old English *Orosius*, *Martyrology*, *Bede* and *Dialogues* as texts falling under Alfredian patronage or sponsorship.[98] Meanwhile, speculations about the prologue and law code's purpose abound, ranging from theories

[94] Irvine, 'The Alfredian Prefaces and Epilogues', *A Companion to Alfred the Great*, ed. Discenza and Szarmach, 143–170 at 166–7.
[95] Jurasinski 'Slavery, Learning and the Law of Marriage in Alfred's Mosaic Prologue', in *Secular Learning in Anglo-Saxon England: Exploring the Vernacular*, ed. László Sándor Chardonnens and Bryan Carella (Amsterdam: Rodopi, 2012), 45–64 at 45–6.
[96] Godden, 'Did King Alfred Write Anything?', 1; Bately, 'King Alfred and the Old English Translation of Orosius', 433–60 at 450–60; Pratt, 'Problems of Authorship and Audience in the Writings of King Alfred the Great', in *Lay Intellectuals in the Carolingian World*, ed. Patrick Wormald and Janet L. Nelson (Cambridge: Cambridge University Press, 2007), 162–91 at 166.
[97] *K&L*: excerpts from the *Domboc* are placed within a section titled 'miscellaneous sources for the reign of King Alfred', despite 'Extracts from the Writings of King Alfred' immediately preceding; Brill *Companion to Alfred the Great*: discussion of laws placed at the end of the section titled 'Alfred as Author' and abutting the section on 'Alfrediana' that follows (featuring essays on the Old English *Orosius*, the Anglo-Saxon *Chronicle*, and the Old English translations of Gregory's *Dialogi* and Bede's *Historia Ecclesiastica*).
[98] 'Alfredian Texts', *BEASE*, 31–2.

advocating attempts to establish territorial hegemony under Alfredian rule to claims that the prologue might have begun as an early draft of the *Domboc* that came to be appended to the code.[99] The idea that Alfred's laws may have assisted with the education of the king's judges and pastoral authorities is comparably more recent, despite what Asser's account seems to imply.[100] More often, discussions of Alfred's educational programme have sought to justify the existence of literary translations from the works of Boethius, Augustine, and Gregory on philosophical rather than historical terms;[101] whatever their use for educating a ruling-class laity struggling with literacy, the *Domboc* is a text that inherently provides rules for practical governance as well as Christian morality.

Nonetheless, there is ample evidence to suggest the prologue was integral to the composition of the *Domboc* and its subsequent transmission. First, every manuscript that bears a chapter rubric includes as its first entry a summary of the prologue: *Be ðon þæt mon ne scyle oþrum deman buton swa he wille, þæt him mon deme*, 'Concerning that, a man shall not judge another except as he is willing to be judged.'[102] It has been argued the description doubled as a surrogate title for the work throughout its circulation until the copying of the *Textus Roffensis* of the twelfth century, owing to the fact that the *Domboc* lacked an official title prior to that date.[103] However, one might reach a similar conclusion from the phrasing of the Golden Rule in the prologue, spoken in Alfred's voice, which states with equal force its ability to sum up the overarching message of his law code: *þæt ge willen, þæt oðre men eow ne don, ne doð ge ðæt oþrum monnum. Of ðissum anum dome mon mæg geðencean, þæt he æwhwelcne on ryht gedemeðæ ne ðearf he nanra Domboca oþerra*, 'that which you wish that

[99] Pratt, *Political Thought*, 222; Stanley, 'On the Laws of King Alfred', 211–21 at 212–13; Wormald '*Lex Scripta* and *Verbum Regis*: Legislation and Germanic Kingship from Euric to Cnut', in *Early Medieval Kingship*, ed. P. H. Sawyerand I. N. Wood (Leeds: Leeds University Press, 1977), 105–38 at 133; Wormald, *MEL*, 426; Treschow, 'The Prologue to Alfred's Law Code', 91; Jurasinski, 'Slavery, Learning and the Law of Marriage in Alfred's Mosaic Prologue', 59; Jurasinski, 'Noxal Surrender, the Deodland, and the Laws of King Alfred', 221–4.
[100] *VA*, Ch. 106; Wormald, *MEL* 428–9; Pratt, *Political Thought*, 167–9.
[101] Nelson, 'Power and Authority', 331.
[102] *AfRb* 1; Treschow, 'The Prologue to Alfred's Law Code', 81.
[103] Richards, 'The Laws of Alfred and Ine', 297–8.

other men do not do to you, you do not [do] that to other men. From this one law a man may remember that he judge everyone rightly; he needs no other law books.'[104]

Therefore, while the transmission of these biblical ideas is still debated to varying degrees, it has become harder to substantiate past theories about the *Domboc*'s deployment of Exodus as a framing piece only, especially as one designed to provide a negative contrast for Christian moral example. Such a theory was still employed little more than a decade ago by David Pratt, who argued that the effect of translating the Decalogue and substantial tracts of Exodus was 'to supply a convincing impression of what law would look like without the benefits of Christian augmentation', where the contrast only stood to be sharpened by Alfred's remarks at the end of the prologue that Christ came neither to break nor annul the laws, but to fulfill them through the teaching of mercy.[105]

Pratt followed Wormald, who in turn followed Liebermann in the argument that Alfred alterations of Exodus served to construct a society in parallel with Anglo-Saxon England.[106] Note, moreover, Liebermann's comment on the structure of the prologue, that '[Alfred was] careful to sever the two parts from each other, first by a historical passage about the abrogation of Old Testament precepts by Christian apostles; secondly by a separate preface to his own code, where he names three Anglo-Saxon kings as his authorities without alluding to Moses; and lastly, by putting at the head of his own code, the word "Firstly."'[107] It is in this way that the so-called explanatory bridge encompassing *AfEl* 49–49.10 (and especially *AfEl* 49.9–10) has been treated as Alfred's 'true' introduction: in the broader sense, on the grounds that the opening words *Dryhten was sprecende ðas word to Moyse* reflect

[104] *AfEl* 49.5–6. The expression of the Rule through the negative gives a hint to its origin: it is adapted from an Old Latin reading of Acts which became appended to certain Vulgate manuscripts in the early medieval period, Carella, 'Asser's Bible and the Prologue to the Laws of Alfred', *Anglia* 130:2 (2012), 195–206 at 202–3; Pratt, *Political Thought*, 229; Wormald, *MEL*, 426.
[105] *AfEl* 49: *he* [Christ] *cwæð, ðæt he ne come no ðas bebodu to brecanne ne to forbeodanne, ac mid eallum godum to ecanne; 7 mildheortnesse 7 eaðmodnesse he lærde*; Pratt, *Political Thought*, 231.
[106] Wormald, *MEL*, 419–21; Liebermann, 'King Alfred and Mosaic Law', *Transactions of the Jewish Historical Society* 6 (1912), 21–31 at 24–5.
[107] *Ibid.*, 23.

AfEl 49's *Þis sindan ða domas þe se ælmihtig God self sprecende wæs to Moyse* to create an envelope pattern enclosing the Mosaic argument, whilst in the narrower sense, on the basis that Alfred's remarks regarding the immediate context of his legislation are confined to *AfEl* 49.9–10, and specifically within a short authorial inscription that resembles those used by previous kings for the purposes of promulgating Anglo-Saxon law.[108] Allen Frantzen made a similar observation to open his discussion of Alfredian prefaces in prose and poetry, noting that 'Alfred had a precedent in the preface to Ine's laws … [but] Ine's preface (which survives only in the form transmitted by Alfred) can scarcely be compared to Alfred's monumental introduction.'[109]

The similarity between Alfred's and Ine's prefaces will be considered shortly. However, it is easier to understand the prologue's frequent neglect by editors who are faced with the difficult decision of determining what is legal and what is literary within a morass of shifting Alfredian conventions, and indeed, the ensuing laments of subsequent editors and scholars about those decisions, extending even as far back as Turk's comment in 1893 that, 'our code has suffered in the past from too zealous separation into parts' by those seeking to make it more convenient to navigate and reference.[110] With few comprehensive studies of the *Domboc* available, and a seeming reluctance to wholly incorporate the work into the Alfredian canon despite the fact that, whatever its aims, it is believed to have been produced by the same clerical helpers as his literary translations, the *Domboc* is the foremost of the king's works which stands to benefit from recent scholarship on Alfred's authorship, his Latin intellectual milieu, and ultimately his project of translation.

[108] Treschow, 'The Prologue to Alfred's Law Code', 86. Envelope patterns are a key feature in Alfredian rhetoric, perhaps best known via the prose preface of the *Pastoral Care*.
[109] Frantzen, 'The Form and Function of the Preface in the Poetry and Prose of Alfred's Reign', 121
[110] *The Legal Code of Ælfred the Great*, ed. and trans. Milton Haight Turk (Boston, MA, 1893), 30.

Irish and Continental Influences on the *Domboc*

Separate cases have been made for Irish or Continental influence on Alfred's law code. The *Domboc* appears to have depended on some version of the Hiberno-Latin *Liber ex lege Moysi* in its translations of Exodus, although it does not borrow any of its elaborations on Scripture from that text, and it differs in its omission of passages from Leviticus, Numbers and Deuteronomy, all of which are found in the *Liber*'s excerpts from the Pentateuch.[111] Meanwhile, Continental influence has pointed especially to the legal philosophy of Hincmar of Rheims, whose successor, Fulk, had several points of contact with Alfred's court, and whose legal teachings may have had a direct intermediary in Wessex via Grimbald.[112] It has been alleged that Grimbald brought manuscripts with him to Alfred's court, and that this may have helped to strengthen Alfred's programme of translation;[113] therefore, the observation that all four extant *Liber ex lege Moysi* manuscripts directly descend from a common origin in Brittany or have close associations there draws notice.[114] While this should not necessarily imply that Grimbald, John the Old Saxon, or any other of Alfred's Continental scholars should have been in possession of Breton manuscripts prior to their recruitment to England, political turmoil in that region of the Continent prompted the importing of Breton canonical and penitential materials into Anglo-Saxon territories certainly by the early tenth century, if not before.[115] Brittany, like Rheims to the east, was a source rich with many such texts: aside from the *Liber ex lege Moysi*, the Bigotian Penitential and the the *Capitula Dachariana* are found only in Breton manuscripts, and each of these were quoted or translated in Old English

[111] Carella, 'The Source of the Prologue to the Laws of Alfred', at 109–10.
[112] *VA*, Ch. 78; *K&L*, 26–7 and 260 n. 168; Treschow, 'The Prologue to Alfred's Law Code', 102–3; Wormald, *MEL*, 425–6; Pratt, *Political Thought*, 226–30.
[113] Lapidge, *The Anglo-Saxon Library*, 49–50; *K&L* 28 and 214 n. 26; cf. Meaney, 'Old English Legal and Penitential Penalties for "Heathenism"', 133; Oliver, 'Who Wrote Alfred's Laws?', 236.
[114] Meeder, 'The Liber ex lege Moysi: Notes and Text', *The Journal of Medieval Latin* 19 (2009), 173–218 at 179.
[115] Frantzen, 'The Tradition of Penitentials in Anglo-Saxon England', *ASE* 11 (1982), 23–56 at 51. For the conection to Frankish scholars, cf. Jurasinski, *The Old English Penitentials and Anglo-Saxon Law*, 54–62 at 55, which connects the Oxford, Bodleian Library, Bodley 572 manuscript containing the Irish penitential of Cummean and other canons to Alfred's Frankish counselors traveling to the court with texts on pastoral care.

works at a later date.[116] The Hiberno-Latin *Collectio canonum Hibernensis*, found in all four of the extant *Liber ex lege Moysi* manuscripts, similarly entered England through Breton channels alongside the *Liber*, but would independently influence later collections of English canon law.[117] Consequently, the strict dichotomy proposed between Irish *or* Frankish influence on the *Domboc*, or indeed between the potential input of court helpers with Insular *or* Continental educations, has perhaps been overstated.[118] Elsewhere in the Alfredian canon there are several allusions to law, justice, and judgement that demonstrate knowledge of both Irish and Frankish sources, and these may very well have been deployed by authors working within the same court culture that produced the *Domboc*.[119] Among them are possible borrowings in Asser's *Vita Alfredi* from the writings of Sedulius Scottus (*fl.* 840×51–860×74), who spent most of his life in Francia despite having been born in Ireland and having fostered a circle of Irish intellectuals on the Continent.[120] His example is just one of the more prominent reminders that these connections are difficult to disentangle.

The *Domboc*'s association with Frankish legal philosophy has proved influential primarily for two reasons. Firstly, Fulk's letter to Alfred seems to have prompted the *Domboc*'s corresponding references to Acts 15 and ecumenical councils, while, with a few notable dissenters, the date of composition for the law code would seem to place it very early within the corpus of Alfredian works, perhaps within just a few years of receipt of Fulk's letter in c. 886.[121] Secondly, Alfredian court culture has long been considered to have been inspired by Frankish examples, especially in its interest in conscionable rulers, the use of

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[116] *Ibid.*, 52; cf. Bieler, *The Irish Penitentials*, 22.
[117] *Ibid.*; cf. Carella, 'Hiberno-Latin Thought in the Prologue to the Laws of Alfred', at 18.
[118] For example, Carella, 'Asser's Bible and the Prologue to the Laws of Alfred', 205–6: 'The available facts support the thesis that the Prologue to Alfred's law code was not produced by a scholar (or scholars) with a more mainstream Continental education … but rather by a scholar (one or more) with Insular, specifically Celtic, education and sensibilities.'
[119] Carella, 'Hiberno-Latin Thought'.
[120] 'Sedulius Scottus', *Oxford Dictionary of National Biography*.
[121] 886x893: *K&L*, 39, 163 and 304; Pratt, *Political Thought*, 167–8 and 219; Frantzen, *King Alfred*, 11; Carella, 'Evidence for Hiberno-Latin Thought in the Prologue to the Laws of Alfred', 2; Post-893: Wormald, *MEL*, 120–1, 281, 286 and 425–6; Richards, 'The Laws of Alfred and Ine', 282; Whitelock, *EHD*, 408.

law-making and history-writing as a means of consolidating political identity, and the idea of making the royal household a school.[122] Considering that the law code and its prologue can be set apart from the other Alfredian translations by way of considerable evidence both before and after Alfred's reign that it would have been promulgated under the auspices of assembly authority,[123] it can be argued that, if any of the texts in Alfred's oeuvre might have been impacted by Carolingian-inspired royal politics, the *Domboc* is one of the principal candidates.

With respect to some of the other works with which the law code finds frequent comparison, the influence of Frankish historical writing has been argued in the case of the *Anglo-Saxon Chronicle* as well, and particularly in light of its quality of information on Continental affairs in the annals for the 880s.[124] Grimbald's arrival at Alfred's court came at roughly the same time, and the traditional view is that he may have had some input on at least Alfred's Mosaic prologue if not the laws themselves.[125] Meanwhile, although it seems the author of the Old English *Orosius* probably did not write the *Anglo-Saxon Chronicle*,[126] he may have had prior knowledge of it on account of working within the same circle of learned men responsible for producing the court's historical and documentary works, which is a label that has often incorporated the laws and sometimes the translation of Bede *Historia ecclesiastica*.[127] The complementary themes of all these works have not gone unnoticed, nor their connections to Carolingian analogues, and the latest research on the preface to the Old English Bede has suggested it was the product of a West Saxon author attempting to link the work to the Alfredian programme of translation.[128] Given these parallels, and the importance

[122] Nelson, 'Power and Authority', 333.
[123] Nelson, 'Power and Authority', 326–7; Roach, *Kingship and Consent*, 108–11.
[124] *K&L*, 40.
[125] Wormald, *MEL*, 425–6 and 460; Bately, 'King Alfred and the Old English Translation of Orosius', 450–60; Pratt, 'Problems of Authorship and Audience in the Writings of King Alfred the Great', 166.
[126] *The Old English Orosius*, ed. Janet Bately, EETS SS 6 (London, 1980), lxxxiii–lxxxvi.
[127] *K&L*, 40 and 217 n. 61
[128] Waite, 'The Preface to the Old English Bede: Authorship, Transmission, and Connection with the West Saxon Genealogical Regnal List', *ASE* 44 (2015), 31–93.

of shared themes of 'overlordship', 'the king as righteous judge' and 'loyalty' that figure so prominently in the laws as well as in these other works,[129] theories of Frankish influence or at least the input of Continental court helpers are difficult to discard as mere speculations.

However, advocates of Irish influence on Alfred's Mosaic prologue have occasionally opposed these connections. In a series of articles, Carella refuted the received theory of Frankish influence on Alfred's laws (particularly as descending from Hincmar of Rheims) on the basis that Irish canonical and penitential thought have more direct and persuasive parallels with the themes expressed in Alfred's Mosaic prologue.[130] On this view, Fulk's letter may have prompted Alfred's decision to write the laws and perhaps even to respond to the letter in the prologue's explanatory bridge,[131] yet the bulk of the prologue's length is dedicated to a translation from Exodus that has strong connections with the *Liber ex lege Moysi*, and, furthermore, there is evidence the *Liber* circulated as a preface to a work of canon law known as the *Collectio canonum Hibernensis* in such a way that it resembles the function of the prologue in Alfred's *Domboc*.[132] To that end, while use of Fulk's letter and the *Liber ex lege Moysi* bear roughly the same evidentiary weight as direct sources to the prologue, the letter provides no prototype for the format or reason for producing the Mosaic parallel in the first place, whereas the Irish tradition was unique throughout much of the medieval period in its belief that Mosaic law governed Ireland before its conversion to Christianity, and thus also that it should have especial precedence over all subsequent law to follow.[133] In short, Carella concluded that no parallels needed to be drawn to Frankish legal philosophy in light of this evidence, and that all the same seeds of inspiration are in the Irish

[129] Scharer, 'The Writing of History at King Alfred's Court', 183.
[130] Carella, 'Evidence for Hiberno-Latin Thought in the Prologue to the Laws of Alfred', 2–4 and 10–17.
[131] Carella, 'The Source to the Prologue of the Laws of Alfred', 117; Carella, 'Evidence for Hiberno-Latin Thought in the Prologue to the Laws of Alfred', 17–25 and Carella, 'Asser's Bible and Prologue to the Laws of Alfred', 205 later recanted this concession, arguing instead that the logic lying behind the explanatory bridge could have been gleaned from the organisational structure of Alfred's Irish exemplar.
[132] Carella 'The Source to the Prologue of the Laws of Alfred', 114–117
[133] *Ibid.*, 116; cf. Boyle, 'Biblical Kings and Kingship Theory in Medieval Ireland and Norway', *Speculum Septentrionale: Konungs skuggsjá and the European Encyclopedia of the Middle Ages*, ed. Karl G. Johansson and Elise Kleivane (Oslo: Novus Forlag, 2018), 173–99.

penitential tradition with equal or greater dimensions for comparison, without the need to rely on what he considered weak evidence of 'the verbal transmission of ideas [by Grimbald that] evades quantifiable proof.'[134]

It has already been stressed that setting the two traditions in contention with one another is not especially helpful, particularly considering (as we have seen), Alfred's court was in frequent and often simultaneous contact with Franks, Frisians, Gauls, Vikings, Welshmen, Irishmen and Bretons alike.[135] However, recent research on the *Domboc*'s intersections with penitential literature would seem to support the theory that it was constructed with at least some reference to an ecclesiastical tradition of law-giving, whether Irish, Anglo-Saxon, or Continental.

The Old English penitentials survive as a corpus of five vernacular texts in seven manuscripts dating to the eleventh century, as translations of varying accuracy of Latin penitentials ascribed to Theodore, Bede, Egbert of York, Halitgar of Cambrai and the Irish abbot Cummean.[136] Most of the Latin penitentials were written in the eighth and ninth centuries, whence, by the late-tenth century, they became substantially intermixed with vernacular Anglo-Saxon sources.[137] The date of the Old English *Canons of Theodore* is not currently known, but has been suggested by its most recent editors as perhaps contemporary with the *Scriftboc* (which is also argued to have Alfredian connections), indicating that the Old English *Canons* may antedate their usual tenth-century attribution.[138] Recent findings by Stefan Jurasinski and Robert Fulk have advocated a date closer to Alfredian rather than

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[134] Carella, 'Evidence for Hiberno-Latin Thought in the Prologue to the Laws of Alfred', 10
[135] *VA*, Ch. 76, ed. Stevenson 1904, 60: '*Franci autem multi, Frisones, Galli, pagani, Britones, et Scotti, Armorici sponte se suo dominio subdiderant, nobiles scilicet et ignobiles*'; cf. *K&L*, 91 and 258 n. 157
[136] Frantzen, 'Sin and Sense: Editing and Translating Anglo-Saxon Handbooks of Penance', in *Making Sense: Constructing Meaning in Early English*, ed. Antonette diPaolo Healey and Kevin Kiernan (Toronto: Pontifical Institute of Mediaeval Studies, 2007), 40–71 at 40–1 and 47–8.
[137] *Ibid.*, 48.
[138] Cubitt, 'Bishops, Priests and Penance in Late Saxon England', *Early Medieval Europe* 14.1 (2006), 41–63 at 4 and 13; *The Old English Canons of Theodore*, xxxvi–xlii, esp. at xxxix–xl. On the dating of the Old English penitentials, with detailed discussion of those pre-dating the Benedictine Reform, see Jurasinski, *The Old English Penitentials and Anglo-Saxon Law*, 53–85.

Benedictine reform, on the basis of Anglian orthography not usually found in prose writings past 900, and from a similar treatment of laws concerning marriage also found in the *Scriftboc* and *Domboc* but not found in the betrothal practices recorded around Wulfstan's lifetime, such as in the *Wifmannes Beweddung*; additionally, the *Canons of Theodore* appear to incorporate at least one clause otherwise only attested in the *Domboc* regarding the seizing of a woman's breast.[139] This law in turn borrows from the *Penitential of Cummean*, II, 12 and the Latin canons of *Theodore*, I, viii, both of which forbid priests from leering at or touching women, but no prototype has been identified outside of secular law for the penalty against breast-seizing in particular. Jurasinski's suggestion that Alfred's law (*Af* 11–11.1) resembles XXVI, 4 of the Frankish *Lex Salica* highlights other connections of Alfred's code to Continental law and ecclesiastical penance, where, if not attributable to a common expression of *folcriht*, there appears to be a parallel between the *Domboc* and the Frankish code's prohibition of touching of a woman's hand, arm or breast in a way that was considered to be a serious offense.[140]

Allen Frantzen was among the first to suggest Alfred's awareness of the penitential tradition may have derived from Frankish influence.[141] His arguments drew connections between Fulk's pastoral experience, an influx of Irish–Breton ecclesiastical material, and the coincidental lapse of both penitential writing and secular law-making in Anglo-Saxon England from the eighth century until Alfred's rule.[142] Consequently, Alfred's enthusiasm may have extended to ecclesiastical as well as secular law. Pratt acknowledged the exceptionally hyperbolic nature of this enthusiasm, commenting that it was only in Ireland and perhaps as late as the eleventh century that law would come to circulate with parallels to

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[139] Jurasinski, *The Old English Penitentials and Anglo-Saxon Law*, 64–85; Jurasinski, 'The Old English Penitentials and the Law of Slavery', in *English Law Before Magna Carta: Essays on Liebermann's* "*Gesetze der Angelsachsen*", ed. Stefan Jurasinski, Lisi Oliver and Andrew Rabin (Leiden: Brill, 2010), 97–118 at 104–5.
[140] Jurasinski, 'The Old English Penitentials and the Law of Slavery', 105; Jurasinski, *The Old English Penitentials and Anglo-Saxon Law*, 45–7.
[141] Frantzen, 'The Tradition of Penitentials in Anglo-Saxon England', 50–1.
[142] *Ibid.*, 50.

Old Testament examples to any similar extent.[143] The latest investigations into Irish imaginings of biblical kingship underscore his findings, indicating the lateness of this tradition: the Irish *Book of Uí Mhaine* envisioned Patrick as a patriarchal law-giver akin to Moses, and included a genealogical list of idolatrous kings of Judah who traced their lineage back to Christ, yet the work dates to the fourteenth century.[144] Similarly, the thirteenth-century *Yellow Book of Lecan* recasts David as an Irish hero-king engaging with Goliath, Solomon, and beggars in stories that are rife for Alfredian comparison, but deriving from much later exegetical traditions despite their interest in Irish conceptions of Jewish history going back to at least the tenth century.[145] Since substantial obstacles in the historiography closed off investigations into the penitentials until at least the last three decades,[146] comparisons to both Alfred's law code and the rest of his corpus have been brief and recent. In Patrick Wormald's influential study, for example, remarks on penitential literature are almost wholly confined to codicological observations about the compilation of legislative manuscripts, and discussion beyond this nearly always pertains to Wulfstan and never to Alfred.[147]

Beyond analogies to Frankish and Irish examples, however, the legal contents of the *Domboc* appear to have drawn inspiration from the same sources of influence as other works in Alfred's corpus, such as the Old English *Pastoral Care*. Several such comparisons can be made across the corpus, and often refer to passages specifically concerned with justice and judgement, even though these remarks are rarely connected to the laws in lieu of more frequent and general comparisons to kingship and royal authority that have been noted by

[143] Pratt, *Political Thought*, 223.
[144] Boyle, 'A Welsh record of an Anglo-Saxon political mutilation', *ASE* 35 (2006), 245–49.
[145] *Ibid.*
[146] For example, Thorpe's decision to translate the Old English *Scriftboc* into Latin rather than modern English, which led subsequent editors to assume the Latin text was the original; Frantzen, 'Sin and Sense', 43–5; Jurasinski, 'Old English Penitentials and the Law of Slavery', 100–2.
[147] Wormald, *MEL*, 211–17, 221–24, 263, 331–2, 450 and 455 (penance, penitence, penitentials); cf. 207, 210, 217, 219, 222, 353, 388 and 464 (confession)

generations of scholars. For instance, a reference to a *scrift* or 'confessor' in *Af* 1.8 is important in light of the aforementioned Anglo-Saxon penitential handbook known as the *Scriftboc*, believed to possibly date to the reign of Alfred and known to have used Irish sources in its compilation.[148] While the part of the *Domboc* the sub-clause appears within deals with oaths and oath breaking, several of the addenda take on an ecclesiastical character:

> [*Af* 1.2]: Gif he þonne þæs weddige þe him riht sie to gelæstanne 7 þæt aleoge, selle mid eaðmedum his wæpn 7 his æhta his freondum to gehealdanne 7 beo feowertig nihta on carcerne on cyniges tune, ðrowige ðær swa biscep him scrife, 7 his mægas hine feden, gif he self mete næbbe.
>
> [*Af* 1.6–8]: Gif he ut oðfleo ær þam fierste, 7 hine mon gefo, sie he feowertig nihta on carcerne, swa he ær sceolde. Gif he losige, sie he afliemed 7 sie amænsumod of eallum Cristes ciricum. Gif þær ðonne oþer mennisc borg sie, bete þone borgbryce swa him ryht wisie, 7 ðone wedbryce swa him his scrift scrife.
>
> [If he then pledges himself to something which is lawful to carry out and leaves it unfulfilled, let him humbly give his weapons and possessions to his friends to keep, and be imprisoned for forty days at the king's estate to undergo there what penance the bishop prescribes for him, and his kinsmen shall feed him if he has no food himself.
>
> If he flees before that period, and he is caught, he shall remain in prison forty days, as he should have before. If he escapes, he shall be banished and excommunicated from all of Christ's churches. If, however, there is another man's surety, he shall compensate that surety-breaking as the law instructs, and the pledge-breaking as his confessor prescribes.]

What immediately impresses is the confessional nature of the penance, in which the oath-breaker is asked give up his weapons and possessions and submit himself not to the reeve but the *scrift*—presumably a bishop, as stated in *Af* 1.2, but literally a judge of penance. Similar provisions for penance in *Af* 5.4 and *Af* 14, in addition to *Af* 1.2 and 1.8 above, have been highlighted in previous studies of the *Domboc*'s intersections with penitential literature.[149] The word *eaðmedu*, either in a nominative or verbal context, is relatively uncommon: it

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[148] Cubitt, 'Bishops, Priests and Penance in Late Saxon England', 4 and 13; cf. Frantzen, 'The Tradition of Penitentials in Anglo-Saxon England', 52 and Jurasinski, *The Old English Penitentials and Anglo-Saxon Law*, 53–85 especially at 83–5. Cf. Frantzen, 'Sin and Sense', 41, who revised his earlier conclusions to assert the *Scriftboc* may date to the mid-tenth century. Jurasinski rebuts Frantzen's analysis to suggest the *Scriftboc* likely belongs among the small group of Alfredian or pre-Alfredian prose texts.

[149] Hough, 'Penitential Literature and Secular Law in Anglo-Saxon England', *Anglo-Saxon Studies in Archaeology and History* 11 (2000), 133–41, repr. in *"An Ald Reht": Essays on Anglo-Saxon Law* (Newcastle upon Tyne: Cambridge Scholars Publishing, 2014), 25–45 at 29–31.

occurs some sixty times across the corpus in either part of speech, and frequently appears in psalter glosses and in other texts almost always with a religious context.[150] Here it has been rendered as a verb for economy of translation (as was done by Thorpe and Attenborough),[151] yet it functions as a noun in the law: the weapons and possessions are to be given up with *humility*, not humbly. The distinction is important in that it helps to rule out other possible translations and meanings; for example, the notion that a criminal ought to surrender his weapons peacefully to avoid a conflict, the usual assumption in martial contexts.[152]

The notion that the oath-breaker must give up his possessions in addition to his weapons serves to support such a penance-oriented reading, as would the period of confinement. In the Irish legal tradition, penance is often given in forty-day increments, and frequently with the stipulation of fasting.[153] This is most likely inspired by the forty-day fast of the Temptation of Christ in the Judean desert, just as Moses did before him for forty days on the Mount (recorded in Exodus 34:28 and Deuteronomy 9:9)—it is in fact a commonplace which Ælfric invested with substantial symbolism.[154] Several examples of the Irish laws with this penalty forbid sexual temptation and other similar sins.[155] This connection may help to

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[150] '*eaþ-medu*' and '*eaþmedan*', Dictionary of Old English: A to I online, ed. Angus Cameron, Ashley Crandell Amos, Antonette diPaolo Healey et al. (Toronto: Dictionary of Old English Project, 2018).
[151] *Ancient Laws and Institutes of England*, ed. Benjamin Thorpe, 2 vols. (London, 1840), 61; Attenborough, *The Laws of the Earliest English Kings*, 63.
[152] The fullest commentary on the subject can be found in *Af* 42–42.7. On the subject of the surrendering of weapons as stipulated in Alfred's code generally, cf. Jurasinski, *The Old English Penitentials and Anglo-Saxon Law*, 59–62, in which Alfred's attitudes are connected to ecclesiastical forebears: 'to give up one's weapons and place oneself in the power of one's foes, a remedy urged often by penitentials of this period, was to demonstrate contrition and a desire for peaceful reconciliation: wishes that even in the rough-and-tumble world of conversion-era Scandinavia seem to have been treated with respect.'
[153] Many such laws prescribe periods of penance in forty-day increments. For example, in the *Preface of Gildas on Penance*, three forty-day periods are outlined: the forty days before Easter, the forty days before Christmas, and the forty days after Pentecost. Bieler, *The Irish Penitentials* (Dublin, 1963), 60–1 and 241 n. 5.
[154] *Dominica prima in quadragesima* in ed. Godden, *Ælfric's Catholic Homilies: The Second Series*, EET SS 5 (Oxford, 1979), 60–6. On the function of fasting and penance in the Bible, see David Lambert 'Fasting as a Penitential Rite: A Biblical Phenomenon?', *The Harvard Theological Review* 96.4 (2003), 477–512 at 478–80: 'petitionary prayer in the Hebrew Bible usually arises from a state of affliction or crisis. Voicing that affliction, prayer captures the attention of YHWH and rouses him, as a God of mercy, to pity and hence action. While prayer articulates a verbal articulation of the distress, fasting provides an equally expressive … physical manifestation. It therefore shares in the dialogical nature of prayer … Fasting is more preparatory than directly efficacious; it sets the stage for the central moment of appeal to God.'
[155] For example: Bieler, *The Irish Penitentials* (Dublin, 1963), 116–7, from the *Paenitentiale Cummeani*: '18. Qui diligit aliquam feminam inscius alicuius mali praeter sermocinationes quasdam, .xl. diebus peniteat. 19.

explain an otherwise unusual remark that the oath-breaker is to be fed by his friends if he has no food during his forty-day imprisonment—the law already mentions that the offender is to be held at the king's estate, while *Af* 1.3 states that the king's reeve is to feed him if he has no kinsmen nor any food, thus scarcity of provisions is probably not the law's primary concern. Notably, fasting did not prescribe going without food in the Anglo-Saxon period, as it was regarded as a practice analagous to almsgiving in which one was asked to forego excess food only; Ælfric, in his *Dominica prima in quadragesima*, laments the growing weakness of man in both body and spirit since the days of Moses and Elijah, whose forty-day fasts established the precedent for this period of abstention, and thus consequently regards Anglo-Saxon fasting as abstaining only from meat, drink and sexual relations.[156]

Confusion has also seemingly arisen over the meaning of *gif þær ðonne oþer mennisc borg sie* in *Af* 1.8: Thorpe translates 'if, however, there be another man's "borh"', while Preston offers the assuredly non-sensical 'if there is then human surety over him'.[157] Attenborough translates the law differently altogether, supplying additional details to evoke the impression of bail: 'if, however, other men stand surety for him, he shall pay the compensation [due to them] for violation of bail'.[158] It is unclear exactly what *mennisc borg* means; Liebermann interprets it as applying to another person other than the defendent referred to in *Af* 1.7,[159] while Thorpe argued in a note to his translation that, 'according to a well-known rule of law, if the defendent made default, the borhs or sureties were amerced by the court; and this fine he [i.e. the defendent] is here directed to make good.'[160] All translators seem to agree that the bishop's authority was invoked because perjury was an ecclesiastical

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Osculatus autem et amplectans, annum .i., maxime in tribus xlmis.' [He who loves any woman, (but is) unaware of any evil beyond a few conversations, shall do penance for forty days. But if he kisses and embraces her, one year, especially in the three forty-day periods.]

[156] Olson, 'Perfecting One's Fast: Almsgiving and the Penitential Seasons in the Anglo-Saxon Homilies', *International Journal of Regional and Local History* 8.2 (2013), 129–46 at 134. Cf. *Dominica prima in quadragesima*, ll. 1–37 in Godden, *Ælfric's Catholic Homilies: The Second Series*, 60–1.

[157] Thorpe, *Ancient Laws and Institutes of England*, 61; Preston, *King Alfred's Book of Laws*, 119.

[158] Attenborough, *The Laws of the Earliest English Kings*, 65.

[159] Liebermann, *Gesetze* III, 50–1.

[160] Thorpe, *Ancient Laws and Institutes of England*, 60.

matter to be remedied by the church over and on top of the fine to be paid to the king or lord for the oath-breaking. At times, it has been argued that the Church was left to deal with perjury because of ineffective secular penalties forbidding the practice.[161]

More broadly, the nature of the oath described in *Af* 1 to which all the sub-causes apply has been interpreted variously by scholars, changing in recent times as conceptions of the historico-political context of Alfred's court have also changed. Patrick Wormald interpreted it as a general oath and pledge of fealty to the king, similar to Frankish examples under Charlemagne, which would perhaps establish the connection that oath-breaking amounted to treason.[162] More recently, however, research on the hierarchical structure of local power constellations under Alfred has suggested that the oath would be sworn to one's immediate lord rather than to Alfred himself.[163] The interpretation inheres partly in the meaning of *borg* in the above passage, which accords with the predominantly legal context in which the word is used across its other one hundred appearances in the Old English corpus.[164] Among Alfredian translations, the term *borg* also occurs twice in the *Pastoral Care*, first referring to the mantle of responsibility the priest must bear in assuming judgement over others, and then again concerning their responsibility to safeguard their friends from sin:[165]

> Forðæm he eft sceal beforan ðæm ðearlwisan Deman mid gereccelicre rake gereccan ðæt he ðæt ilce self dyde ðe he oðre menn lærde. Ond eft suið[e] hraðe [æfter ðæm] se ilca Salomon cuæð: Do, min sunu, sua ic ðe lære: alies ðe selfne; forðæm ðu eart on borg began ðinum friend. Ac iern nu & onette, awece hine. Ne geðafa ðu ðinum e[a]gum ðæt hie slapige, ne ne hnappigen ðine bræwas. Sua hwa ðonne sua his lif to bie [sene bið] oðrum monnum geset, ne sceal he no ðæt an don ðæt he ana wacie, ac he sceal eac his friend wreccan. Ne ðynce him no genog ðæt he ana wel libbe, buton eac ða ðe he fore beon sceal from ðære slæwðe his synna atio.
>
> [Therefore he shall afterwards have to explain himself before the severe Judge that he performed what he taught others. And again, very soon after the same Solomon said:

[161] Oakley, 'The Cooperation of Medieval Penance and Secular Law', *Speculum* 7.4, 515–24 at 515–16 and 521–22.
[162] Wormald, *MEL*, 148 and 282–4; cf. Pratt, *Political Thought*, 232–8
[163] Roach, *Kingship and Consent*, 113; Pratt, *Political Thought*, 235–6.
[164] '*borg*', Dictionary of Old English: A to I online, ed. Angus Cameron, Ashley Crandell Amos, Antonette diPaolo Healey et al. (Toronto: Dictionary of Old English Project, 2018).
[165] Sweet, *King Alfred's West Saxon Version of Gregory's Pastoral Care*, 77, ll. 1–7 and 193, ll. 14–23.

> 'My son, do as I instruct: free yourself; because you have pledged yourself to your friend. But run now, and hasten, wake him. Do not allow your eyes to sleep, nor let your eyelids slumber.' Whoever, then, makes his life an example to others must not only keep himself awake, but must also rouse his friend. He should not think it sufficient that he only live well, but he must also draw away those he is set over from the sloth of their sins.]

Aside from the obvious ecclesiastical dimension of this parallel, it finds further resonance in the *Domboc* through contextual information offered by two laws that immediately follow the ones outlined above. First, *Af* 3 continues on from *Af* 1.8 by setting the monetary amount to be compensated for the breach of surety, separating it into hierarchical degrees for the king, the archbishop, bishops and ealdormen; *borgbryce*, which is a *hapax legomenon* confined to *Alfred–Ine*, is paraphrased four more times for this purpose, but as uncompounded elements in *borg abrece* and *borges bryce*.[166] The king's *borg* is set apart from the others to a superlative degree: his surety is accorded five pounds in fine, the archbishop's at three, and the bishops' and ealdormen's two. An important detail of the law is how it addresses the order of the hierarchy: the king and archbishop are dealt with individually, while *oðres biscepes oððe ealdormonnes* are treated together and apart from any lower classes, which are not mentioned until the law on regicide that follows, and which explicitly deals with differing degrees of lordship from those already mentioned: *swa we eac settað be eallum hadum, ge ceorle ge eorle: se ðe ymb his hlafordes fiorh sierwe, sie he wið ðone his feores scyldig 7 ealles ðæs ðe he age, oððe be his hlafordes were hine getriowe*.[167]

The distinction between these degrees of lordship is important to the extent that many of Alfred's laws, and especially those placed early on in his code following the Mosaic prologue, appear to deal with the administration of those lords immediately under him: that

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[166] '*borg-bryce*', Dictionary of Old English: A to I online, ed. Angus Cameron, Ashley Crandell Amos, Antonette diPaolo Healey et al. (Toronto: Dictionary of Old English Project, 2018); for the notion that self-alliterating (and self-rhyming) compounds are likely to be unique, see further Orchard, '*Beowulf* and the Art of Invention', *Old English Lexicology and Lexicography: Essays in Honor of Antonette diPaolo Healey* (Cambridge, 2020), 19–36.

[167] *Af* 4.2: 'And so we also set concerning all classes, both commoner and noble: he who plots concerning his lord's life shall forfeit his life to him and all that he possesses, or exculpate himself through his lord's wergild.'

is, those who instead of reporting to another lord, report directly to the king.[168] Janet Nelson noted that, from charter attestations, it is possible to account for as many as fifty thegns among Alfred's followers, and took particular umbrage with the suggestion that Alfred's court (and therefore the audience for his educational reforms) was merely 'a few head-hunted intellectuals' fostering an 'atmosphere of the court as "rarified" and "scholarly"'; there is balance to be found here, yet the implication that the authority of secular lords must also be regulated by the Alfredian court is warranted.[169] Meanwhile, Patrick Wormald and Carole Hough have stressed the importance of bishops to the function of law, not only by means of keeping a legislative record from which most extant law codes survive, but also in presiding over courts and issuing judgements.[170] Therefore, the administration of justice and the education of pastoral authorities were related issues. The *Domboc*, much like the Old English *Pastoral Care*, would have served to guide ecclesiastical and secular authorities in their leadership over their constituents, but also over their peers. This is essentially the value of Gregory's teaching applied in this way: the mantle of legal authority gave the wearer responsibility not only over his own actions but also the administration of justice in general—in the end, as the passage from the *Pastoral Care* instructs, the pastoral authority would have to hold his actions accountable before the Judge of judges and the King of kings. In the Alfredian translations, and as the *Domboc* tells us in one important deviation from its translation from the Vulgate, this is not necessarily *dominus* but *Crist* in particular.[171]

As for the Alfredian author's alteration of scripture as a means of infusing it with the principles of Christian mercy, several of the examples argued by Treschow to have been Alfredian innovations have been more recently reevaluated as interpolations from the

[168] For laws dealing especially with transgressions against the king, cf. *Af* 1.1–8, 3, 4–4.1 (as opposed to 4.2), 7, 8–8.3, 38–38.2, and 40–40.2.
[169] Nelson, 'Power and Authority', 329–31
[170] Wormald, *MEL*, 152–3, 161, 180–1, 223, 228, 252, 263 and 479. Hough, 'Penitential Literature', 30–1.
[171] *AfEl* 3.

penitential tradition.[172] These borrowings must qualify theories that the Alfredian author's use of Exodus was merely to demonstrate the starkness of Mosaic severity without the benefits of Christian augmentation.[173] While Mosaic Law remained essentially punitive even after the addition of Alfredian caveats, Alfred's own laws were not without harsh penalties. For example, the *Domboc* calls for a thief's hand to be struck off if he steals anything from the church and cannot pay his own wergild (*Af* 6), or for male servants to be castrated if they rape female ones (*Af* 25.1), and for slanderers to compensate according to their wergild at no less a penalty than if their tongues were to be carved out instead (*Af* 32). Meanwhile, there is a consistent pattern (observable in both the Mosaic prologue and secular laws that follow it) to treat one's intention in committing a crime as the grounds for exculpation, in the face of harsh penalties for malicious behaviour; this accords with principles expressed in the literature of penance, encouraging acts of contrition as a means of lessening grudges held between disputants.[174] In this manner, it would seem that the connections that can be drawn between the Old English penitentials, Alfred's law code, and the Old English translation of the *Cura Pastoralis* may ultimately be traced back to a common concern for the 'enfeebled mechanisms of pastoral care' within the Alfredian Anglo-Saxon state, which are so frequently a concern of the king in his recognised corpus of works.[175] These concerns add credence to the reconsideration of the *Scriftboc* and the Old English *Canons of Theodore* as

[172] Treschow, 'The Prologue to Alfred's Law Code', 91–102. I will explore this subject further in Chapter 3. *Af* 13 and *Af* 17, while expanding upon Exodus 21:12–14 and Exodus 21:20–21, respectively, appear to incorporate typical attitudes toward 'taxonomies of lethal violence found in many of the Frankish penitentials that circulated on the Continent (and, perhaps, in England) in the years prior to Alfred's reign', as assessed by Jurasinski, *The Old English Penitentials and Anglo-Saxon Law*, 54–62 at 58.
[173] Pratt, *Political Thought*, 231–2.
[174] Jurasinski, *The Old English Penitentials and Anglo-Saxon Law*, 59–62.
[175] *Ibid.*, 84. In the quoted phrase, Jurasinski appears consciously to echo the language used by Thomas Oakley to describe the weak 'executive machinery for enforcing the law' of the early Anglo-Saxon state, covered in a number of Oakley's writings but especially in 'The Cooperation of Medieval Penance and Secular Law', 515–24. It was Oakley's opinion that, even after the development of the wergild to suppress blood-feuds, secular law left other heinous crimes unpunished, which it was the duty of ecclesiastical authorities to correct. He identified threats of excommunication and the encouragement for penance in Alfred's laws as bearing evidence of this process at an early stage, but primarily as a means of patching up holes in secular authority. As might be implied by Alfred's concern with penance and pastoral care in several other of his works, it might be questioned if these penitential concerns were as secondary to the administration of Alfredian justice as Oakley seems to imply.

penitential handbooks possibly produced within an Alfredian milieu, owing to evidence of dialectal features, similar attitudes toward translation, and a common desire to make available in the vernacular certain important works of pastoral administration in light of failing Latinity.

Anglo-Saxon Royal Assemblies and their Function in Promulgation of Law

The promulgation of Anglo-Saxon law in pre-Alfredian England does bear several resemblances to the transmission of Alfredian legislation, whatever the *Domboc*'s particular innovations on the process. Four law codes survive that predate Alfred's: one belonging to Æthelberht (d. 616), another to the joint-rulers Hlothere and Eadric (d. 685 and 686), a third to Wihtræd (promulgated 6 September 695),[176] and a fourth belonging to Alfred's West-Saxon predecessor, Ine (d. 726).[177] Of these four codes, all contain statements of royal composition or ownership, but only the latter two provide a description of their legislative processes akin to the one found in the prologue to Alfred's code.[178]

To some extent, this common theme of royal declaration is to be expected: Wallace-Hadrill, in discussing the conditions under which Æthelberht's laws may have come into existence around the time of the king's conversion to Christianity during Augustine's mission to the British Isles, cited it as a central role of kingship: 'lawgiving is a royal function; it is something that the emperors, through the Church, can give kings'.[179] Æthelberht in particular may have been inspired by Continental examples in the construction and presentation of his laws, as was first suggested by an enigmatic remark by Bede that they were fashioned *iuxta*

[176] Wormald, *MEL*, 101–2.
[177] All codes are edited, translated and given substantial commentary by Oliver, *The Beginnings of English Law*.
[178] *AfEl* 49.9–10.
[179] Wallace-Hadrill, *Early Germanic Kingship in England and on The Continent* (Oxford, 1971), 40–4; Southern, *The Making of the Middle Ages* (London: Hutchinson's University Library, 1953), 146: '…the primary function of the medieval ruler was that of organising justice and pronouncing judgement, either through his officials or in his own person.'

exempla Romanorum.[180] Recent sholarship on assembly politics in the middle ages has advocated that kings were rarely left to undertake the administration of justice alone, and that the *witan* played an important role in the promulgation of Anglo-Saxon law, despite their input on the consensual aspects of law-making having frequently gone unacknowledged in scholarship.[181]

Outside the Anglo-Saxon sphere, it was not uncommon for kings ruling before Alfred to acknowledge the help of their councilors in issuing legislation. The supposedly fifth-century *Lex Gundobada* cites the authority of Burgundian nobles who helped the code's eponymous king to create laws 'promoting honesty, discipline, good sense and justice' that were made in reference to 'the enactments of our predecessors.'[182] Rothar, in the mid-seventh century, similarly cited the help of his judges in producing his *Edictus Rothari*, which in susequent additions to Lombard law had accreted further acknowledgements of *iudicies* and the consent of his people.[183] It was a different case with the *Pactus legis Salicae,* as it makes no mention of royal authority, but the code nevertheless construes its promulgation as an act

[180] Bede, *Ecclesiastical History*, ed. and trans. J. E. King (Cambridge, MA, 1930), 226; Jurasinski, 'The Continental Origins of Æthelberht's Code', *Philological Quarterly* 80.1 (2001), 1–15.
[181] Roach, *Kingship and Consent in Anglo-Saxon England, 871–978: Assemblies and the State in the Early Middle Ages* (Cambridge, 2013), 105; Wormald, *MEL*, 94. Wormald warns of a 'Democratic Fallacy' that polluted many nineteenth-century interpretations of medieval polities (cf. *MEL*, 4–14), yet sets it within the context of equally dangerous assumptions that kings legislated alone. Roach, *Kingship and Consent,* 1–6, outlines a number of developments in assembly historiography that roughly parallel those involving the study of Anglo-Saxon law, and which, therefore, are pertinent to the treatment of Alfred's *Domboc*. He highlights the 'whig interpretation of history' and its interest in Anglo-Saxon law as having a particularly devastating impact on the twentieth century study of politics following the Great War. Interests in tracing modern institutions back to archaic roots resulted in a scepticism of such practices by a subsequent generation of scholars, which in turn affected assessments of the role of the king's council in functions such as law-making. A renewed interest in assembly politics has since brought about fundamentally different attitudes towards the assembly or *witan*, and so, too, to the function of medieval law, its recording, and its use and reception in medieval society.
[182] *Leges Burgundionum*, ed. L.R. de Salis 1892, MGH: Legum Sectio 1, 2.1 at 29: *Vir gloriosissimus Gundobadus rex Burgundionum. Cum de parentum nostrisque constitutionibus pro quiete et utilitate populi nostri inpensius cogitemus, quid potissimum de singulis causis et titulis honestati, disciplinae, rationi et iustifiae conveniret, et coram positis obtimatibus nostris universa pensavimus et tam nostram quam eorum sententiam mansuris in evum legibus sumpsimus statuta perscribi. Amore iustitiae, per quam Deus, etc.* [The most glorious Gundobad, king of the Burgundians. Since we have given deep thought to the enactments of our predecessors and of ourselves regarding the peace and welfare of our people, we have considered what is most fitting to promote honesty, discipline, good sense and justice with reference to individual titles of law. We have consulted on all these matters with the nobles of our people, and we have attempted to write down not only our own opinion but theirs as well, established in laws to last forever. For the love of justice through which God is pleased, etc.] ed. and trans. Drew 1972, *The Burgundian Code: Book of Constitutions or Law of Gundobad*, 17.
[183] *Edictus Rothari*, ed. F. Bluhme 1868, MGH: Leges 4, 1–2; cf. Roach, *Kingship and Consent*, 105.

of the people it governed.[184] More pertinently, this list of medieval law codes can be expanded by a set of originally seventh-century Irish maxims known as the *Proverbia Grecorum* that Asser is known to have used in his *Vita Alfredi*.[185] Compare, for example, its characteristically Solomonic advice that a king should pass judgements with appropriate consultation:

> Rex pacificus leta facie bona dividit et uniuscuiusque causam diligenter meditatur, etiam infirmos et pauperes populi non despiciens. Cum seniorum iudicio et consilio verax iudicia loquitur.[186]
>
> [The peace-making king divides the possessions with a happy face, and he diligently contemplates the case of each one, not despising the weak and the poor among the people. He passes judgement speaking the truth with the opinion and counsel of the elders.]

The biblical overtones are probably not coincidental: the theme of excising superfluous laws to make room for new ones is found in prologues to Justinian's *Corpus iuris civilis* and Charlemagne's *Admontio generalis*, with the latter linking the practice to Josiah's attempts to 'recall the kingdom which God had given him' through religious reforms aiming to both 'correct and admonish' various behaviours.[187] As for the *Proverbia Grecorum*, many of its items cover the same topics explored by the Old Testament's Book of Proverbs.[188] Each of these legal antecedents must therefore qualify statements about the *Domboc*'s exceptionalism in its handling of its Mosaic sources, even if it might be conceded that what makes Alfred's recasting of biblical law remarkable is the superlative degree to which he did it.[189]

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[184] *Pactus legis Salicae,* ed. K. A. Eckhardt 1952, MGH: Leges nat. Germ. 4.i, 2–3; cf. Roach, *Kingship and Consent*, 105; Wormald, '*Lex Scripta*' 39–41.
[185] Scharer, 'The Writing of History at King Alfred's Court', *Early Medieval Europe* 5.2 (1996), 177–206 at 197–9.
[186] *Proverbium Grecorum* 43 in Simpson, 'The "Proverbia Grecorum"', *Traditio* 43 (1987), 1–22 at 13.
[187] Wallace-Hadrill, *Early Germanic Kingship*, 34–5; Wormald, *MEL*, 277–8; Pratt, *Political Thought*, 223; Roach, *Kingship and Consent*, 108.
[188] Simpson, 'Proverbia Grecorum', 8. Hence the title of the collection, calling attention to the *tres linguae sacrae*; the prose preface to the Old English *Pastoral Care* similarly calls attention to the transmission of scripture from Hebrew, to Greek, to Latin.
[189] Wormald, *MEL* 418–9.

Recent source-analysis of the *Domboc* has supported a theory of composite composition, wherein specialists were assigned to individual portions of the text.[190] Peculiarities in the personal injury tariff show direct (if limited) knowledge of Æthelberht's code, as Alfred himself acknowledges,[191] but also vexing parallels with a set of Frisian laws known as the *Lex Frisionum* that have no medieval witness, no known connections to Wessex, and descend from a time and place in Carolingian Frisia with no established centre of literacy.[192] Yet these parallels show at least one source Alfred does not acknowledge in his statement of attribution in *AfEl* 49.9, and help to substantiate the breadth of Alfred's courtly reach, suggested by Asser as welcoming contacts with Franks, Frisians, Gauls, Vikings, Welshmen, Irishmen and Bretons alike.[193]

In much the same way, the *Domboc* prologue was almost certainly worked on by ecclesiastical authorities with knowledge of penitential literature, either of Irish or Frankish origin, suggested not only by the prologue's probable use of the Hiberno-Latin *Liber ex lege Moysi* in its translations from Exodus, but also by way of its deviations from those translations.[194] Augmentations of *AfEl* 30, translating the prohibition of witchcraft in Exodus 22:18, show probable borrowing from either the Anglo-Saxon *Poenitentiale Theodori* (already copied in Irish and Gaulish penitentials by the end of the eighth century),[195] the

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[190] Oliver, 'Who Wrote Alfred's Laws?', 251.
[191] *AfEl* 49.9.
[192] Oliver, 'Who Wrote Alfred's Laws?', 242–51
[193] *VA*, Ch. 76, ed. Stevenson 1904, 60: '*Franci autem multi, Frisones, Galli, pagani, Britones, et Scotti, Armorici sponte se suo dominio subdiderant, nobiles scilicet et ignobiles*'; cf. *K&L*, 91 and 258 n. 157
[194] For discussion of the *Domboc*'s use of the *Liber ex lege Moysi* and of penitentials generally, see Carella, 'The Source of the Prologue to the Laws of Alfred', *Peritia* 19 (2005), 91–118; Carella, 'Evidence for Hiberno-Latin Thought in the Prologue to the Laws of Alfred', *Studies in Philology* 108.1 (2011), 1–26 at 17–26; Frantzen, *The Literature of Penance* (New Brunswick, NJ, 1983), 127; Jurasinski, 'Violence, Penance, and Secular Law in Alfred's Mosaic Prologue', *Haskins Society Journal* 22 (2011), 25–42; On the *Domboc*'s deviations from its Latin biblical source, see especially Treschow, 'The Prologue to Alfred's Law Code: Instruction in the Spirit of Mercy', 79–110 at 91–102; a full list of omissions and augmentations can be found in Turk, *The Legal Code of Ælfred the Great*, 35–8.
[195] Flechner, 'The Making of the Canons of Theodore', *Peritia* 17–18 (2003), 121–43 at 122–3. Citations from the *Poenitentiale Theodori* can be found in the Irish/Continental *Collectio canonum Hibernensis*, the Gaulish *Collectio uetus gallica*, the *Synodus Patricii*, and the so-called Bigotian Pentitential and Old-Irish Penitential. They seem to have circulated widely following their production, making knowledge of their statutes through an Anglo-Saxon, Irish or Continental source uncertain; cf. Oliver, 'Who Wrote Alfred's Laws?', 236.

Frankish *Penitentiale Martenianum*, the Hiberno-Latin *Excarpus Cummeani*, or perhaps some admixture thereof, as all of these texts along with the Hiberno-Latin *Liber ex lege Moysi* itself exhibit connections with Francia and Brittany.[196] Such influences are perceptible in several parts of the prologue. One example can be seen at *AfEl* 13, translating a death penalty prescribed for pre-meditated homicide (Exodus 21:12–14); the Alfredian author's addition of further circumstances for accidental death, as well as requiring compensation to be paid before an accidental death can be waived, has been interpreted as personal objections to the severity of Mosaic law:[197]

> Qui percusserit hominem volens occidere morte moriatur. Qui autem non est insidiatus, sed Deus illum tradidit in manu eius, constituam tibi locum quo fugere debeat. Si quis de industria occiderit proximum suum et per insidias, ab altari meo evelles eum ut moriatur.
>
> [He that strikes a man intending to kill him, shall be put to death. But he that did not lie in ambush for him, but God gave him into his hands: I will appoint a place to which he should flee. If someone should kill his neighbour by deliberate effort by lying in wait for him, you may take him from my altar that he may die.]
>
> Se mon se ðe his gewealdes monnan ofslea, swelte se deaðe. Se ðe hine þonne nedes ofsloge oððe unwillum oððe ungewealdes, swelce hine God swa sende on his honda, 7 he hine ne ymbsyrede, sie he feores wyrðe 7 folcryhtre bote, gif he friðstowe gesece. Gif hwa ðonne of giernesse 7 gewealdes ofslea his þone nehstan þurh searwa, aluc þu hine from minum weofode, to þam þæt he deaðe swelte.
>
> [He who intentionally kills a man, let him die the death. But he who kills a man out of necessity or unwillingly or unintentionally, as God put it in his hands, and he did not ambush him, let him be worthy of the life and of the remedy provided by *folcriht*, if he seeks a place of refuge. However, if someone kills his neighbour with desire and intent, remove him from my altar that he may die the death.]

The Alfredian additions hold that the death penalty is not to be given if the perpetrator killed his victim under compulsion, unwillingly, or through negligence: compensation is to be paid in these circumstances, presumably through the Germanic custom of the *wergild*.[198]

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[196] Meaney, 'Old English Legal and Penitential Penalties for "Heathenism"', *Anglo-Saxons: Studies Presented to Cyril Roy Hart*, ed. Simon Keynes and Alfred P. Smyth (Dublin: Four Court Press, 2006), 127–58 at 130–3; Oliver, 'Who Wrote Alfred's Laws?', 233–6 and 251; Jurasinski, *The Old English Penitentials and Anglo-Saxon Law*, 54–7.
[197] Treschow, 'The Prologue to Alfred's Law Code', 92.
[198] *Ibid.*; 'Wergild', *BEASE*, 489–90.

Liebermann strongly endorsed the theory that many of these additions and omissions showed Alfred's attempts to translate Mosaic Law into an Anglo-Saxon frame of reference; the theory has had recent supporters.[199] However, not all of these omissions and alterations need have been at Alfred's discretion. Turk perceived similarities between the *Domboc*'s edits and the Christian injunctions of the *Heliand* poet working not long before Alfred's rule.[200] In this particular instance, the additions seem to follow the logic of Frankish penitentials circulating on the Continent (and arguably in England) in the ninth century, which prescribed different periods of penance for willful murder, killings at the behest of a lord, crimes of passion, and those committed through accident.[201] An avenue for compensation is provided in these sources as well, such as in the *Poenitentiale Theodori*, which stipulated that vengeful murders carried periods of penance numbering seven or ten years, but only half that time if compensation is paid to the family of the slain.[202]

A theory of composition by subject specialists would strongly suggest the *Domboc* was composed collaboratively at Alfred's court, prior to promulgation by assembly authority.[203] For that matter, it is possible that specialist composition is also responsible for the perceived difference between Alfred's voice in his first-person account at the end of his prologue, and the rest of the text that comes both before and after it. In some editions of the laws, this small section of text has been taken as the true introduction to the code, owing not only to the use of the king's voice, but also the resemblace of this section of the prologue to

[199] Liebermann, 'King Alfred and Mosaic Law', 24–5; Pratt, *Political Thought*, 231–2.
[200] Turk, *The Legal Code of Ælfred the Great*, 36.
[201] Jurasinski, *The Old English Penitentials and Anglo-Saxon Law*, 58.
[202] *Ibid.*, and *Poenitentiale Theodori* I, iv, 1: 'Si quis pro ultione propinqui hominem occiderit, peniteat sicut homicida VII vel X annos. Si tamen reddere vult propinquis pecuniam aestimationis, levior erit poenitentia i.e. dimidio spatio' [If one slays a man in revenge for a relative, he shall do the penance as a murderer for seven or ten years. However, if he will render to the relatives the legal price, the penance shall be lighter, that is, [it shall be shortened] by half the time] trans. *Medieval Handbooks of Penance*, ed. and trans. John T. McNeill and Helena Margaret Gamer (New York: Octagon, 1936 repr. 1965), 187.
[203] As the king alludes in *AfEl* 49.10, by way of showing his laws to *witum*, or wisemen.

past Anglo-Saxon legal archetypes.[204] There is some degree of circular thinking inherent in such arguments: Alfred's first-person statement must be his because it resembles past archetypes, but also, it ought to be edited into this form by cutting the rest of the prologue away from it, as it would not resemble any other document of Anglo-Saxon legislation otherwise. However, the end of the prologue is not necessarily different from what came before. Both show a sophisticated awareness of biblical and Anglo-Saxon law and their areas of overlap. It also should be objected that one would expect the onset of first-person narration to occur at the point in which the speaker reaches his own period of history and, furthermore, that this era would necessarily come at the end of an historical overview leading up to the speaker's own day. Thus Alfred's authorial statement does not preclude composition by clerical helpers, nor does it prove that this section of the prologue differs in compositional style from the rest of the the translation from Exodus.[205]

On the contrary, analysis suggesting that the introductions to the Anglo-Saxon codes predating Alfred's would seem to support the theory of specialist composition and show that whoever was in charge of writing it probably had access to, or at least an awareness of, legislative pronouncements in this style. Of the three codes which precede *Alfred–Ine*, all stem from a common Kentish tradition of law-giving that was extant in the sixth and seventh centuries, making them not only the earliest codes issued in Anglo-Saxon England, but also the first Germanic laws written in the vernacular.[206] Their sole survival in the twelfth-century *Textus Roffensis* has occassionally cast a shadow of doubt on their autheticity and date of

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[204] For example, from the structure and naming of Turk's divisions in his discussion of the laws' literary features: '1. The Historical Introduction; To Introd. 49,8. / 2. The Introduction Proper; 49,9 and 10', *The Legal Code of Ælfred the Great*, 30–1. Attenborough, *The Laws of the Earliest English Kings*, 62–3, begins his edition at the same point, at *AfEl* 49.9, while *K&L* 163–4 only just before, at *AfEl* 49.7.

[205] Whitelock, *EHD*, 362 and 402 attributes the code to Alfred, albeit perhaps with some courtly input; she describes the authorial statement as explaining the 'king's own intentions'. Cf. Bately, 'King Alfred and the Old English Translation of Orosius', 453, who considered it to be the 'one paragraph of the collection of *Laws* in its final form' which may possibly be 'the work of King Alfred'; Godden, 'Did King Alfred Write Anything?', 17, offers an opposing view, arguing the statement's themes and use of the king's first-person was merely a legal commonplace observable elsewhere in Europe in the Middle Ages and after.

[206] Oliver, *The Beginnings of English Law*, xi.

compisition, but linguistic analyses undertaken by Eduard Sievers and Felix Liebermann have confirmed a probable seventh-century provenance for at least Æthelberht's code, which is the earliest of the set.[207]

Further proof of their historicity comes in the form of corroboration from Bede, writing around 731, who comments that Æthelberht promulgated his laws following 'the example of the Romans' (*iuxta exempla Romanorum*).[208] If Æthelberht's code originally circulated with a prologue, it was lost prior to the code's copying into the *Textus Roffensis*, as only the manuscript's red-ink rubric gives any kind of ascription to the king: *Þis syndon þa domas þe Æðelbirht cyning asette on AGustinus dæge*, 'these are the laws which Æthelberht set down in Augustine's day.'[209] However, Bede's account supplies one missing piece of information: namely, that Æthelberht conferred his laws 'with his council of wise men' (*quae genti suae consulendo conferebat, etiam decreta illi iudiciorum*), per the example of the Romans. Naturally, this has invigorated historical debate much to the tune of that offered above, namely that Bede may have been echoing an early medieval *topos* commonly seen in Continental legal codes written in Latin; it is important to remember, however, as Wormald observed, that early medieval law-making was 'the business of the community at large, distilled in its most prominent members.'[210] Indeed, Anglo-Saxon legislation seems to have nearly always been overseen and promulgated by assemblies of the *witan*, and often at special gatherings devised specifically for this purpose.[211] Therefore it is difficult to know whether Bede was referring to an aspect of the legislative process that could be taken for granted by

[207] Sievers, 'Altnordisches im Beowulf?', *Beiträge zur Geschichte der Deutschen Sprache* 12 (1887), 168–200 at 174 n. 1; Liebermann 1906, III:1. Further comments on linguistic authenticity pertaining to all three codes in Wormald, *MEL*, 93 and 102.
[208] Bede, *Ecclesiastical History*, ed. and trans. J. E. King (Cambridge, MA, 1930), 226; 'Laws', *BEASE*, 284; Jurasinski, 'The Continental Origins of Æthelberht's Code', 1–2.
[209] Oliver, *The Beginnings of English Law*, 164; Wormald, *MEL*, 93–4.
[210] Wormald, *MEL*, 94; Roach, *Kingship and Consent*, 144–5.
[211] Roach, *Kingship and Consent*, 64–7 and 107–12; Wormald, *MEL*, 438.

most Anglo-Saxon readers, or if he was alluding to some form of legal prologue to Æthelberht's code, now lost.

What can be said with certainty is that the surviving documentary record provides excellent information about the details of the gatherings of the *witan*, such as who attended them and when and where, gleaned from charter attestations common from Alfred's reign onward.[212] Remarks in codes just after Alfred's, including those of Edward and Æthelstan, state that law-making was the purview of the *witan*, either assembled in whole or in part;[213] these were the senior magistrates of the kingdom, especially the archbishops, bishops, abbots and ealdormen, but also leading laymen with administrative or military roles, such as the king's thegns.[214] The same authorities oversaw dispute settlement in the courts in conjunction with the king, both at the local and shire levels, which would underscore their function in the legislative process.[215] Thus the consensual aspects of law-making should not be in doubt, even if it might be asked why, how, and when these gatherings became pertinent to mention in the introductions to Anglo-Saxon law codes.

To that end, an important observation can be made regarding critical assumptions about the traditionalism of Anglo-Saxon legislation and its acknowlegement of the *witan*. It hinges partly upon an the observation that Kent is the only territory among early Anglo-Saxon settlements from which we have any evidence for the development of written law.[216] Despite this, nearly all Kentish legislation mentioned by Bede (possibly with the exception of Eorcenberht's) survives to the present day without substantial alteration.[217] Æthelberht's code

[212] Roach, *Kingship and Consent*, 27–44 at 30–1; cf. 45–76.
[213] *Ibid.*, 107–8.
[214] 'Council, King's', *BEASE*, 126.
[215] 'Courts', *BEASE*, 129.
[216] Oliver, *The Beginning of English Law*, xi.
[217] Lendinara, 'The Kentish Laws' in *The Anglo-Saxons from the Migration Period to the Eighth Century: An Ethnographic Perspective*, ed. John Hines (Woodbridge: Boydell, 1997), 211–43 at 211. Oliver, *The Beginnings of English Law*, 119–21 and 166, notes Eorcenberht's purported prohibition of idol worship may be detectable in later Kentish laws, notably Wihtræd's. Meanwhile, Offa's lost code, whose vestiges were explored by Wormald, *MEL*, 106–8 and 'In Search of King Offa's "Law-code"', suggest that it may not have been a code at all but rather a 'report by the papal legates, George of Ostia and Theophylact of Todi, of the *capitulare* they laid

has already been mentioned, but two further codes remain. The first of these are Hlothere and Eadric's seventh-century laws, which, like Æthelberht's, include a rubric that states, 'these are the laws which Hlothere and Eadric, kings of the Kentish people, set down' (*Þis syndon þa domas ðe Hloþhære 7 Eadric Cantwara cyningas asetton*). It immediately precedes a second brief statement that appears to function as a prologue:[218]

> *Hloþhære 7 Eadric, Cantwara cyningas, ecton þa æ þa ðe heora aldoras ær geworhton ðyssum domum, þe hyr efter sægeþ.*
>
> [Hlothere and Eadric, kings of the Kentish people, added to the laws that their ancestors made before with these decrees, which are stated hereafter.]

Wormald noted the opposition of *æ* and *domas* in this passage as making an effort to express a contribution to a legal continuum.[219] Oliver offered more substantial commentary to the same effect, tracing the etymological roots of each of the words to their Proto-Indo-European stems: **ei-* (go) in the case of *æ*, and **dhe-* (set, place) in case of *domas*.[220] The implication being that, much in keeping with the usual modern English translations of the Old English words as 'law' (in the sense of 'legal tradition') and as 'judgements' or 'decrees', the words would have decended to the Kentish kings from earlier Germanic roots with broadly similar meanings of 'law which is on-going' and 'laws which are set down'.[221] It is only to this degree that Hlothere and Eadric make any mention of outside assitance contributing to the crafting of their laws, as all other features are utterly lacking: there is no mention of legislative practice, no mention of bishops or councillors, nor indeed of the contemporary folk they were legislating for. Therefore, it can be perceived from the surviving codes of Æthelberht and Hlothere and Eadric that, if there was a Continental legal *topos* governing the

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before Ælfwold's Northumbrian council, then before Offa and the southern English.' Jurasinski, *The Old English Penitentials and Anglo-Saxon Law*, 16 and n. 47, treats Wormald's findings with scepticism, noting that Offa's code may never have existed at all, whatever Alfred's reasons for mentioning it.

[218] Oliver, *The Beginnings of English Law*, 126 and 134.

[219] Wormald, *MEL*, 101.

[220] Oliver, *The Beginnings of English Law*, 134.

[221] This is, of course, a natural organisation of law. Just as the *Torah* is augmented by the *Talmud*, so too is modern statute-law by case-law.

presentation of law codes from the fifth century onwards, this commonplace did not find full expression in the prologues to the earliest Anglo-Saxon laws in the form that we have them today.

The most relevant corollary of this finding is that Wihtræd's prologue is the first to include a statement about the king legislating with his bishops, and presumably in accordance with either his contacts with Ine or as a result of his laws' focus on chruch matters, a concern not evident in those of his prececessors.[222] Moreoever, his mention of a 'consilary assembly of great men' bears certain resemblances to Bede's claim (writing not long after Wihtræd's 695 code, in 731) that Æthelberht had established his laws with the advice of his councillors. Notwithstanding the theory that Æthelberht's prologue may have been lost sometime between the creation of the exemplar and its copying into the *Textus Roffensis* in the early twelth century (which must argue against substantial lexical evidence that Æthelberht's code is remarkably well-preserved in the form that we have it now),[223] Ine's use of the same legal *topos* sometime after c. 688 but before c. 726 would place its arrival in England within roughly five years on either side of the first quarter of the eighth century. The date can be assigned with further certainty on the basis of evidence known from the *Anglo-Saxon Chronicle* that Wihtræd and Ine made peace in 694, and that any features shared between their laws were unlikely to have been transmitted prior to this date.[224] Kentish influence on some of Ine's vocabulary, and the exact copying of *Ine* 64 into *Wi* 28 (or perhaps vice versa) as well as shared content between *Wi* 8 and *Ine* 3–3.2 may give documentary evidence to this

[222] *Ibid.*, 164
[223] Jurasinski, 'The Continental Origins of Æthelberht's Code', 3–10, cites not only philological evidence noted by Liebermann and Sievers mentioned above, but advances his own theory of authorship descending from a translation of one or more lost Latin Merovingian law codes. The conclusion, while differing greatly from theories advanced by Oliver, Wormald and others that Æthelberht's code is archaically Germanic and oral, nevertheless advocates 'powerful evidence that the text has withstood much of the damage of manuscript transmission' (12). Attenborough, *The Laws of the Earliest English Kings*, 3, remarks on some of the irregularities in the manuscript, but emphasises 'many archaic words' and other features of the 'primitive' language used in the early codes.
[224] Attenborough, *The Laws of the Earliest English Kings*, 2–3.

connection.[225] A substantial list of *hapax legomena* in the corpus of Kentish laws compiled by Patrizia Lendinara provides further context for these findings, as exclusive sharing of words like *huslgenga* make coincidental coinages or common reception from earlier Kentish law unlikely.[226]

The bearing of all this on Alfred's *Domboc*, then, is as follows: we see in the prologues of the three law codes outlined below notable parallels in some of their linguistic features, methods of argument and concerns of legislation. Yet contrary to past assertions about the traditionalism of Anglo-Saxon legislation being vetted by an overseeing council of *witan*, explicit acknowledgement of this involvement was not mentioned in law codes until nearly the turn of the eighth century, and then subsequently in three codes which all have links with one another. For, whilst Alfred does not mention Wihtræd's code and therefore may not have had any conscious knowledge of it, its cross-fertilisation with Ine's code is demonstrable, and Ine's code itself only survives in the manuscript record as an appendix to the *Domboc*. Therefore, while the role of assemblies in promulgating law should not be doubted on an historical basis, it should nevertheless be considered why these parallels exist in only these codes, and in Alfred's case, how his use of such a 'preface' in his statement of authorship came to punctuate his Mosaic prologue at a notable part of the text. Beginning first with Wihtræd's prologue and proceeding chronologically with brief commentary in between, these are the statements in full:

> Ðis synd Wihtrædes domas Cantwara cyninges. Ðam mildestan cyninge Cantwara Wihtræde rixigendum þe fiftan wintra his rices, þy niguðan gebanne, sextan dæge Rugernes, in þære stowe þy hatte Berghamstyde, ðær wæs gesamnad eadigra geþeahtendlic ymcyme. Ðær wæs Birhtwald, Bretone heahbiscop, ⁊ se ær næmda

[225] Richards, 'The Laws of Alfred and Ine', 303; Oliver, *The Beginnings of English Law*, 166; Jurasinski, *The Old English Penitentials and Anglo-Saxon Law*, 15, argues opposite to Richards and Oliver that Wihtræd influenced Ine. Regarding dialect, Robert Fulk, 'Localizing and Dating Old English Anonymous Prose, and How the Inherent Problems Relate to Anglo-Saxon Legislation', *English Law Before Magna Carta: Felix Liebermann and Die Getsetze der Angelsachsen*, ed. Stefan Jurasinski, Lisi Oliver and Andrew Rabin (Leiden: Brill, 2010), 59–79, at 65 notes in response to Oliver that Kentish dialectal features are rare even in Æthelberht, where perhaps only one word, *nænig*, might be considered distinctively Kentish. While he claims the term is exceedingly rare in West Saxon prose, it occurs twice in Ine (*Ine* 0.1 and 32) and once in Alfred (*Af* 18.1).
[226] Lendinara, 'The Kentish Laws', 224 and Appendix A.

> cyning; eac þan Hrofesceastre bisceop, se ilca Gybmund wæs haten, andward wæs; 7 cwæð ælc had ciricean ðære mægðe anmodlice mid þy hersuman folcy. Ðær ða eadigan fundon mid ealra gemedum ðas domas 7 Cantwara rihtum þeawum æcton, swa hit hyr efter segeþ 7 cwyþ
>
> [These are the decrees of Wihtræd, King the Kentish people. To the most gracious king of the Kentish people, Wihtræd, in the fifth year of his reign, the ninth Indiction, the sixth day of Rugern, in that place which is called Berghamstead, there was gathered a consiliary assembly of noble men. There was Brihtwald, the archbishop of Britain, and the aforementioned king; likewise the bishop of Rochester, who was called Gebmund; and every order of the Church of that people expressed itself in unanimity with the loyal laity. There the nobles, with the consent of all, [drew up] these decrees, and added to the just customs of the Kentish people, as is hereafter stated and declared]

As Oliver observed, Wihtræd's code concentrates on ecclesiastical matters rather than civil, and includes several parallels between his laws and the Penintentials of Theodore, which may indicate that the penitentials served as a model for his code.[227] Consequently, Wihtræd mentions first his archbishop, Brihtwald, followed by his bishop Gebmund and representatives from each order of the church before any mention is made of the council of 'noble' or 'great men' who consented to the laws. This alone is a notable addition, as it may be the first code to attempt to describe the process through which legislation was made, and did so under the auspices of foregrounding the role of the church in overseeing ecclesiastical legislation—something that was of especial concern to Wihtræd in particular. Yet Wihtræd also seems to directly echo Hlothere and Eadric in his acknowledgement of the assembly, which, if Ine's code did not precede his, would establish the formula for the West-Saxon codes to follow.

Such a formula is apparent immediately in the structure of the prologue to Ine's law code, as it follows the same pattern of introduction:

> Ic Ine, mid Godes gife, Wesseaxna kyning, mid geðeahte 7 mid lare Cenredes mines fæder 7 Heddes mines biscepes 7 Eorcenwoldes mines biscepes, [7] mid eallum minum ealdormonnum 7 þæm ieldstan witum minre ðeode 7 eac micelre gesomnunge Godes ðeowa, wæs smeagende be ðære hælo urra sawla 7 be ðam staþole ures rices, þætte ryht æw 7 ryhte cynedomas ðurh ure folc gefæstnode 7 getrymede wæron, þætte nænig ealdormonna ne us undergeðeodedra æfter þam wære awendende ðas ure domas.

[227] Oliver, *The Beginnings of English Law*, 165.

> [I, Ine, by God's grace king of the West-Saxons, with the advice and instruction of Cenred, my father, of Hedde, my bishop, and of Eorconwald, my bishop, and with all my ealdormen and the chief councillors of my people, and also with a great congregation of God's servants, was contemplating the salvation of our souls and the state of our kingdom, so that just law and just decrees may be established and ensured throughout our nation, so that no ealdorman nor any subject of ours would afterwards turn away from these, our judgements.]

It has been noted that many of the early Anglo-Saxon laws exhibit alliterative ornamentation in their phrasing.[228] In the case of Æthelberht especially, this has often been taken as an archaic feature of Germanic orality.[229] Interestingly, however, such ornamental alliteration is in fact a more common stylistic device in later Anglo-Saxon legislation.[230] Something of this difference can be seen in the diction of Wihtræd and Ine, even though they (or rather the compilers under their charge) were writing at roughly the same time and deploy more or less the same pattern of acknowledgement already discussed above. Janet Bately noted 'balance, assonance, alliteration' as well as 'a number of [word] pairings and the demonstrative with possessive construction' as features of Ine's style in her brief analysis of the above passage.[231] Her suggestion that rhetorical features of early West-Saxon such as word-pairs and alliteration could have come from a tradition of Latin prose that regularly exhibited such uses of language is reinforced by the fact that many of these features can readily be seen in Alfred's project of translation of the late-ninth century, in which it is much easier to compare Old English translation against Latin originals.[232]

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[228] 'Alliteration', *BEASE*, 32–3.
[229] Bethurum, 'Stylistic Features of the Old English Laws', *Modern Language Review* 27.3 (1932), 263–79 at 279; Oliver, *The Beginnings of English Law*, 39–41, 48–9, 108, 173 and 216 n. 169; Jurasinski, 'The Continental Origins of Æthelberht's Code', 3–5.
[230] Oliver, *The Beginnings of English Law*, 216 n. 169.
[231] Bately, 'Old English Prose Before and During the Reign of Alfred', 132–8 arguing in opposition to suggestions made by Rudolf Vleeskruyer, *The Life of St. Chad: An Old English Homily* (Amsterdam, 1953).
[232] *Ibid.*, 132 and n. 220. Two such alliterative parallels worth repeating here, first in Wærferth's translation of Gregory's *Dialogi* (I.i.4): *ut nunc usque montem cernentibus casura pendere uideatur* rendered in Old English with similar alliterative ornament: *ac gyt nu todæg he hangaþ swa hreosende, swylce he feallan wylle, 7 þæt magon geseon þa þe þone munt sceawiað*. Secondly, from Boethius' *De consolatione* I, pr. v: *sed tu quam procul a patria non quidem pulsus es, sed aberrasti; ac si te pulsum existimari mauis, te potius ipse pepulisti*,

Bately was not alone in observing this feature of early legislation. Theories of Germanic orality have occasionally been disputed in favour of ones endorsing the emulation of Latin rhetoric via Old English translation. These theories corroborate others arguing that early Anglo-Saxon law emulated Continental Latin prototypes; Lendinara, for example, noted that word-pairs, assonance and other adornments were already evident in the Latin codes, and that the 'archaic' phrasing of clauses beginning *gif mon* occurring with such high frequency in Kentish codes probably instead translate Latin equivalents beginning *si quis*.[233] Liam Breatnach has argued a similar development occurred in the composition of early Irish law, where the alliterative *rosc* style used in texts such as the eighth-century *Bretha Nemed* and the *Collectio canonum Hibernensis* was indicative of composition within ecclesiastical spheres of influence by writers with extensive familiarity with Latin models, not the oral traditions of secular law schools that had been formerly assumed on the basis of perceived archaisms.[234] The fact that Æthelberht's code demonstrates parallels between Old English and Latin verb correspondences among other features, may indicate that many of the stylistic characteristics taken as evidence of the code's descent from a Germanic tradition of oral law-giving may in fact have antecedents in Latin Merovingian codes, such as the use of an exemplar now lost.[235]

Ine's prologue bears many such features: word pairs include *Godes gife* and *gefæstnode 7 getrymede*, while repetition is seen across phrases such as *mid geðeahte 7 mid lare*, *urra sawla 7 … ures rices*, *ryht æw 7 ryhte cynedomas*, and the three-fold reiteration of *mines* introducing the principal helpers (among them, two bishops, as before in Wihtræd's laws). Loose alliteration is carried across the line, *mid eallum minum ealdormonnum*, where assonance is also carried over the principal vowels and dative suffixes. Something might also

[233] Lendinara, 'The Kentish Laws', 219; Schwyter, *Old English legal language: the lexical field of theft* (Odense, 1996), 133–45.
[234] Liam Breatnach, 'Canon Law and Secular Law in Early Ireland: the Significance of *Bretha Nemed*', *Peritia* 3 (1984), 439–59, at 458–9.
[235] Jurasinski, 'The Continental Origins of Æthelberht's Code', 8–12.

be made of the repeated initial-*s* on semantically significant words in the phrase *wæs* ***smeagende*** *… urra* ***sawla*** *… ðam* ***staþole*** *ures rices,* which would serve to emphsise the king's preoccupation with thinking about the fate of his kingdom and the souls of its people—a theme also evident through examination of the laws he saw fit to record, wherein about one quarter the code's 137 clauses are relative or directive statements, giving the impression that many of the laws may have been drawn from specific disputes that were brought before legal authorities during his reign.[236]

In Alfred's code, many of these features appear to have been consciously echoed, likely following Ine's example but bearing similarities with Wihtræd's code as well:

> Ic ða Ælfred cyning þas togædere gegaderode, 7 awritan het monege þara þe ure foregengan heoldon, ða ðe me licodon; 7 manege þara þe me ne licodon ic awearp mid minra witena geðeahte, 7 on oðre wisan bebead to healdanne. Forðam, ic ne dorste geðristlæcan þara minra awuht fela on gewrit settan, forðam me was uncuð, hwæt þæs ðam lician wolde, ðe æfter us wæren. Ac ða ðe ic gemette awðer oðde on Ines dæge, mines mæges, oðde on Offan Mercna cyninges oðde on Æþelbryhtes, þe ærest fulluhte onfeng on Angelcynne, þa ðe me ryhtoste ðuhton, ic þa heron gegaderode, 7 þa oðre forlet. Ic ða Ælfred Westseaxna cyning eallum minum witum þas geeowde, 7 hie ða cwædon, þæt him þæt licode eallum to healdanne.
>
> [Then I, King Alfred, gathered these together and commanded to be written down many of those which our predecessors held, and which I myself approved of; and many of them I did not approve of I set aside by the advice of my councillors, and ordered that they be observed in other ways. I dared not to set down in writing many of my own, because it was unknown to me which of them would please those that were after us. But that which I found either in Ine's day, my kinsmen, or in Offa's, king of the Mercians, or in Æthelberht's, king were the most just of the laws I found—whether they dated from the time of Ine my kinsman, or of Offa, king of the Mercians, or of Æthelberht, who first among the English received baptism, those which seemed most just, I gathered herein, and passed over the others. Then I, Alfred, King of the West Saxons, showed these to all my wise men, and they said that it pleased them all to observe them.]

The passage begins and ends with an envelope pattern opening *Ic ða Ælfred … ,* which sets the relative statements, concerning the gathering of the laws and their approval by the *witan,* in sharp relief. The use of repetition is perhaps the most striking feature of this passage,

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[236] Wormald, *MEL,* 104–5. Wormald envisages a 'series of enactments added to an original core over years or decades', of which 'six or seven legislative sessions may perhaps be distinguished.'

where many themes are twice-mentioned: laws are commanded to be *awritan*, but Alfred dared not *gewrit settan* many of his own; laws are also 'held' (or observed) by Alfred's predecessors, but also the successors from whom he fears reprisal and the councilors from whom he seeks approval. The *awðer oððe … oððe* construction that connects the list of kings was taken by Bately as being characteristic of Alfred's personal prose, based off its appearance elsewhere in his translations;[237] it might additionally be noted that the twice-repeated *ða ðe me* connective (similar in structure to *þara þe me* and *ða ðe ic*, which each appear once), only appears contiguously in that order fifty-one times across the Old English corpus in all spelling variants, with twelve of those attestations coming from the *Prose Psalms* attributed to Alfred, two from the laws, one each from the *Dialogues* and the Old English Bede, with the rest scattered across various homilies and saints lives including by Ælfric, and subsequently in nineteen glosses to the psalms in addition to one appearance in line 141 of *Daniel*. [238] In as much as each of these other attestations has some connection to religious writing, and in particular the psalm tradition with which Alfred himself is associated, the use of such a connective phrase to end a translation of scripture and introduce a series of laws ('those which I approved of', 'those which seemed most just') is interesting.

Two further observations can be made about Alfred's diction. The first is that the verb *geeowan* is predominantly Alfredian, and that eight of the fifteen occurences in the Old English corpus can be found in the *Pastoral Care*, the *Consolation of Philosophy*, the *Dialogues*, the *Soliliques* and the laws, where otherwise it only appears in glosses and

[237] Bately, 'King Alfred and the Old English Translation of Orosius', 452.
[238] All figures supplied by the *Dictionary of Old English Web Corpus*, compiled by Antonette diPaolo Healey et. al. (Toronto: Dictionary of Old English Project 2009):
***ða ðe me*: ÆCHom II, 35** (265.168), **Bede 5** (13.428.19), **LawAfEl (**49.9), **Psalm Glosses** (6x)
***þa þe me*: Dan** (141), **PPs** (68.5; 108.27; 118.99), **ÆLS** (115), **HomS 11.2** (74), **HomS** (176), **LS 1.1** (17), **LS 35** (292), **PPs (prose)** (12.5; 17.38; 26.3; 30.14; 34.5; 37.11; 37.12; 37.19; 37.20; 39.17; 41.12), **Psalm Glosses** (6x)
***þa ðe me*: ÆCHom I, 12** (280.139), **ÆCHom I, 16** (310.102), **HomS 11.1** (75), **LS 30** (351), **PPs (prose)** (3.6), **GD 1 (C)** (3.23.13), **LawAfEl** (49.9), **Mem C5** (127.29), **Psalm Glosses** (5x)
***ða þe me*: ÆLS (Abdon & Sennes)** (115), **Psalm Glosses** (2x)

poetry.[239] In the sense of 'to reveal' or 'show', it finds expression both in material as well as moral contexts, such as in the display of treasure or the revelation of an inner thought or feeling. One of the occurrences of *geeowan* in the *Pastoral Care* appears in the context of both, by way of the story of the biblical king Hezekiah, who sinned when he showed (*geiewde*) his foreign ambassadors his treasureroom; the story is a parable about sinful, inward thoughts that can distract a ruler from governance, even if his outward actions are benign. Thus Hezekiah's sin is hidden from all but God, who 'is compelled to anger, and the Judge, who knows all the thoughts of the mind, also judges those thoughts'—the implication being that, Hezekiah, eager to show his treasure hoard but conceal his pride, could not conceal this from God, who judged and punished him accordingly.[240] In the context of the *Domboc*, *geeowde* is the operative word used for conveying Alfred's laws being shared with his *witan*. There is no explicit statement that he is trying to be forthright with is judgements or lay bare his intentions. Yet the use of this verb is notable in place of more common substitutions, such as *æteowan*, which has a more ambiguous range of meanings across some 1,150 occurences.[241]

The second notable choice of diction follows on from the first, underscored by the envelope pattern that introduces each of them. The laws that Alfred showed to his counselors were those which he *togædere gegaderode*, which is to say 'gathered together' and wrote down. The collocative pair is once again uncommon and predominantly Alfredian.[242] Of the collocations appearing in the same order or in roughly the same proximity, however, the

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[239] **CP** (4.39.3; 38.273.3; 65.465.30), **GD 3 (C)** (6.187.18), **GD 4 (C)** (62.350.12), **Bo** (39.141.4), **Solil 1** (5.11), **LawAfEl** (49.10). In poetry: **El** (485; 784), **Phoen** (331), **Beo** (2146). In glosses: **MtGl (Li)** (4.8), **MtArgGl (Li)** (2), **LkArgGl (Li)** (6).

[240] Sweet, *Pastoral Care*, 38: 'Swæðeah mid ðy selflice se Dema bið genided to ðæm irre, & se Dema se ðæt ingeðonc eal wat, he eac ðæm ingeðonce demð. We magon monnum bemiðan ure geðonc & urne willan, ac we ne magon Gode.'

[241] 'æt-ēowan, æt-ēowian, æt-ȳwan, æt-ȳwian', Dictionary of Old English: A to I online, ed. Angus Cameron, Ashley Crandell Amos, Antonette diPaolo Healey et al. (Toronto: Dictionary of Old English Project, 2018).

[242] Appearances of one word after the other, in either order, and within 120 characters, include: **Exod** (14.5; 15.1; 16.2; 32.1), **PPs (prose)** (30.16; 47.4); **Bo** (24.55.2); **GD 2 (H)** (35.173.31), **LawAfEl** (49.9), **ChronF (Baker)** (1004.5; 1016.21), **ChronE (Irvine)** (993.4; 998.1; 1048.42).

closest are four occurrences from the Old English heptateuch, each time referring to the gathering of the Israelites. For example:[243]

> Ða cydde man Pharaone, hwær þæt Israhelisce folc gewicod hæfde wið ða Readan Sæ; þa wearð Faraones heorte awend & ealles his folces fram ðam ðe hi ær Drihtne beheton; ða het Farao gegaderian eall his folc **togædere**; ða hi **gegaderode** wæron, ða cwæð he to him: Hu wille we don ymbe þis Israhelisce folc, þe ure wealas syndon, & ure unðances of þis lande willað; ða cwæð Farao & eall ðæt folc: Vton him faran on & ofslean hi, & ne lætan nænne libban on eallum heora cynne.
>
> [When the Pharoah was informed that the Israelite people had fled over the Red Sea, the Pharoah's heart and that of all his people was turned from what they had promised the Lord. Then the Pharoah commanded his people to be gathered together, and when they were assembled, he said to them: 'What will we do about this Israelite people who are our slaves and want to go from this land?' The Pharoah and all that people said: 'we will venture out and slay them, and not let any among their kin live.']
>
> Þa Moyses hæfde gefaren ofer ða Readan Sæ, þa **gegaderode** he eal Israhela folc **togædere** & sang Gode lofsang mid eallum þam folce, & þancode Gode ealra ðæra miltsa & ðæra mærða & ealra þæra wundra ðe God on him gedon hæfde & on his cynne.
>
> [When Moses had travelled over the Red Sea, he gathered together all the Israelite people and sang with all those people praise to God, and thanked God for all the mercies and the honours and all the miracles that God had done for him and his kin.]

This would not be the only similarity observed between Alfred's writings and Ælfric's translation of the Heptateuch. Ælfric's introduction to the work has many similarities with Alfred's preface to the *Pastoral Care*.[244] There are also some indications Ælfric may have known Alfred's *Domboc*, perhaps through his study of the delineation between Old and New Law, which he comments on in his preface to the Heptateuch and also some homilies.[245] For Ælfric, what appealed about Alfred is surely what appealed about Jerome and the format of the papal writ: the language resonated with textual authority.[246] For Alfred, however, this authority came from biblical sources. The *Domboc*'s translation from Exodus ends, '*Þis*

[243] *The Old English Version of the Heptateuch,* ed. S. J. Crawford, EETS 160 (London); repr. with additions by N.R. Ker 1969, 14–15.
[244] Huppé, 'Alfred and Ælfric: A Study of Two Prefaces', in *The Old English Homily and Its Backgrounds*, ed. Paul E. Szarmach and Bernard F. Huppé (Albany: SUNY Press, 1978), 119–38.
[245] Withers, 'A "Secret and Feverish Genesis": The Prefaces of the Old English Hexateuch', *The Art Bulletin,* 81.1 (1999), 53–71; Jurasinski, *The Old English Penitentials and Anglo-Saxon Law,* 79–80. Jurasinski, 'Did Ælfric read Alfred's Laws?', delivered at the 49th International Congress on Medieval Studies, Western Michigan University, provided through personal correspondence.
[246] Withers, 'The Prefaces of the Old English Hexateuch', 60.

sindan ða domas þe se ælmihtega God self sprecende wæs to Moyse ⁊ him bebead to healdanne', 'these are the laws that almighty God spoke to Moses and ordered him to observe.'[247] Alfred uses the same language to describe those laws he wished not to be discarded but rather '*on oðre wisan bebead to healdanne*', 'ordered that they be observed in other ways.' What can be gleaned from both passages is that law-making is a formal process of gathering, shaping, annulling and setting down. More pertinently, in both its description and use of language, it is framed as a natively Anglo-Saxon practice which shares in the historical continuum of legislation.

A final stylistic observation will serve to support the theory that the first-person preface takes especial care to emphasise its coherence with earlier legal traditions. The onset of the first-person narration is preceded by a separate clause that deploys alliteration primarily on the repetition of initial *m-* on the word 'many', which is carried through to the next sentence that begins reveals Alfred as the speaker:

> Hie ða on **monegum** senoðum **monegra menniscra misdæda** bote gesetton, ⁊ on **monega** senoðbec hie writan, hwær anne dom hwær oþerne. Ic ða Ælfred cyning þas togædere gegaderode, ⁊ awritan het **monege** þara þe ure foregengan heoldon, ða ðe me licodon; ⁊ **manege** þara þe me ne licodon ic awearp mid minra witena geðeahte, ⁊ on oðre wisan bebead to healdanne.
>
> [They then in many synods set compensation for many human misdeeds, and in many synod-books they wrote, here one judgement, there another. Then I, King Alfred, gathered these together and commanded to be written down many of those which our predecessors held, and which I myself approved of; and many of them I did not approve of I set aside by the advice of my councillors, and ordered that they be observed in other ways.]

If the alliteration was placed here at *Af* 49.8 for an attention-grabbing purpose—that is, to properly introduce the unveiling of Alfred's royal voice in *Af* 49.9—it certainly only added to what must have been the intended effect of laying extra stress on Alfred's resuming of past law-giving traditions that he claims already existed in England: *many* synods set compensation for *many* misdeeds, recorded in *many* synod-books, which Alfred connects to

[247] *AfEl* 49.

the *many* laws of his predecessors which he approved of, and the *many* laws which he sought to remove or rework. There could be no doubt of either the Anglo-Saxons' tradition of law-giving, nor his place within it: Alfred, in much the same way that Hlothere and Eadric placed themselves in line with an historical tradition of Anglo-Saxon legislation by juxtaposing *æ* and *domas*, redirected the final thrust of his historical overview to impart momentum to his ensuing claims of legislative conservatism that would come to dominate his authorial inscription.

In truth, Alfred downplayed his legislative role considerably.[248] Of the kings he acknowledges debts to, he borrows almost none of their laws without substantial alteration.[249] Thus, for example, his laws pertaining to fighting within the king's hall or a ceorl's home elaborate on Ine's laws outlining the same, expanding them to include conditions such as drawing a weapon but not fighting, and adding relative degrees to the restitution liable to be paid, based on the social rank of the offender.[250] Of course, Alfred avoids borrowing many of Ine's laws, as he includes Ine's code as an appendix and appears to use the space in his own laws to cover different subject matter.[251] Meanwhile, the *Domboc*'s largest borrowing from any other code is from Æthelberht's extensive injury tariff. Due to the successive enumeration of clauses corresponding to injuries suffered to various body parts, borrowings from *Æbt* 33–71.1 may account for as many as thirty-six personal injury laws in *Af* 44–64.4, with *Af* 65–77 largely showing greater innovation. The *bot* that is due to be paid for each injury received an update also, as might be expected for nearly three hundred years' passage of time, but often relative amounts of restitution changed, too; in the case of an eye having been gouged out as opposed to only leaving it blinded, Æthelberht sets fifty shillings for the former and twelve for the latter, for a ratio of roughly one-quarter, while Alfred stipulates

[248] Jurasinski, *The Old English Penitentials and Anglo-Saxon Law*, 15–16
[249] Richards, 'The Laws of Alfred and Ine', 303; Wormald, *MEL*, 279
[250] *Af* 7–7.1 and 39–39.2, cf. *Ine* 6 and 6.3; Wormald, *MEL*, 279
[251] Richards, 'The Laws of Alfred and Ine', 303; Pratt, *Political Thought*, 219–20. Ine's laws largely concern trade, theft and agriculture, while Alfred's concern bodily injuries, homicide and sexual offences.

sixty-six shillings and six pennies for eye loss, and explicitly mentions a ratio of one third is due if it is damaged.[252] Perhaps of greater significance is Alfred's expunging of several 'primitive' verb-final main clause arrangements (in the apodosis) found in Æthelberht, once taken as proof of archaism through correspondences with reconstructions of earlier Germanic and Indo-European syntax, but argued by Jurasinski as being an artefact of translation from the Latin Merovingian law codes that influenced Æthelberht, many of which feature the same syntactical constructions.[253] In relation to Alfred, this can be demonstrated through any number of the borrowed personal injury laws, wherein verb-final position in the apodosis is swapped for verb-initial placement:

> *Æbt* 36: Gif sio uterre hion gebrocen weorðeþ, X scillingum gebette.
> *Alf* 44.1: Gif ðæt uterre ban bið þyrel, geselle XV scill. to bote.
>
> *Æbt* 38: Gif oþer eare nawiht gehereð, XXV scill gebette.
> *Alf* 46.1: Gif se hlyst oðstande, þæt he ne mæge gehieran, geselle LX scill. to bote.
>
> *Æbt* 55: Gif scytefinger of aslæhð, VIIII scill gebette.
> *Alf* 57: Gif se scytefinger bið ofaslegen, sio bot bið XV scill.; his nægles bið III scill.
>
> *Æbt* 65: Gif þeoh gebrocen weorðeþ, XII scillingum gebete.
> *Alf* 62: Gif monnes ðeoh bið þyrel, geselle him mon XXX scill. to bote.

Oliver notes that auxiliary *weorðeþ* in Æthelberht remains grammatically correct under the rules of classical Old English syntax, but that Alfred's use of auxiliary *bið* in verb-initial position in the apodosis, as well as inconsistencies of these features in the intercessional Kentish laws of Hlothere and Eadric and Wihtræd, shows that, by Alfred's time, clause-final position of the jussive subjunctive had become grammatically archaic within the confines of the Old English legal register.[254] This means that Alfred could not have copied clauses without altering at least their syntax, which he seems to have used as an excuse to update or clarify some of their terminology. In the examples above, note that Alfred uses the rare term

[252] *Æbt* 42 and 43; *Af* 47 and 47.1
[253] Oliver, *The Beginnings of English Law*, 31; Attenborough, *The Laws of the Earliest English Kings*, 3; Jurasinski, 'The Continental Origins of Æthelberht's Code', 10
[254] *Ibid.*

scytefinger ('shooting finger,' which only otherwise appears in the *Monasterialia indicia*, once each in Æthelberht, Byhrtferth's Manual, and the *Lacnunga*, as well as seven glosses for Latin *index*),[255] yet he adds an additional clause for damage only to the nail. His precision is amplified by the fact that, by making this alteration, he can easily set different fines for nails of each finger (five, three, two, four and one for the digits proceeding sequentially from the thumb), while in Æthelberht, all nails are worth one shilling and are given their own law following the ones pertaining to the fingers proper.[256] Subtle changes to various medical matters also imply advancement in these areas since Æthelberht's time, or indeed the potential input of a medically-trained royal helper;[257] above, the Kentish law implies mechanical function between the ear and its ability to hear, while Alfred refers to loss of the *sense* of hearing (*hlyst*), adding it as a sub-clause to the law describing damage to the outer-ear, perhaps allowing interpretation by claimants that hearing loss resulted from blows which did not outwardly damage the ear itself (such as in cases of brain damage, concussion, or through the inference that genetic degenerative hearing loss is concomitant with a warrior's martial life rather than the result of an internal ailment undetectable in the ninth century). Many of these finer details have gone unacknowledged by previous analyses of the text, ostensibly because Alfred had been taken on his word that he borrowed a great deal and did not contribute much at all.[258] Wormald summed up the situation by surmising that, perhaps

[255] *Dictionary of Old English Web Corpus*, compiled by Antonette diPaolo Healey et. al. (Toronto: Dictionary of Old English Project 2009), using the queries scytefing-, scytefy-, scitefing-, scetefing-: **LawAbt** (54.2), **LawAf 1** (57), **ByrM 1** (3.2.76), **Med 3** (17.1), **Notes 2** (1.3, 1.7, 2.11, 3.13, 4.21 4.23, 4.25, 4.26, 4.27, 5.30, 5.32, 6.34, 7.45, 7.46, 8.54, 9.61, 9.62, 12.75, 12.77, 13.81, 13.82, 13.83, 13.84, 14.86, 14.88, 14.90, 15.91, 15.92, 15.93, 18.109, 18.110, 18.112, 18.115, 19.122, 19.123, 19.124, 19.125), **Glosses**: **ÆGl, AntGl 4** (2x)**, ClGl 1, CollGl 25, HyGl 2, HyGl 3**.

[256] *Æbt* 59

[257] For example, from *hapax legomena* shared between the laws and Bald's *Leechbook*, which has sometimes been taken as a product of Alfred's court; this information is the subject of a subsequent chapter on the *Leechbook*.

[258] Much of the early scholarship held this view. Turk, *The Legal Code of Ælfred the Great*, 39: 'As to the use made of these sources, [Alfred's] own statements lead us to suspect that he adopted but a few laws entirely his own; most of his collection is therefore from adoption or revision, as he indicates, of laws from the other sources.' However, Turk does go on to specify that, while borrowings make up the bulk of the content of the laws, it does not preclude revision. Cf. Wormald, *MEL*, 277, 'this crucial text [i.e. Alfred's inscription] is not easily understood, and has arguably been misunderstood by most commentators.' Pratt, *Political Thought*, 220–

Alfred's first-person preface rather attempted to communicate his gathering up of 'synod-books' from all around his kingdom, which he either chose to keep or reject based on criteria set by himself and his councilors; afterwards, when he found laws he liked from those chosen books belonging to the kings he named, he allowed himself to be influenced by them, while leaving the rest alone.[259] Such an interpretation would at least account for his handling of Ine, where some laws are borrowed by Alfred and others are left intact in the Ine appendix, with seemingly no hint of concern that several of these appended laws contradict Alfred's own.[260]

The issue with Wormald's reading of the inscription, however, is that Alfred seems not to have necessarily meant secular legislation when he referred to *synoðbec*, nor secular councils when he referred to *monega seonoðas* gathered throughout 'all the earth and also among the English' (*ealne middangeard gegaderode, ⁊ eac swa geond Angelcyn*), evidently to accept Christ's faith and teach the mercy that he taught through his example.[261] As before, there is no reason to doubt on an historical basis what is quite likely a literary allusion; Asser himself describes how the royal household was divided into thirds that so that they could be alternated in shifts—presumably for security, but ostensibly also detectible in the documentary record of Alfred's reign, on the basis that Alfred's senior ealdormen attest charters far less frequently than either their predecessors or successors.[262] Moreover, the fact that Alfred's bishops attested these charters more often than other members of his court would seem to imply that strict divisions between secular and ecclesiastical gatherings were

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1, follows Wormald's evidence and conclusions, and like Wormald, makes essentially no mention of changes to the injury tariff beyond noting that 'values are often altered on a basis which cannot easily be determined; the list is also extended.' This and other remarks are broadly traditional. Pratt's suggestion that *Af* 35 is a 'miscellaneous' adaptation of *Æbt* 24 is dealt with in detail below; the law is expanded upon in subsequent sub-clauses to such an extent that it is questionable whether they resemble one another at all.

[259] Wormald, *MEL* 279–80

[260] *Ibid.*, 278; cf. *Af* 15, 38, *Ine* 6.2; *Af* 12, *Ine* 43.1; *Af* 9.2, *Ine* 43 (also *Ine* 7, 10 and 46).

[261] *AfEl* 49.7. Opinions differ on the conjunctive *þas* and whether it refers to the synod-books mentioned before or the laws of Anglo-Saxon kings mentioned after, as noted by Pratt, *Political Thought*, 221; cf. Liebermann, *Gesetze* III, 50; Stanley, 'On the Laws of King Alfred', 211–12 n. 2; Turk, *The Legal Code of Ælfred the Great*, 38–9; Wormald, *MEL*, 279.

[262] *VA*, Ch. 100; Roach, *Kingship and Consent*, 30–1; Pratt, *Political Thought*, 35–6.

not strictly necessary in application to questions of law.[263] In any case, it is not a matter of trusting what Alfred said but more a matter of scrutinising how he framed it: many comparisons have been made between the relative rarity of *synodus* in application to royal rather than provincial councils, and also archbishop Fulk's use of a Latin equivalent (*synodalia decreta*) in his c. 886 letter to Alfred that disparaged the English for lapsed observance of canon law in the face of Viking depredations, as the Church had not ceased in either this observance nor the convening of councils under similar tribulations. 'Hence councils were frequently summoned not only from neighbouring cities and provinces but also from lands across the sea; hence synodal decrees were frequently issued; hence holy canons were established and consecrated by the Holy Spirit' (*Hinc sunt concilia non solum ex vicinis civitatibus vel provinciis, sed etiam ex transmarinis regionibus totiens contracta, hinc synodalia decreta sepius edita, hinc sacri canones Sancto Spiritu et consecrati quibus*).[264] Fulk's earlier quotation of Acts 15:29 would seem to have foreshadowed his later criticisms, on the basis that The Apostolic Church at Jerusalem served as a model for Carolingian bishops in council.'[265] Alfred's recapitulation of the biblical passage in the prologue to the laws (with certain alterations) would seem to have been a direct response to Fulk's allegations:

> Ða apostolas 7 þa eldran broðor hælo eow wyscað; 7 we eow cyðað, þæt we geascodon, þæt ure geferan sume mid urum wordum to eow comon 7 eow hefigran wisan budon, 7 eow to swiðe gedwealdon mid ðam mannigfealdum gebodum, 7 eowra sawla ma forhwerfdon þonne hie geryhton. Ða gesomnodon we us ymb ðæt, 7 us eallum gelicode ða, þæt we sendon Paulus 7 Barnaban; ða men wilniað hiora sawla sellan for Dryhtnes naman.
>
> [The Apostles and the elder brethren wish you health, and we make known to you, that we have discovered that some of our fellows disciples have come to you with our words, and commanded you to keep more burdensome customs than we commanded them, and have led you too far astray with these manifold commands, and have more perverted your souls than set them aright. Then we assembled ourselves concerning

[263] Roach, *Kingship and Consent*, 31 and 107–8.
[264] Whitelock, *C&S*, 9; *K&L*, 184 and 331 n.4.
[265] Wormald, *MEL*, 423; Wallace-Hadrill 1965, 'The *Via Regia* of the Carolingian Age', *Trends in Medieval Political Thought* ed. Beryl Smalley and Peter Brown (Oxford, 1965), 22–41 at 32.

> that, and it pleased all of us that we should send Paul and Barnabus, men who desire to give their souls in God's name.]

As much as the passage sought to respond to Fulk, it reflects back on the preceding translation and looks ahead to Alfred's statements to follow. Several features about the translation impress: firstly, the verb *gedwellan* is relatively rare in the Old English corpus, where it is attested fifteen times, almost wholly in Alfredian translations.[266] In the *Pastoral Care*, it is used both to mean 'lead astray' as well as 'confuse, obscure (something)'—each are applicable in the usage here, in light of this being a case of overcomplicated laws leading the gentiles astray *because* they were confusing. Second, the interplay of burdensome customs finds further expression just a few lines below, in which it is relayed that 'it seemed to the Holy Ghost and to us that we should not set any burden on you beyond that which was necessary to maintain' (*Þæm halgan Gaste wæs geðuht ⁊ us, þæt we nane byrðenne on eow settan noldon ofer þæt ðe eow nedðearf wæs to healdanne*).[267] Overzealous law is, in an almost literal way, too heavy for the mind to carry; that this must have been at least somewhat familiar to Anglo-Saxon legislators is clear from structural mnemonics like the head-to-toe arrangement of injury clauses found in Æthelberht's and Alfred's codes, but also those found on the Continent.[268] Yet *healdan* is one of the more flexible verbs in Old English that is able to describe both memory and space; the Holy Ghost, whose will it was the responsibility of the synod to express,[269] wished neither to oppress and pervert the spirits of gentiles with 'heavy' law, but did so through being selective with what laws would asked to be *observed*. The useful economy of the translation seems underlined by the inclusion of the Golden Rule in the sentence that follows, which claims to sum up all biblical teaching in a

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[266] *Dictionary of Old English Web Corpus*, compiled by Antonette diPaolo Healey et. al. (Toronto: Dictionary of Old English Project 2009): **CP** [15.95.19; 48.365.23; 48.369.17; 50.387.13), **Bo** (33.78.16), **Met** (19.1), **GD 1 (C)** (10.76.23), **LawAfEl** (49.3), **HomU 32** (62), **WHom 6** (71), **WHom 14** (25).
[267] *Af* 49.5
[268] Oliver, *The Beginnings of English Law*, 37.
[269] Fulk argues as much in his letter; cf. Carella, 'Evidence for Hiberno-Latin Thought in the Prologue to the Laws of Alfred', 5.

single sentence.[270] As Turk first observed, correcting Thorpe and Schmid before him, this rendition of the Golden Rule (expressed in the negative) is not an interpolated borrowing from Matthew 7:12, but rather an Old Latin interpretation of Acts which is found in manuscripts of the New Testament going back to the second century.[271] Yet by Alfred's time it was considerably more rare—almost all Vulgate witnesses omit the addition, indicating his court's library either had a manuscript witness related to either the Insular Vulgate group to which the Irish *Book of Armagh* belongs, or a Continental group in which the *Codex Theodulfianus* is associated.[272] Of course, the variant would not have provided the prototype for all of Alfred's explanatory bridge: it was the work of the translator to recognise the significance of Acts as a primer for the references to Anglo-Saxon councils to follow. Lastly, the translation from Acts departs from the Vulgate at the end of the above-quoted passage, replacing Latin *tradiderunt animas suas* (Barnabus and Paul desire to 'give their lives') with Old English *wilniað hiora sawla sellan* ('desire to give their souls'). In this respect, to whatever degree Alfred is co-opting biblical history as the Anglo-Saxons' own, it serves to strengthen his case that these scriptural forebears would give up their souls in the teaching of God's word, not just their lives. After all, archbishop Fulk preempted any further excuses about the Viking threat placing Wessex at physical peril: the Church already faced such adversities and overcame them.[273] Yet Alfred's translation renders it instead as a spiritual battle in lieu of a physical one where martyrs go to die; the danger of Paul and Barnabus' failure to placate the gentiles was recast as a failing of the redemptive powers of God's Law

[270] *Af* 49.6.
[271] Turk, *The Legal Code of Ælfred the Great*, 37–8.
[272] Carella, 'Asser's Bible and the Prologue to the Laws of Alfred', 202–3.
[273] *C&S*, 8–10; cf. *K&L*, 183–5. The way Fulk acknowledges receipt of two hounds which Alfred had given him as a gift for Grimbald's recruitment is worthy of mention in this spiritual context as well: 'For you have sent to me some dogs which—though well-bred and excellent, yet corporeal and mortal—are intended for driving away the fury of visible wolves with which, among other scourges sent to us through God's just judgement, our country greatly abounds. You seek from me not corporeal but spiritual dogs …', trans. *K&L*, 184.

rather than a physical risk of falling victim to a mob grown weary of foisted Christian principles.

This may help to explain the translator's temerity in altering scripture, which has often surprised commentators remarking on Alfred's project of translation.[274] The omissions and augmentations of Exodus number in the dozens, both quibbling and substantial, yet patterns of behaviour emerge.[275] As Liebermann argued, reminders of foreign society were obfuscated by the substitution of Anglo-Saxon equivalents: the *servus hebraeus* became the *cristen þeow*, and the *witan* stood in place of judges.[276] Pratt highlighted other parallels, especially those concerning themes of Christian mercy scattered throughout the laws, most prominently espoused through the addition of conditional clauses not present in the biblical originals, designed to grant clemency to the witting slaver,[277] the repentant murderer,[278] or the remorseful thief.[279] Christ looms large as both creator and lawgiver, substituting for *Dominus* in the creation of the world,[280] yet also foreshadowing Alfred's re-orienting of the Anglo-Saxon legal tradition with a new dispensation of his own. More importantly, none of these themes were limited to Alfred's explanatory bridge or the intervention of his royal voice. All that was promised came both before and after, even within the contents of Alfred's own laws. The king was outwardly concerned with fair compensation, with theft, with the moral perversion of Christian teaching, and of course with the administration of lordship as it pertained to both ruler and ruled.[281] These were not just empty themes; England was under constant threat of Danish attack and Alfred devised a structure of fealty to better handle the taking of oaths and the administration of justice under such circumstances.[282] Meanwhile, it

[274] Bately, 'Alfred as Author and Translator', 141.
[275] Turk, *The Legal Code of Ælfred the Great*, 35–8.
[276] Liebermann, 'King Alfred and Mosaic Law', 25; Treschow, 'The Prologue to Alfred's Law Code', 91–102.
[277] Exodus 21:16; cf. *AfEl* 15.
[278] Exodus 21:13; cf. *AfEl* 13
[279] Exodus 22:7–9; cf. *AfEl* 28; Pratt, *Political Thought*, 231.
[280] Exodus 20:10; cf. *AfEl* 3.
[281] Pratt, *Political Thought*, 219–20.
[282] Roach, *Kingship and Consent*, 113.

must be assumed that the actual application of law must have differed in certain particulars, and that, even should written law codes have been consulted at the gathering of councils or the sentencing of offenders, such occasions must have been at the mercy of deliberation of *folcriht*.[283] Thus, in much the same way that it is true of Carolingian legislation of the period, English law codes of Alfred's era and after can be seen as 'distinctive discourse[s] about kingship and governance' that aimed to establish philosophical projections of what justice could be.[284]

Conclusion

A few conclusions might be drawn about Alfred's expansions on the earlier models of legislation offered by Ine and Wihtræd. The innovation of descriptive prologues in this style stood to enhance the function of law codes in a few different ways. As is evident from Alfred's own prologue, the statements could be used to introduce and contextualise the laws they would be appended to, in his case expanding the *Domboc* preface to a fifth of the entire work in order to accommodate extensive comparisons to the transmission of Mosaic law and to trace its route ultimately to the English people.[285] This is a particularly extreme example of a section of a legal code designed to chronicle the legislative record. More generally, however, the expanded prologues recorded the royal assemblies used by kings in promulgating their codes, which served an important function in disseminating the laws as widely as possible, passing from ealdorman to reeve, and reeve to subject.[286] As these representatives of the king would act as legal authorities in their own right, it would have been important to have an agreed-upon record of law, even if such books were never

[283] *Ibid.*, 110–121 and 141.
[284] *Ibid.*, 143.
[285] Wormald, *MEL, 418*; Lambert, *Law and Order in Anglo-Saxon England* (Oxford, 2017), 142 n. 113.
[286] Lambert, *Law and Order in Anglo-Saxon England*, 141–2.

consulted in court;[287] Asser's *Vita Alfredi* conveys in detail one account of Alfred's anger at reeves and ealdormen who misapplied his laws, accusing them of abusing not only God's authority but also his own.[288] Such accounts bring Ine's parting line into sharper relief, assuring that his code was not just a record of laws but an all-agreed statement of the transmission of his royal authority, and one to which all its participants would be beholden.

Given the transmission of royal authority in this way, it is not surprising to see Alfred take such a dominant role in the legal process of his kingdom. Several portraits of the king acting as a shrewd legislator survive, and it is the image of Alfred with which Asser concludes his memoir.[289] In the Fonthill Letter (S1445), Alfred stands washing his hands in his chamber as the thief Helmstan makes his appeal in a particularly complicated case.[290] Meanwhile, the *Domboc* preserves several laws with an obscure focus that are without comparison elsewhere in early medieval Europe, including one involving negligent spear use, and another outlining the modifications to the law if offences are committed by the deaf or dumb.[291] Such provisions are artefacts of Alfred's law as it was practiced and iterated upon, as opposed to theorised and recorded. Collectively, the evidence advocates Alfred's role as an appellate judge, and expresses over and again his desire for the law to be known by all. If the *Domboc* was not among those books most necessary for all men to know, it was at least given

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[287] Wormald, *MEL*, 148, 264 and 478–82; Wormald, '*Lex Scripta*', 105–38; Vollrath, 'Gesetzgebung und Schriftlichkeit. Das Beispiel der angelsächsischen Gesetze', *Historisches Jahrbuch* 99 (1979), 28–54; Roach, *Kingship and Consent*, 110–11. For arguments that law-books may indeed have been used in the process of judgement, see: Keynes, 'Royal Government and the Written Word in Late Anglo-Saxon England', in *The Uses of Literacy in Early Medieval Europe* ed. Rosamond McKitterick (Cambridge: Cambridge University Press, 1990), 226–57 at 231–33 and 255; Pratt, *Political Thought*, 217–18; Pratt, 'Written Law and the Communication of Authority in Tenth-Century England', *England and the Continent in the Tenth Century*, ed. D. Rollason, C. Leyser and H. Williams (Turnhout: Brepols, 2011), 331–50.; Cubitt, '"As the Lawbook Teaches": Reeves, Lawbooks and Urban Life in the Anonymous Old English Legend of the Seven Sleepers', *English Historical Review* 124 (2009), 1021–49 at 1031–32; Foot, *Æthelstan: The First King of England*, 136–48.

[288] *VA*, Ch. 106; *K&L*, 110.

[289] *Ibid.* Notably, the *Vita Alfredi* ends abruptly without an epilogue, suggesting the text survives as an imperfect draft. *K&L*, 56 and 287 n. 9, cautiously suggest Asser's receipt of the monastery at Exeter and a subsequent siege there in 893 may have caused the interruption.

[290] Keynes, 'The Fonthill Letter', in *Words, Texts and Manuscripts*, ed. Michael Korhammer, Karl Reichl and Hans Sauer (Cambridge: D. S. Brewer, 1992), 53–97; Lambert, *Law and Order in Anglo-Saxon England*, 258–9; Roach, *Kingship and Consent*, 125–27.

[291] Wormald, *MEL*, 282.

such careful attention in the king's corpus as a means of persuading his legal representatives to do right by his royal authority; as the king himself argues in Asser's anecdote, ignorance is no excuse.[292]

The construction of royal legal authority for Alfred, then, is predicated upon education. His laws are only as effective as his judges are fit to apply them, and thus the efficacy of the judges being yoked to the skill of their teachers. Much has been made of Alfred's promulgation of law as a means of political control, yet the existence of such a legal system clearly precludes the use of the *Domboc* as a constitutional bludgeon. Bishops, reeves, and thegns would have to maintain some level of consistency to avoid appeals to the king and the loss of their political status in the way that Asser describes, which may have also been increasingly difficult to achieve under Alfred's rule—truly an 'Anglo-Saxon' territory for the first time. Aside from the distractions of Viking depredation, it is not a surprise that further legal reform was sought in the tenth century, after Alfred's rule, and not before;[293] the governance of his expanded kingdom and its aims of social unity were probably as much a contributing factor as his influential law code. As for the *Domboc* itself, it operated as the linchpin for this process of reform, combining the laws of previous kings with Christian examples, and intermingled with Continental Germanic ideas carried to his court through Hincmarian channels. The work was positioned to express one of the king's most emphatic statements of royal authority, given legitimacy from its Mosaic origins, but ultimately applicable to the legislative framework woven throughout his kingdom. As Pratt has argued:[294]

> Alfredian principles drew every aspect of legal procedure into collective performance; its implications extended beyond formal settlement into every act of merciful restraint. Pursuit of thieves, outlawry, punishment for treachery: all were sustained by the king's own uniting project, as object of betrayal and source of

[292] *VA*, Ch. 106.
[293] Lambert, *Law and Order in Anglo-Saxon England*, 146.
[294] Pratt, *Political Thought*, 241.

> peace. Judgment at every stage summoned Alfred's own virtual presence, in all manifestations of courtly experience.

Although the *Domboc* has in many ways been relegated to the miscellaneous productions of the Alfredian court, having been declared part of the 'Alfredian myth' by Godden and afterward less ardently defended by Bately on the new hypothesis that it may be a product of ostensible ghostwriting,[295] the accusation that Alfred employed speech writers to create it should not unravel its position within the Alfredian canon. For the *Domboc*, the image of Alfred is enough: the transmission of royal legal authority depends greatly upon its consolidation within the figure of the king, and upon the clarity and verve of his royal voice. The ability of Alfred's court to mimic his textual image and express what must have ultimately been his wishes does not irrevocably damage his legislative efforts so much as bring them in line with other key legal texts of his rule, such as his charters and *Chronicle*, but especially his royal will. However, unlike those texts, the *Domboc* would undergo promulgation as both laws to be held and an instructional tool intended for the use of the kingdom's legal intermediaries. Inasmuch as the governance of Alfred's new regime was predicated upon a project of learning to better its key representatives, the *Domboc* was centrally positioned to help facilitate this process. In the following chapter, I shall explore how literary themes of judgement, justice, and kingship were employed in the *Domboc* and other texts of the Alfredian corpus to impart this message of just rulership to the kingdom's leaders.

[295] Godden, 'Did King Alfred Write Anything?', 6; Bately, 'Alfred as Author and Translator', 117.

Chapter 3: King Alfred's Law Code—Alfredian Christological Imaginings of Kingship and Connections Across the Corpus

Introduction

Moses is a recuring character in the Alfredian translations, appearing in fourteen chapters of the *Pastoral Care*, as well as being invoked by name more than a dozen times in the Old English *Orosius*, *Bede*, and *Dialogues*.[1] In these passages, Moses speaks the law and is positioned as a figure of wisdom; his humility in assuming the burden of leadership was especially productive for Gregory's philosophy and for Alfred's channelling of it.[2] It is notable that the Alfredian translations sometimes expand and clarify the original readings, borrowing both Moses' and Gregory's authority to make a point absent from the Latin versions. This is evident in one such expansion of the *Pastoral Care*, where the Alfred-persona intervenes to clarify that a Mosaic law pertaining to marriage is to be observed in the present day: '*Ðis wæs ryht dom on ðære ealden æ, & is nu us to bispelle*.'[3] A similar clarification is offered several chapters later when Moses is again invoked to certify the importance of confession, which the Alfred-persona goes beyond the Gregorian text to clarify that its description of 'Truth' contemplating privately in order to perform miracles publicly, is in fact a personification of Christ: '*Forðæm sio Soðfæsðnes self, ðæt is Krisð, ða he on eorðan wæs, he hine gebæd on muntum & on dioglum stowum, & on burgum he worhte his wundru, mid ðæm he strewede ðone weg ðære onhyrenesse ðæm godum lariowum*'.[4]

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[1] *Pastoral Care* §5, §7, §11, §15, §16, §18, §21, §22, §28, §41, §49, §50, §59, and §63; in the Old English *Orosius*, throughout book I, §5–7; in the *Dialogues*, §1, §2 and §8; in the Old English *Bede*, in books I, §1 and IV, §25 and §30; in *AfEl* 0.1 and *AfEl* 49.

[2] *Regula pastoralis* I.vii; cf. Sweet, *Pastoral Care*, 51 l. 9. On the power of Alfred's translations, see especially Amy Faulkner, 'Royal Authority in the Biblical Quotations of the Old English *Pastoral Care*', *Neophilologus* 102 (2018), 125–40; and Robert Stanton, *The Culture of Translation in Anglo-Saxon England* (Woodbridge, D. S. Brewer, 2002), at 84.

[3] 'This was a lawful judgment in the old law, and now is an example for us'. Sweet, *Pastoral Care*, 43 l. 17; cf. *Regula pastoralis* I.v, where an equivalent phrase is missing from the Latin.

[4] 'For Truth itself, that is Christ, when he was on earth, he prayed in the mountains and secluded places and worked his wonders in cities, thus seeding the path of imitation for good teachers'. Sweet, *Pastoral Care*, 103, ll. 11–14; cf. *Regula pastoralis* II.v.

The Alfredian approach to rulership that shadowed Gregory's often emphasised Christ's balance between two ideals, namely the contemplative life dedicated to God and the active life of dutiful work in the world.[5] In the royal corpus of translations, a cast of biblical authorities are summoned to support this view, two of the most prominent being David's inward contemplation of God to assuage outward anxieties concerning his enemies, and Moses' passing into and out of the tabernacle to solicit divine help for the problems of men. Both the prose psalms of the Paris Psalter and the *Pastoral Care* are unambiguous in linking these figures to Christian wisdom and relating how it should be applied. In the prose psalms, this is partly necessitated by the structure of each psalm's introductory paraphrase, which posed a difficulty for the translator, who had to overcome obscure scriptural readings to distil the message of the psalm according to his view.[6] Thus in Psalm 9, which contains several verses declaring the importance of fair judgement and of extending mercy to the needy, the appearances of *God* and *Drihten* used throughout the text are related in the paraphrase to *Crist*.[7] The same phenomenon can be seen in chapter 16 of the *Pastoral Care*, where Moses' movement between the tabernacle and the pulpit is related to rulers of the present day (*he astealde on ðæm bisene ðæm reccerum ðe nu siendon*), advocating that these rulers, too, like Christ and Moses, ought to contemplate privately with God before performing their public works.[8] If there was any uncertainty, scripture was to be their guide.[9]

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[5] Pratt, *Political Authority*, 205; O'Brien O'Keeffe, 'Inside, outside, conduct and judgment: King Alfred reads the Regula pastoralis', in *…un tuo serto di fiori in man recando. Scritti in onore di Maria Amalia D'Aronco*, 2 vols., II, ed. Patrizia Lendinara (Udine, 2008), 333–45.

[6] O'Neill, *King Alfred's First Fifty Prose Psalms*, 45.

[7] PPs (prose) 9.4–9 and 9.15–25, for example at verses 8–9: *And he gearwað his dom-setl, and he demð ealre eorþan swyðe emne. He demð folcum mid rihte; he ys geworden frið-stow ðearfendra*. 'And he will prepare his judgement-seat, and judge all the earth very fairly. He will judge the people with justice; he has become a refuge for the needy.'

[8] Sweet, *Pastoral Care*, 102–3.

[9] *Ibid.*, 103. *Hie sculon, ðonne hie ymb hwæt tweoð ðæs ðe hie ðærute ðon sculon, cierran eft to hira agnum inngeðonce, & ðær God ascian, suæ suæ Moyses dyde beforan ðære earce on ðæm temple. Gif hie ðonne giet ðær tueonað gongen ðonne to ðæm halgan gewritum, frine ðara hwæt hie don oððe læran scylen*. 'When they are uncertain about anything which they are to do outwardly, they must return to their mind, and there ask God, as Moses did before the ark in the temple. If they yet have doubts, let them go to the holy scriptures, and ask there what they should do or teach'.

Given Alfredian models of this type, it is unusual that Moses' appearance in the *Domboc* has been understood in almost purely legal terms. The envelope pattern that encloses his appearance in the Mosaic prologue, first as the authority to whom God is speaking in the opening line, then as the figure from whom Christ's teachings followed to the Alfredian court, is essentially the same casting of Moses as elsewhere in the Alfredian corpus as the figure emerging from the tabernacle to proclaim the wisdom he had learned therein. Leveraging the rhetorical strength of this metaphor in the *Domboc*'s explanatory bridge is itself a remarkable statement of royal authority, yet it carries symbolic associations for the laws as well, being a fusing of scripture and secular decrees. Importantly, Alfredian deviations in the *Domboc*'s biblical translation make numerous expansions to laws pertaining to the conduct of judges, reflective of both Alfred's aims in the secular sections of his law code and a wide variety of other writings attributable to his court that express an anxiety about approaching justice and rulership without the proper application of wisdom.

As I will explore in this chapter, Alfredian models of judgement have too often been overlooked in the royal corpus of Latin translations, and too literally approached by legal-historical scholars when deployed in texts such as the *Domboc*. I will argue that some of these themes, in their specific expression, are patterned closely on literary examples found more commonly in Latin writings, and that they might therefore draw on concepts of judgement and wisdom in cultural vogue at the Alfredian court rather than alluding indeterminately to scriptural passages. The end of the chapter will explore the expression of an interrelated concept of royal authority in the verse epilogue to the *Pastoral Care*, which has been largely overlooked as a creative poetic exercise of biblical exegesis rather than a flattering passage of praise poetry that may follow specific Anglo-Latin examples. In each section, this chapter will consider the implications for broadening Alfredian models of the application of wisdom to include the important themes of judgement and how best to channel

authority for the purposes of just rule, which are ideas concomitant with the educational and administrative reform Alfred and his court sought to inculcate in their political elite.

Asser's *Vita Alfredi*

It has been acknowledged that the *Domboc* prologue deviates from its Vulgate or Hibero-Latin *Liber ex lege Moysi* source in the handling of several Old Testament laws pertaining to the poor and acts of judgement, in ways that seem 'intended to make an impression on the judicial reader.'[10] If these deviations belie Alfred's or Alfred's court's sentiments toward judicial conduct, however, the principles which they espouse can be shown to exist elsewhere in the Alfredian corpus. The most explicit statement regarding Alfred's attitude toward the conduct of his judges is in chapters 105 and 106 of Asser's *Vita Alfredi*, of which the following excerpts demonstrate:[11]

> *His ita ordinabiliter per omnia digestis, dimidiam, sicut Deo devoverat, servitii sui partem custodire cupiens, et eo amplius augere, in quantum possibilitas aut suppetentia, immo etiam infirmitas, permitteret,* ***taediosus examinandae in iudiciis veritatis arbiter existebat, et in hoc maxime propter pauperum curam****, quibus die noctuque inter cetera praesentis vitae debita mirabiliter incumbebat.*
>
> [When these arrangements had been properly carried out in every respect, he was eager to observe the half of his service, just as he had promised to God, and even to increase it, in so far as his means and abilities—and of course his health—would allow. **He was a painstaking judge in establishing the truth in judicial hearings, and this most of all in cases concerning the care of the poor**, on whose behalf he was wonderfully solicitous day and night, amid all the other obligations of this present life.]
>
> ***Studebat <is> quoque in iudiciis etiam propter nobelium et ignobilium suorum utilitatem****, qui saepissime in contionibus comitum et praepositorum pertinacissime inter se dissentiebant, ita ut pene nullus eorum, quicquid a comitibus et praepositis iudicatum fuisset, verum esse concederet. …* Nam omnia pene totius suae regionis iudicia, quae in abstentia sua fiebant, sagaciter investigabat, qualia fierent, iusta aut etiam iniusta, aut *vero* si aliquam in illis iudiciis **iniquitatem intelligere posset, leniter *utens suatim* illos opsos iudices, aut per se ipsum aut per alios suos fideles**

[10] Treschow, 'The Prologue to Alfred's Law Code', 100.
[11] Stevenson 1904, 91–5, with his editorial italics; translations from *K&L*, 109–10, my emphasis. For more detailed overview of the scholarship on the *Vita Alfredi*, see further below the section 'Asser's *Vita Alfredi* Re-visited'.

> **quoslibet interrogabat, quare tam nequiter iudicassent, utrum per ignorantiam aut propter aliam quamlibet malevolentiam, id est utrum pro aliquorum amore vel timore aut *aliorum* odio aut etiam pro alicuius pecuniae cupiditate.** Denique si illi iudices profiterentur propterea se talia ita iudicasse, eo quod nihil rectius de his rebus scire poterant, tunc ille, discrete et moderanter illorum imperitiam et insipientiam redarguens, aiebat, ita inquiens: **'Nimium admiror vestram hanc insolentiam, eo quod, Dei dono et meo, sapientium ministerium et gradus usurpastis, sapientiae autem studium et operam neglexistis.** Quapropter aut terrenarum potestatum ministeria, quae habetis, illico dimittatis, aut sapientiae studiis multo devotius docere ut studeatis, impero.' **Quibus auditis verbis, perterriti <ac> veluti pro maxima vindicta correcti**, comites et praepositi ad aequitatis discendae studium totis viribus se vertere nitebantur …
>
> [**King Alfred also used to sit at judicial hearings for the benefit both of his nobles and the common people**, since they frequently disagreed violently among themselves at assemblies of ealdormen or reeves, to the point where virtually none of them could agree that any judgement reached by the ealdormen or reeves in question was just … [Alfred] would carefully look into nearly all the judgements which were passed in his absence anywhere in his realm, to see whether they were just or unjust; and if he could identify any corruption in those judgements, **he would ask the judges concerned politely, as is his wont, either in person or through one of his other trusted men, why they had passed so unfair a sentence—whether through ignorance or because of some other malpractice (that is to say, either for love or fear of the one party or for hatred of the other, or even for the sake of a bribe)**. Accordingly, if the judges in question were to confess after all that they had indeed passed judgement in such a way because they had not known better in the circumstances, then the king, admonishing their inexperience and foolishness with discretion and restraint, would reply as follows: **'I am astonished at this arrogance of yours, since through God's authority and my own you have enjoyed the office and status of wise men, yet you have neglected the study and application of wisdom**. For that reason, I command you either to relinquish immediately the offices of worldly power that you possess, or else to apply yourselves much more attentively to the pursuit of wisdom.' **Having heard these words, the ealdormen and reeves were terrified and chastened as if by the greatest of punishments**, and they strove with every effort to apply themselves to learning what is just.]

Italics in the Latin passages above come from Stevenson's 1904 edition and denote sections of the *Vita Alfredi* that were not recorded by John of Worcester in his translations for the *Chronicon ex chronicis* dating to the early twelfth century.[12] The omissions above enclose the greater part of the remarks pertaining to Alfred's attitude toward the poor and his intolerance

[12] Stevenson 1904, xiii–xiv. These contributions necessarily antedating Florence's death in 1118, but notwithstanding more recent speculations that John of Worcester was the principal writer and compiler of the work.

for judicial malpractice; however, they are in keeping with John's usual habit of excising purely biographical details about the king's life.[13] Stevenson's investment in John as 'an early writer with a high character for honesty' suited his need to defend the historical authenticity of the *Vita Alfredi* (principally against the criticisms of Thomas Wright), and this goal being bound up in the task of parsing which sections of the text were original, which Stevenson saw as the main object of his edition.[14] Owing to the loss of the manuscript in the Ashburnham House fire of 1731, Stevenson perceived these earlier echoes of Asser's work to be of greater evidentiary value for establishing the historicity of the *Vita Alfredi*, although he was able to reconstruct enough details of the manuscript from the sixteenth-century transcriptions to convince himself of its plausible attribution to Asser in spite of errors and interpolations added by the transcribers that sometimes obfuscated this fact.[15]

Subsequent analyses of the transcriptions have largely maintained the opposite: namely that period-correct usage of Anglo-Latin and the absence of various interpolations found only in writings dating to after the Conquest suggest that the transcriptions are better proof of the *Vita*'s authenticity despite a number of sixteenth-century scribal emendations. In the nineteenth century, the scepticism toward Asser frequently extended to the passages above, which conclude the *Vita Alfredi* in a rather perfunctory manner and which therefore raise questions about why the work should have been left incomplete if it were written in the king's lifetime.[16] The criticism necessarily involves a perplexing mixture of present and imperfect tenses seen in the work—especially evident in chapter 106 where the imperfect is utilised fifteen times—but Stevenson dismissed these as errors of the Cotton manuscript scribes rather than later forgers.[17] Their mistakes apply especially to missing or misplaced

[13] *Ibid.*, lvi.
[14] *Ibid.*, xiii; cf. v, xcv–cxxxi.
[15] *Ibid.*, xiv and li–lv.
[16] *Ibid.*, xcviii–xcix; cf. *K&L*, 56 and 287 n. 9.
[17] *Ibid.*, xlix–l; cf. *K&L*, 222 n. 118.

verbs detectable throughout the manuscript, including above, where the meaning of the end of chapter 105 is obscured by a corruption causing the verb *studebat* to be transmitted to the beginning of the following entry in chapter 106 (and where it renders the beginning of that chapter nonsensical).[18] Against a backdrop of many such blunders, Stevenson was left to lament the work of careless and ignorant copyists in order to assuage Wright's suspicions that such mistakes might otherwise be attributable to a forger 'forgetting his assumed character.'[19]

Another irregularity deserves notice before continuing the discussion of Alfred's attitude toward his judges. In 2010, Malcolm Godden commented upon a vexing passage in chapter 74 of the *Vita Alfredi*, typically interpreted to refer to the re-interment of St. Neot's body in a Cornish church. Due to a correction appearing in Matthew Parker's 1594 edition of the text, perhaps originating from a marginal note in the exemplar manuscript that has since been lost, Godden put forward the suggestion that Parker misunderstood an unusual Latin phrase to be a passing comment about the internment of St. Neot's body, rather than a reference to Alfred's struggles against his illness that is the subject of the chapter.[20] The confusion arose from the Latin phrase *suatim utens*, 'acting as was his wont', which was substituted by *subleuatus est*, referring either to St. Neot's body (in which case, 'he has been taken up'), or else Alfred's illness (in which case, 'he was relieved').[21] How Godden uncovered the irregularity is significant for the chapters that concern the present discussion: *suatim utens* is a phrase used three times in the *Vita Alfredi* (in chapters 56, 74 and 106), but only found in the earliest transcription of the text in Cambridge, Corpus Christi College 100,

[18] *Ibid.*, xlvi–xlix; cf. *K&L*, 274 n. 254, who improve to *utilitati studebat*, following Wheeler.
[19] *Ibid.*, cvii; cf. Wright, 'On the True Character of the Biographer Asser', *Essays upon Archaeological Subjects*, vol. I (1861), 172–85 at 178.
[20] Godden, 'The Old English Life of St Neot', 222–24. The chapter is 'riddled with inconsistencies' that have made it difficult to interpret, sometimes providing justification to dismiss its uncomfortable commentary on Alfred's illness; see further Richard Abels, *Alfred the Great: War, Kingship and Culture in Anglo-Saxon England* (New York, 1998), 96–102.
[21] Godden, 'The Old English life of St Neot', 223; cf. Stevenson 1904, 55: *Sed quodam tempore, divino nutu, antea, cum Cornubiam venandi causa adiret, et ad quondam ecclesiam orandi causa divertisset, in qua Sanctus Gueriir requiescit, et nunc etiam Sanctus Niot ibidem pausat, suatim utens—erat enim sedulous sanctorum locorum visitator…*

and therefore appearing neither in the British Library transcript nor in Parker's own printed edition (which undertook more substantial efforts to emend his indifferent Corpus copy).[22] As all subsequent transcripts incorporate at least some of Parker's interpolations,[23] and because the phrase was substituted each time (first for *sua ipsius* in chapter 56 and then for *advocatos* in 106), it likely did not result from a marginal note or manuscript gloss, but rather from Parker's unfamiliarity with the archaic word *suatim*, which was favoured by Anglo-Latin writers but clearly difficult to understand by Parker's time.[24]

The argument has an important bearing on the theme of chapter 106—that is, Asser's claim that Alfred scrutinised the judgements of the lower courts—because whether Alfred acted as a conscientious mediator or overtly obstructed justice *suatim utens*, 'as was his wont', has important implications for the meaning of the chapter and its claims to authenticity. To the latter point, Stevenson declared chapter 106 'a serious difficulty', owing to the fact that the right of appeal to a higher court was not a practice among the English until long after the Norman Conquest.[25] He considered whether the author was referring to cases being forwarded on to the shire moot from the hundred courts by Alfred, and whether the author might have confused the ealdormen (*comites*) and sheriffs or reeves (*praefecti*) for judges, as, 'like the king, they had no judicial powers apart from the courts which they formed part.'[26] Further light can be thrown on this issue by looking at other texts of the Alfredian corpus.

[22] Stevenson 1904, li–lii.
[23] *Ibid.*, li–lv.
[24] Godden, 'The Old English Life of St Neot', 223.
[25] Stevenson 1904, 342; cf. Lambert, *Law and Order in Anglo-Saxon England*, 264–8.
[26] *Ibid.*.

The Fonthill Letter

As it was argued in Chapter 2, the understanding of the administration of Anglo-Saxon justice has changed substantially since Stevenson's time, and the divisions between hundred and shire courts and the respective roles of bishops, reeves, and ealdormen in overseeing the administration of justice is not so strictly defined as to preclude overlapping jurisdictions.[27] There are also near-contemporary portraits of King Alfred administering justice by presiding over courts in this way, most famously in the Fonthill Letter dating the reign of Edward the Elder, which sets the stage for an elaborate drama in which Alfred, the thief Helmstan, the ealdorman Ordlaf and Æthelhelm Higa are the principal characters.[28] The letter mentions the superlative extent of Alfred's judicial oversight, implied by a remark that one might never finish disputing if one were to attempt to overturn any of Alfred's own judgements.[29] Notably, Alfred's judgement in this case affords considerable benefit of the doubt to the thief Helmstan, even to the extent of showing mercy toward his breach of oath and pledge.[30]

There is, therefore, a question as to whether such characterisations amount to legends of the so-called Cult of Alfred, or whether they report accurately (if enthusiastically) the king's conduct. Another question is whether they pertain to the *Domboc*, which aspired to accomplish more than just a favourable portrait of the king. Eric Stanley gave the matter thorough investigation in a 1999 German publication that escaped widespread notice in Anglophone scholarship.[31] He deals partly with the seemingly 'unconstitutional' conduct of Alfred, as reported both in Asser's *Vita Alfredi* and the Fonthill Letter, drawing comparisons to personally ordained judgements by Charlemagne reported by Einhard, which in turn bear

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[27] Roach, *Kingship and Consent*, 144–5; Lambert, *Law and Order in Anglo-Saxon England*, 301–6
[28] S 1445; Wormald, *MEL*, 144–8; Keynes, 'The Fonthill Letter', 53–97; Lambert, *Law and Order in Anglo-Saxon England*, 258–9 and 317–8; Smith, 'Of Kings and Cattle Thieves: The Rhetorical Work of the Fonthill Letter', *JEGP* 106.4 (2007), 447–67.
[29] S 1445: 'Oððe gif mon ælcne dom wile onwendan ðe Ælfred cing gesette hwonne habbe we ðonne gemotad?'; Whitelock, *EHD*, 502; cf. *K&L* 274 n. 253.
[30] Pratt, *Political Thought*, 37–8 and 239–40; Roach, *Kingship and Consent*, 125–7.
[31] Stanley, *Die angelsächsiche Rechtspflege und wie man sie später aufgefaßt hat* (Munich, 1999), 160–70.

resemblances to those of Emperor Augustus chronicled by Suetonius.[32] At the heart of his argument is the description of Alfred washing his hands in the course of hearing Helmstan's case related in the Fonthill Letter, which Stanley argued has Christological significance:[33]

> Ða we hie æt Weardoran nu semdan ða bær mon ða boc forð ond rædde hie. Ða stod seo hondseten eal ðæron. Ða ðuhte us eallan ðe æt ðære some wæran ðæt Helmstand wære aðe ðæs ðe near. Ða næs Æðelm na fullice geðafa ær we eodan in to cinge ond sædan eall hu we hit reahtan ond be hwy we hit reahtan. Ond Æðelm stod self ðærinne mid. Ond cing stod ðwoh his honda æt Weardoran innan ðon bure. Ða he ðæt gedon hæfde ða ascade he Æðelm hwy hit him ryht ne ðuhte ðæt we him gereaht hæfdan cwæð ðæt he nan ryhtre geðencan ne meahte ðonne he ðone að agifan moste gif he meahte.
>
> [When we were resolving [the charter dispute] at Wardour, the charter was brought forth and read. Then all the hand-settings [subscriptions] were demonstrated thereon. Then all of us that were there at [Wardour] thought that Helmstan was nearer to the oath. Then Æthelhelm would not fully agree before we went to the king and said how we had reckoned it and why we had reckoned it [that way]; and Æthelhelm stood with us therein. And the king stood [and] washed his hands in the chamber at Wardour. Once he had done that, he asked Æthelhelm why he thought what we had reckoned did not seem just to him, saying that he [Alfred] could not think of anything more just than that he [Helmstan] must produce the oath if he could.]

In Stanley's estimation, the image of Alfred standing and washing his hands while hearing the case and weighing his judgement was a symbolic expression of the difficulty presented by the competing claims for land being put forth in the letter. In his view, Alfred being presented with a dispute between noblemen placed him in a bind; like Pontius Pilate, who had done his utmost to advocate legally for Christ but was forced to concede his judgement because Judea had by that time become ungovernable under Roman provincial authority, Alfred's wisdom was likewise to arrive at an impartial decision and wash his hands of the matter.[34] Implicit in this symbolic interpretation are several important historical facts. Namely, that Ordlaf is

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[32] Stanley, *Die angelsächsiche Rechtspflege*, 160–70 at 165–7.
[33] §104, *Charters of Christ Church Canterbury*, 2 vols., ed. Nicholas Brooks and Susan E. Kelly (Oxford: Published for the British Academy by Oxford University Press, 2013). I have expanded Tironian marks and replaced wynn for /w/.
[34] Stanley, *Die angelsächsiche Rechtspflege*, 167–8. An alternative interpretation of the handwashing is that it demonstrates that Alfred gave his judgement on this delicate case in private, which would explain why there is no public record of his decision.

regarded as the accepted author of the Fonthill Letter,[35] and that, as godfather to Helmstan and as a judge of the original dispute with Æthelhelm, there is an element of bias to the original ruling that complicates Alfred's decision to uphold Ordlaf's judgement.[36]

Strictly speaking, Alfred did not wash his hands and do nothing. After the failure of the dispute to be settled by the lower court that Alfred had appointed, the king endorsed Ordlaf's argument that Helmstan should be allowed to swear in defense of his land.[37] Yet Stanley is correct in his assessment that a great deal of our understanding of the case rests on five troublesome words, interpreted in different ways by different translators: *wære aðe ðæs ðe near*.[38] His suggestion that the phrase might mean who was 'nearer to the truth' in giving their statement, roughly paralleling Pilate's *quid est ueritas* as he washed his own hands before Christ, merits further examination.[39] The lesser judgement was repeated to Alfred exactly as it was given, at Æthelhelm's demand, and on the same occassion the king washed his hands and weighed his options. Importantly, Helmstan was suffering indignity despite his noble status: his thievery would eventually leave him destitute and he entered Alfred's trial with his reputation having been impugned by his legal opponent. He was already by that time a known oath-breaker. It was only on condition of Ordlaf's support—which Helmstan had to beg for, and which Æthelhelm seems to have additionally opposed—that the thief was allowed to defend himself.[40] Meanwhile, the dynamic of the dispute was such that Ordlaf exposed himself to sin if he endorsed his godson and knew him to be lying, while Helmstan risked perjury.[41] These crimes were not lightly punished, nor were they outside of ecclesiastical jurisdiction, as analysis of the *Domboc* has already shown. The defendant was

[35] Smith, 'Of Kings and Cattle Thieves', 450.
[36] Roach, *Kingship and Consent*, 126.
[37] Lambert, *Law and Order in Anglo-Saxon England*, 266.
[38] Stanley, *Die angelsächsiche Rechtspflege*, 169–70.
[39] *Ibid.*, 170.
[40] Lambert, *Law and Order in Anglo-Saxon England*, 258–9.
[41] *Ibid.*, 259. Note Ordlaf's careful phrasing in the letter that he 'would help [Helmstan] to obtain justice, but never to any wrong', Whitelock, *EHD*, 502.

therefore at a disadvantage by means of the balance of power in the court in which he was to be tried.

From another perspective, the Fonthill Letter's image of Alfred standing and washing his hands in quiet repose strongly recalls the Gregorian principle related in the *Pastoral Care* to consult one's conscience for guidance. We have already seen one passage from this section in the introduction to this chapter, linking the concept of seeking divine help in worldly affairs to the figures of Moses and Christ. However, the chapter also relates how the washing basin is an important symbol for bishops hearing confession:[42]

> Forðæm eac wæs ðæt ðe beforan ðæm temple stod æren ceac onuppan twelf ærenum oxum, ðætte ða menn ðe into ðæm temple gan woldon meahten hira honda ðwean on ðæm mere. […] Hwæt getacniað ðonne twelf oxan buton ða XII apostolas, & siððan ealle ða endebyrdnesse ðara biscopa ðe ðæræfter fylgeað? Bi ðon wæs gecueden on ðære æ: Ne forbinden ge na ðæm ðyrstendum oxum ðone muð. Ðone cwide Paulus geryhte eft to biscepum ðara openlican weorc we gesioð, ac we nyton hwelc hira inngeðonc bið beforan ðæm ðearlwisan deman on ðæm dieglan edleanum. Ða ðeah ðonne hi niðerastigað to aðweanne hiera niehstena scylda, ðonne hie him ondettað, hie beoð onlicost suelce hi beren ðone ceak beforan ðære ciricean dura, sua sua ða oxan dydon beforan ðæm temple; ðætte sua hwelc sua inweard higige to gangenne on ða duru ðæs ecean lifes, he ðonne ondette ælce costunge ðe him on becume ðam mode his scriftes beforan ðæm temple; ond suæ suæ ðara monna honda & fet wæren aðwægene on ðære ealdan æ on ðæm ceake beforan ðæm temple, sua ðonne nu we aðwean ures modes honda & ure weorc mid ðære ondetnesse.
>
> [Therefore also there stood before the temple a brazen basin, supported by twelve brazen oxen, that those who wished to enter the temple might wash their hands in the pool … What signify the oxen but the twelve apostles and the whole succession of bishops who followed thereafter? Of which was spoken in the old Law: 'Do not muzzle the mouth of the thirsting oxen.' This saying Paul applied again to those bishops whose works we see openly, yet we do not know what their inner thoughts are before the severe Judge with his unknowable retribution. When they [the bishops] descend to cleanse the sins of their neighbours, when they confess them, they in that same way support the basin before the church door, as the oxen did before the temple; so that whoever desires to enter the gates of eternal life must confess every temptation which has assailed him to the mind of his confessor before the temple; and as men's hands and feet were under the old Law washed in the basin before the temple, so then we now cleanse our mind's hands and our works with confession.]

[42] Sweet, *Pastoral Care*, 105.

To the extent that the Fonthill Letter might disclose symbolic associations for Alfredian judgement in an otherwise documentary context, it would seem the confessional aspects of the Fonthill case provide a more apt scaffolding for Gregorian ideals than Pilate's model of indifference. Alfred's decision to show mercy toward Helmstan's disrepute demonstrated action rather than apathy, while his choice to uphold Ordlaf's judgement runs contrary to the legal nepotism that Alfred is said to have abhorred.

Alfred's decision in this case brings us back to Asser's remarks in chapter 105 of the *Vita Alfredi,* which help to ameliorate the tension Stanley saw between this case and Alfred's usual judiciary habits. The operative phrase in Asser is namely, *taediosus examinandae in iudiciis veritatis arbiter existebat, et in hoc maxime propter pauperum curam,* 'he was a painstaking judge in establishing the truth in judicial hearings, and this most of all in cases concerning the care of the poor.'[43] It is quite possible that Alfred's sympathy for Helmstan's predicament moved him to act as he did and gave him another chance to uphold his oath. Aside from the Fonthill letter, however, this practice of mercy is evident in several rulings of the *Domboc* where, in addition to the secular laws, the *Domboc* deviates from its translations of Exodus to apply a principle of mercy specifically to judges.

The Exercise of Mercy in Alfredian Judgement

It is significant that, among a host of later medieval interpretations of Alfred's judiciary conduct, he is occasionally reported to have had a special concern for the judgements between the powerful and the weak. In the twelfth-century *Annals of St. Neots,* it is reported that Alfred's concern extended also to the education of his judges.[44] The annals were once considered to have used a fuller version of Asser's *Vita Alfredi*, owing to their apparent use

[43] Stevenson 1904, 91; *K&L*, 109.
[44] Stevenson, *Asser's Life of King Alfred*, 143, ll. 7–25.

of a manuscript different to the Cotton exemplar but agreeing closely with it, thus providing more accurate readings in several chapters of the *Vita*.[45] Wormald was doubtful that this accurate reporting extended to Alfred's expectations of judges, as this statement comes just as the *Annals* author seems to break off from his reporting of Asser.[46] However, if it is an invention of the *Annals* author, it appears to interpolate biographical details about the king that the author tended to avoid,[47] and its characterisation of Alfred's expectation of his judges is only marginally different from what is described in chapter 106 of the *Vita Alfredi*.[48]

Furthermore, Asser's reporting of Alfred's concern with his judges is substantiated by several clauses in the *Domboc*. For instance, some of Alfred's most extensive alterations of the scripture in *Domboc* prologue, which paraphrase or deviate from the Exodus laws they are translating, do so particularly in laws pertaining to the habits of judges and their attitude toward judgement of the poor:[49]

[Exodus 23:1]: Non suscipies uocem mendacii, nec iunges manum tuam ut pro impio dicas falsum testimonium. [*You shall not support the utterance of a lie, nor join your hand to bear false witness for a wicked person.]*	[*AfEl* 40]: Leases monnes word ne rec ðu no þæs to gehieranne, ne his domas ne geðafa ðu, ne nane gewitnesse æfter him ne saga ðu. [*Do not hear a false man's word, nor support his judgements, nor repeat any of his testimony*.]
[Exodus 23:2] Non sequeris turbam ad faciendum malum: nec in iudicio, plurimorum adquiesces sententiae, ut a uero deuies. [*You shall not follow the mob to cause evil, nor acquiesce in judgement to the opinion of a crowd, to stray from the truth*.]	[*AfEl* 41]: Ne wend ðu ðe no on þæs folces unræd 7 unryht gewill on hiora spræce 7 geclysp ofer ðin ryht, 7 ðæs unwisestan lare ne him ne geðafa. [*Do not turn away, contrary to your lawful duty, to the ill-counsel and unlawful desire of the people in their persuasive speech and clamour, and do not acquiesce to their unwise advice*.]

[45] *Ibid.*, lvii–lviii.
[46] Wormald, *MEL*, 120–1.
[47] Stevenson, *Asser's Life of King Alfred*, lviii.
[48] *Ibid.*, 93–4.
[49] Exodus transcribed from the *Liber ex lege Moysi*, per the edition prepared by Meeder, 'The *Liber ex lege Moysi*: Notes and Text', *The Journal of Medieval Latin* 19 (2009), 173–218. Expansions from the Latin marked in red.

[Exodus 23:6]: Non declinabis in iudicio pauperis. [*You shall not disdain in judgement of the poor*.]	[*AfEl* 43]: Dem ðu swiðe emne. Ne dem ðu oðerne dom þam welegan, oðerne ðam earman; ne oðerne þam liofran 7 oðerne þam laðran ne dem ðu. [*Judge very equitably*. *Do not judge with one judgement for the wealthy and another for the poor, nor one for those you love and another for those you loathe*.]
[Exodus 23:8]: Non accipies munera, quae excecant etiam prudentes et subuertunt uerba iustorum. [*Nor shall you accept bribes, which blind even the wise and subvert the words of the just*.]	[*AfEl* 46]: Ne onfoh ðu næfre medsceattum, forðon hie ablendað ful oft wisra monna geðoht 7 hiora word onwendað. [*Never take bribes, for they very often blind the thought of wise men and pervert their word*.]

Michael Treschow called attention to these passages alongside eleven others, to show where the *Domboc* prologue's translation deviated from its Latin source to forward what he considered to be principles of Christian mercy.[50] He compared the passages against a Vulgate original, rather than the Hibero-Latin *Liber ex lege Moysi* that may have been used, but with the exception of three words in Exodus 23:8,[51] the *Liber* and the Vulgate passages are identical. Therefore, the variant readings could not have come from the *Liber ex lege Moysi* source, indicating that Alfred's inspiration must have come from elsewhere.

Believing them to be invention, Treschow held that these expansions were altered to make an impression on the judicial reader.[52] Certainly, neither Exodus 23:1 or 23:2 need apply to judges in their Latin versions, as they forewarn the general dangers of falling in with the crowd and agreeing with the word of liars; Alfred alters these passages to apply to a judicial context, in which the liar is construed as giving false judgements (*ne his domas ne geðafa ðu*), while the evil-doing of the crowd is rendered as ill-council obstructing the duty of

[50] Treschow, 'The Prologue to Alfred's Law Code', 91–102.
[51] All pertaining to spelling: *Liber ex lege Moysi* 'non accipies' in place of Vulgate 'nec accipias'; similarly, *Liber* 'excecant' in place of Vulgate 'excaecant'.
[52] Treschow, 'The Prologue to Alfred's Law Code', 100.

the judge to uphold fair judgement (*ne wend ðu ðe no on þæs folces unræd 7 unryht gewill on hiora spræce 7 geclysp ofer ðin ryht*). In this way, false men and unruly mobs are transformed from the moral dangers of bystanders into temptations of poor judgement for the legal authorities saddled with judging their crimes. In Exodus 23:8, an admonition of bribery is altered subtly to emphasise the perversion of the wise man's word, rather than just his faculty to be wise; this seems in keeping with the *Domboc*'s emphasis on oaths, which, at the head of the code we are told, *æt ærestan we læreð, þæt mæst ðearf is, þæt æghwelc mon his að 7 his wed*. However, the most substantial expansion, from Exodus 23:6, deals more extensively with an equivalent theme. The advice in Exodus not to neglect the judgement of the poor is triply expanded to give balance to legal rule: the collocative pair *liofran* and *laðran*—friend and enemy—are exploited for good rhetorical effect here, departing wholly from the Exodus reading. The translator is either employing creative license or else has access to some source not yet identified.[53]

Asser's *Vita Alfredi* re-visited

The search for a legal analogue of the *Domboc* alterations of scripture in *AfEl* 40–46 is perhaps too narrowly focused, as the Christological overtones we see in those laws join others that ripple widely across the Alfredian corpus. It has been argued that some of these Christological impositions derive from Carolingian royal politics, where, for example, similar remarks about Charlemagne's concern for justice come at the end of the *Vita Karoli*.[54] The ending of the *Vita Alfredi* is generally regarded as imperfect, but the work is arranged in sections and consciously builds a portrait of a learned, administrative, and judicial king through the course of the final twenty chapters (87 through 106).[55] It might therefore be

[53] Jurasinski and Oliver, *The Laws of Alfred*, 259, have recently associated the expansions of this law with a possible paraphrase of the Legatine Capitulary, §13.
[54] Scharer, 'The Writing of History at King Alfred's Court', 186.
[55] *Ibid.*; *K&L*, 55–6.

questioned whether Asser had more to say about Alfred's interest in law and justice should the work have been finished, or whether the *Vita Alfredi* is more structurally coherent than some editors have given credit.[56] Comparison with the *Vita Karoli* would seem to suggest Asser's work at least ended on its final theme if not its final words. As for Einhard's direct influence, however, Asser certainly knew the *Vita Karoli*, as he appears to paraphrase it in chapters 16, 73 and 81;[57] it is possible the work was introduced to him by one of Alfred's Continental helpers.[58]

Subsequent analysis has held its influence to be secondary to other works of Carolingian provenance.[59] From an early stage of the scholarship, comparisons have been made with the *Vitae* of Louis the Pious, penned in the ninth century on separate occasions by the authors Thegan and the anonymous biographer known as the 'Astronomer.'[60] Asser's reporting of Alfred's infirmity may have been particularly inspired by Carolingian prototypes, although this broaches a broader subject of Alfredian recapitulation of Gregorian rhetoric across most of the corpus, which also was distinctive in its treatment of illness and disease.[61] It is therefore important to heed warnings against perceiving influence from a Carolingian monolith: there was a great deal of regional variation in modes of royal government between East and West Francia, and across a tumultuous ninth century.[62] There is also the matter of admixture with extant Anglo-Saxon traditions and complementary

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[56] Tomás Kalmar, '*Si recte non dividas, peccas*: On the coherence of Asser's final chapters', paper read at the online Symposium 'Rethinking English Literary Culture in the Age of Alfred', University of Oxford and University of College London, December 9th, 2021. Accessible online, <https://independent.academia.edu/Tom%C3%A1SKalmar>.
[57] *K&L*, 55.
[58] *K&L*, 53–5, 222 n. 115 and 254 n. 139; cf. 'Records for Source Title Vit. Karoli' via Fontes Anglo-Saxonici Project, ed., *Fontes Anglo-Saxonici*: *World Wide Web Register*.
[59] Scharer, 'The Writing of History at King Alfred's Court', 204.
[60] Stevenson *Asser's Life of King Alfred*, lxxx–lxxxi; Nelson, *Power and Authority*, 334; but cf. *K&L*, 222 n. 115.
[61] Nelson, 'Power and Authority', 335–6; Pratt, *Political Thought*, 134–8.
[62] Pratt, *Political Thought*, 4–5.

influences from Insular Europe and elsewhere, which in the case of the laws, seem to have been of equal interest to Alfred's court.

The *Fontes Anglo-Saxonici* database records quotations from some thirteen authors in the *Vita Alfredi*, which has been expanded by Michael Lapidge to include no fewer than twenty.[63] In addition to these, the passages drawn from works by or transmitted via the writings of Sedulius Scottus have been highlighted as being of the greatest relevance to Asser's reporting of Alfred's judiciary conduct. Sedulius' mirror for princes, the *Liber de rectoribus Christianis*, held the acquisition of wisdom as a primary concern for kingly virtue and seems to have been written for Alfred's Carolingian contemporary, Charles the Bald.[64] Attempts to map the logic of the *Vita Alfredi* onto examples of Sedulius' *Liber* yielded plausible results, especially for the last quarter of the work, which include the remarks coming at the end of the *Vita Alfredi* regarding Alfred's fair judgement of the poor.[65]

Michael Lapidge expressed scepticism toward Asser's knowledge or use of Sedulius Scottus.[66] The *Liber de rectoribus Christianis* (and Sedulius' *Collectaneum*) drew upon a collection of Hiberno-Latin proverbs known as the *Proverbia Grecorum* in its construction of 'the eight columns of the kingdom of the just king', which itself combined biblical learning, law, and glossary studies to amass a collection of secular knowledge which may have been designed (and named) to complement the biblical wisdom of the *Proverbia Salomonis*.[67] It is comparison with the *Proverbia Grecorum* that yields the greatest similarities to the *Vita*

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[63] 'Records for Anglo-Saxon text Vita Ælfredi regis' via Fontes Anglo-Saxonici Project, ed., *Fontes Anglo-Saxonici*: *World Wide Web Register*; cf. Lapidge, *The Anglo-Saxon Library*, 115–20 and 237–9, who reports verbatim or verbal reminisces from an impressive array of sources considering the circumstances of Asser's writing, including: the *Carmen paschale* of Caelius Sedulius; Augustine's *Enchiridion*; Gregory's *Regula pastoralis*, *Dialogi*, and *Moralia in Iob*; the Hiberno-Latin proverbs known as the *Prouerbia grecorum*; the *In laudem Iustini Augusti minoris* of Corippus; the classical writings of Vergil and Lucan; Aldhelm's prose *De uirginitate*; Bede's *Historia ecclesiastica*; the anonymous *Historia Brittonum*; Einhard's *Vita Karoli magni*; Evagrius' Latin translation of Athanasius' *Life of St Anthony*; Cassian's *Conlationes*; Cassiodorus' *Expositio psalmorum*; and finally Orosius' *Historiae aduersum paganos*.
[64] Scharer, 'The Writing of History at King Alfred's Court', 192.
[65] *Ibid.*, 193–6.
[66] Lapidge, *The Anglo-Saxon Library*, 116 n. 101.
[67] Simpson, 'Proverbia Grecorum', 9.

Alfredi. Moreover, while Carolingian authors other than Sedulius knew the *Proverbia Grecorum*, as indicated by Cathwulf's quotations from the work in a letter to Charlemagne, it was especially favoured by Irish and British authors until at least the ninth century, and was quoted (probably independently of Sedulius) in a ninth-century Cambro-Latin colloquy known as the *De raris fabulis* that places it nearer to Asser's cultural background.[68] The work circulated in multiple recensions, indicated by a comparison of the quotations used by Cathwulf, Asser and an early version of the *Proverbia* recorded in a manuscript from Bobbio with Old Irish glosses; Scharer's analysis of the data posited that Asser may have used an exemplar similar to Sedulius', but that Asser did not necessarily receive the text directly through Sedulius' writings.[69]

What is perhaps most significant about Asser's use of the *Proverbia Grecorum*, and which, so far, seems not to have been commented upon,[70] is its parallel appearance in versions of the *Collectio canonum Hibernensis*—an Irish compilation of canon law which circulated with all extant copies of the *Liber ex lege Moysi* that the *Domboc* used in its translations from Exodus, and which was also strongly affiliated with a penitential tradition that the *Domboc* appears to have incorporated into the composition of some of its laws.[71] The

[68] *Ibid.*, 4–6 and 9; Lapidge, *the Anglo-Saxon Library*, 116 n. 101.
[69] Scharer, 'The Writing of History at King Alfred's Court', 193 n. 108, but cf. 199.
[70] Carella (2005, 2011 and 2012) does not mention the *Proverbia* in any of his articles on the *domboc* despite thoroughgoing comparison with the *Hibernensis*, while Scharer, 'The Writing of History at King Alfred's Court', 199, comes at the texts from the opposite direction, dealing with the *Proverbia Grecorum* but without any discussion of its affiliations with the *Hibernensis*, in seeming preference to the theory it came to Asser's attention via Sedulius. Treschow, 'The Prologue to Alfred's Law Code', 102–7 and 108 n. 15 refers to Oxford, Bodleian Library, Hatton 42—a manuscript opening with the B-recension of the *Hibernensis* and thus containing borrowings from the *Proverbia*—but opts instead to discuss Hatton 42's affiliation with Ansegius' collection of Charlemagne's capitularies and the plausible links that could be made to Hincmarian legal theory were it not for the presence of tenth-century Breton glosses in the manuscript that pose a barrier to linking it with Grimbald's recruitment to Alfred's court. Cf. Lapidge, *The Anglo-Saxon Library*, 172, Appendix D, item 62: 'Oxford, BodL, Hatton 42, fos. 1–142 (Part I): Brittany, s. ix$^{I/3}$; contents: *Collectio cimonum Hibernensis*, recension B, *Canones Wallici* [BCLL 995], *Canones Adamnani* [BCLL 609], Gaius, *Institutiones*; fos. 142–204 (Part II): ?N. France, s. ix^{I} ; contents: *Collectio canonum Dionysio-Hadriana*; Ansegesis, *Capitularium collectio*. English provenance (both parts): ?Glastonbury, s. x^{in}, then Christ Church, Canterbury, s. x/xi, then Worcester, s. xi^{in}.'
[71] Carella, 'Evidence for Hiberno-Latin Thought in the Prologue to the Laws of Alfred', 3–4 and 20–6; Frantzen, *The Literature of Penance in Anglo-Saxon England*, 126–9; cf. Carella, 'The Source of the Prologue to the Laws of Alfred', 115–8.

relationship between the A- and B-recensions of the *Collectio canonum Hibernensis* are not well understood.[72] The A-text can be dated between 690 and 748 (and, on manuscript evidence, before 725), while the date of the expanded B-text is unknown;[73] three of the surviving B-text manuscripts that record items from the *Proverbia Grecorum* can be dated to the early ninth and tenth centuries, while a fourth, the ninth-century Karlsruhe manuscript, records only the *Proverbia*'s comments on the five states of kingship.[74] It is in the B-recension that a few of the proverbs—as many as six—were extracted from the *Proverbia Grecorum*. All have at least some bearing on themes of wisdom, rulership, or judgement.[75] As a general principle, the *Collectio canonum Hibernensis* reflects a synthesis of ecclesiastical and secular law, drawn from a number of sources but frequently citing the authority of scripture, hagiography, church councils, and Patristic and pseudo-Patristic authors.[76] The work was therefore a convenient compilation for matters of legal consultation,

[72] Simpson, 'Proverbia Grecorum', 3 n. 11, pointed to flaws in Wasserschleben's 1885 edition of the *Hibernensis*, which was based on the deficient St. Gall manuscript and consequently foundered early attempts to untangle the transmission history of the *Hibernensis*. Within the last decade, Gorman indicated problems with the accepted descriptions and stemma of the manuscripts, which caused him to undertake the fullest efforts so far to delineate the recensions: Gorman, 'Patristic and Pseudo-Patristic Citations in the *Collectio Hibernensis*', Revue Bénédictine 121.1 (2011), 18–93 at 78–88. Roy Flechner has recently published the two recensions for the first time, *The Hibernensis*, ed. and trans. Roy Flechner (Washington D.C.: The Catholic University of America Press, 2019).

[73] Flechner, 'The Problem of Originality in Early Medieval Canon Law: Legislating by Means of Contradictions', *Viator* 43.2 (2012), 29–47 at 30 and 33–4. As Flechner indicates, the *terminus post quem* for the *Hibernensis* comes from the date at which it latest authority cited, Theodore of Canterbury, died, while the *terminus ante quem* is the year in which the earliest secondary witness, the *Vetus Gallica*, was compiled. But cf. Simpson, 'Proverbia Grecorum', 3 n. 12 who notes that the A-recension can be dated earlier owing to a colophon in MS B.N. lat 12021, which names Rubin of Iona as a scribe, who is known to have died in 725.

[74] Simpson, 'Proverbia Grecorum', 2–3. The manuscripts are: Oxford, Bodleian Library Hatton 42 (s.ix$^{1/3}$); Rome, Vallicelliana xvii (s.x^{ex}); and London, BL Cotton Otho E.xiii (s.ix–x); 'Karlsruhe' refers to MS Karlsruhe Augiensis xviii (s.ix$^{1/4}$). For a full list of manuscripts of the *Hibernensis*, with discussion of their recensions, see Gorman, 'Patristic and Pseudo-Patristic Citations in the *Collectio Hibernensis*', 78–88 and Bradshaw, *The Early Collection of Canons Known as the* Hibernensis*: Two Unfinished Papers*, at 60–4.

[75] The six copied into Bodleian Library MS Hatton 42 are transcribed by Simpson, 'Proverbia Grecorum', 15–16, with brief analysis of some of the items on 2–3 and 6–8. In sequential order, they deal with the five periods of kingship (fol. 42r), the six ways man's spiritual nature was made in God's image (fol. 79r), the contrast between the wise man and the fool (twice on fol. 81v; *Proverbia* 1 and 2), the subject of members of religious orders giving and receiving gifts (fol. 85v, *Proverbium* 65), and the subject of wicked brothers usurping their sibling's inheritance (fol. 90r, *Proverbium* 69). *Proverbium* 69 is one of two (along with 61) that is likely descended from Old Irish law, potentially revealing something of the identity of the *Proverbia Grecorum* author, but also the interests of the *Collectio canonum Hibernensis* compiler in extracting the above proverbs.

[76] Gorman, 'Patristic and Pseudo-Patristic Citations in the *Collectio Hibernensis*', 19–22; Carella, 'Evidence for Hiberno-Latin Thought in the Prologue to the Laws of Alfred', 20–3; Frantzen, *The Literature of Penance in*

and constituted an important source for Anglo-Saxon canon law even as late as early eleventh century, such as in the *Excerptiones Egberti*.[77]

Notwithstanding possible influence of the *Collectio canonum Hibernensis* on the *Domboc*,[78] its circulation of items from the *Proverbia Grecorum* provides parallel proof that they were of interest to authors writing on matters of rulership and judgement at roughly the same period of time during which both the *Domboc* and the *Vita Alfredi* were being compiled. In Asser's case, he seems to have known the *Proverbia* independent of the *Hibernensis*, or at least had access to a larger list of proverbs than what is preserved in the manuscripts of the B-recension of the *Hibernensis*, as is evident from his one explicit quotation from the work in chapter 88, drawing from *Proverbium* 20.[79] The chapter deals with the assemblage of Alfred's *enchiridion* following his new and miraculous understanding of Latin, which Asser encourages by way of helping Alfred to assemble a quire of his favourite quotations from Latin sources, likened to a busy bee wandering amidst a field of flowers:[80]

> Ac deinde cotidie inter nos sermocinando, ad haec investigando aliis inventis aeque placabilibus testimoniis, quaternio ille refertus succrevit, nec immerito, sicut scriptum est 'super modicum fundamentum aedificat iustus et paulatim ad maiora defluit', velut apis fertilissima longe latque gronnios interrogando discurrens, multimodos divinae scripturae flosculos inhianter et incessabiliter congregavit, quis praecordii sui cellulas densatim replevit.
>
> [Thereafter during our daily discussions, while searching to this end, as we found other equally pleasing passages the quire grew full, and rightly so, just as it is written, 'The just man builds on a modest foundation and gradually proceeds to greater things', or like the busy bee, wandering far and wide over the marshes in his quest, eagerly and relentlessly assembles many various flowers of Holy Scripture, with which he crams full the cells of his heart.]

Anglo-Saxon England, 41–2; Bradshaw, *The Early Collection of Canons Known as the Hibernensis: Two Unfinished Papers*, ed. Francis John H. Jenkinson (Cambridge: Cambridge University Press, 1893), 6.

[77] Aronstam, 'The Latin Canonical Tradition in Late Anglo-Saxon England: The "Excerptiones Egberti"', unpublished Ph.D. thesis (Columbia, 1974), 130–8 and 161; cf. Frantzen, 'The Tradition of Penitentials in Anglo-Saxon England', 52.

[78] Carella, 'Evidence for Hiberno-Latin Thought in the Prologue to the Laws of Alfred', 23–5.

[79] Scharer, 'The Writing of History at King Alfred's Court', 198; Lapidge, *The Anglo-Saxon Library*, 116.

[80] Stevenson 1904, 74; *K&L*, 100.

Asser makes a similar allusion to the clever bee in chapter 76 of the *Vita Alfredi*, referring instead to Alfred's search for court helpers, which the king was not satisfied to restrict to his own kingdom; as Keynes and Lapidge note, the *locus classicus* for the image is characteristically Aldhelmian and found also in the *Soliloques*.[81] Two further Aldhelmian tags shortly before and immediately after the quotation referring to the 'just man' would seem to substantiate the ascription, although Keynes and Lapidge were ultimately unable to identify the quotation itself.[82]

Scharer later traced the quotation to the *Proverbia Grecorum* via the CETEDOC Library of Christian Latin Texts database (CLCLT), which led him to suspect the bee simile that had been fused to it was not Aldhelmian but in fact a reference to another proverb, then-recently discovered by Bernhard Bischoff in an anomalous ninth-century collection of idioms attributed to the *Proverbia Grecorum*.[83] Contrary to Aldhelm's comparison, which likened the chastity and industry of the bee to the Church's efforts promote conversion through teaching the Scriptures, the anonymous proverb praised the wisdom in not overlooking the bee's humble-seeming nature, which disguised the remarkable sweetness of its labours:

> Ut apis prudentissima, quae congregat de omnibus floribus totius terrae in vassuum, ut reges et sacerdotes comedant de fructu dulcissimo laboris illius, sicut scriptum est in Proverbiis Gregorum: 'Non spernas hominem in visu neque despicias staturam eius; brevis est enim apis in volatilibus caeli et fructum illius primatus dulcidinis.'
>
> [Like the most clever bee which collects from all the flowers of the entire earth in her hive so that kings and priests may taste the sweet produce of her labours; as is written in the Proverbs of the Greeks: 'Do not spurn man in his aspect nor despise his stature; brief is the bee among the birds of the air and yet her produce holds the first place in sweetness.']

[81] *Ibid.*, 92 and 258–9 n. 161.
[82] *Ibid.*, 99–100 and 269 n. 210–4.
[83] Scharer, 'The Writing of History at King Alfred's Court', 196–9. The collection of proverbs in MS Munich, Clm 14096, fol. 63v, edited by Bischoff in *Anecdota novissima: Texte des vierten bis sechzehnten Jahrhunderts*, ed. Bernhard Bischoff, (Stuttgart: A. Hiersemann, 1984), 98–100; cf. Simpson, 'Proverbia Grecorum', 16, who compiles the new additions alongside the rest of the items known to belong to the *Proverbia Grecorum*.

The logic lying behind both quotations, if they do indeed derive from the *Proverbia Grecorum*, is in keeping with the central themes of that work, which probably do not derive from a Greek literary tradition but rather a Latin one running roughly parallel to the Vulgate and *Proverbia Salomonis*; it has been noticed, for instance, that the work's concern with topics such as '*sapiens* and *stultus*, *iustus* and *mendax*, *rex iustus* and *rex impius*, *mulier fortis* and *mulier inepta*' are also common to the Book of Proverbs.[84] Further items in the *Proverbia* encourage the equitable conduct of judges and kings, including *Proverbium* 43, which bears resemblance to chapter 105 of the *Vita Alfredi*:[85]

> Rex pacificus leta facie bona dividit et uniuscuiusque causam diligenter meditatur, etiam infirmos et pauperes populi non despiciens. Cum seniorum iudicio et consilio verax iudicia loquitur …
>
> [The peace-making king divides the possessions with a happy face, and he diligently contemplates the case of each one, not despising the weak and the poor among the people. With the opinion and counsel of the elders he passes judgement speaking the truth...]

Scharer's interest in these quotations was in their intersection with Sedulian ideas, pertaining especially to the fair treatment of the poor and weak, the construction of Alfred's illness as a 'tribulation of the *electi*', and the governance of the Anglo-Saxon state by means of Solomonic principles.[86] The theory is compelling, but hamstrung by the fact that most of the parallels come directly from the *Proverbia Grecorum* and not through Sedulius—as indeed the bee proverb demonstrates, if it is not Aldhelmian.[87] In either case, what yields such convincing parallels is the embracing of overtly Christological imagery in both the *Liber de rectoribus Christianis* and the *Vita Alfredi*, often in ways that are emphasised by overt biblical quotation or by reference to analogous ideas in works such as the *Proverbia*

[84] Simpson, 'Proverbia Grecorum', 7–8.
[85] See further *Proverbia* 4, 20, 22, 34, 38, and 45.
[86] Scharer, 'The Writing of History at King Alfred's Court', 200–4.
[87] Lapidge, *The Anglo-Saxon Library*, 116, n. 101, but cf. Scharer, 'The Writing of History at King Alfred's Court', 199.

Grecorum. Drawing out the image Asser is trying to evoke in this section of the *Vita Alfredi* demonstrates this.

Further to Scharer's point about Alfred's illness being a sign of the elect, in the above section of the *Vita Alfredi* (roughly chapters 87 through 91), Alfred's illness is likened specifically to that of Christ rather than to Job or Gregory who sometimes received similar treatment.[88] The Christological analogy is established by way of the fortunate thief who hung on the cross next to Christ, and who Asser reports learned the rudiments of Christian faith on the gallows not unlike Alfred, afflicted by his illness in his own way, but nevertheless eager to assemble his *enchiridion* despite his troubles:[89]

> Nam primo illo testimonio scripto, confestim legere et in Saxonica lingua interpretari atque inde perplures institutere studuit, ac veluti de illo felici latrone cautum est, Dominum Iesum Christum, Dominum suum, immoque omnium, iuxta se in venerabili sanctae Crucis patibulo pendentem cognoscente; quo subnixis precibus, inclinatis solummodo corporalibus oculis, quia aliter non poterat, erat enim totus confixus clavis, submissa voce clamaret: 'Memento mei, cum veneris in regnum tuum, Christe,' qui Christianae fidei rudimenta in gabulo primitus inchoavit discere. Hic aliter, quamvis dissimili modo, in regia potestate sanctae rudimenta scripturae, divinitus instinctus, praesumpsit incipere in venerabili Martini solemnitate.
>
> [Now as soon as that first passage had been copied, he was eager to read it at once and to translate it into English, and thereupon to instruct many others, just as we are admonished by the example of that fortunate thief who recognised the Lord Jesus Christ—his Lord and indeed Lord of all things—hanging next to him on the venerable gallows of the Holy Cross, and petitioned him with earnest prayers. Turning his fleshly eyes only (he could not do anything else, since he was completely pinned down with nails), he called out in a reverential voice: 'Christ, remember me when thou shalt come into thy kingdom.' This thief first began to learn the rudiments of Christian faith on the gallows; the king likewise (even though in a different way, given his royal station), prompted from heaven, took it upon himself to begin the rudiments of Holy Scripture on St. Martin's Day …]

The analogy continues in the next chapter, beginning with a quotation of a Latin hexameter only relatively recently identified:[90]

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[88] Scharer, 'The Writing of History at King Alfred's Court', 188.
[89] Stevenson 1904, 75; *K&L*, 100.
[90] Stevenson 1904, 75–6; *K&L*, 100–1.

> Sed, sicut a quodam sapiente iamdudum scriptum est invigilant animi, quibus est pia cura regendi, magnopere invigilandum mihi censeo in eo, quod ante aliquam, quamvis dissimili modo, similitudinem inter illum felicem latronem et regem composuerim: namque patibulum exosum est unicuique, ubicunque male habet. Sed quid faciat, si non possit se inde eripere aut etiam effugere, vel qualicunque arte causam suam meliorare ibidem commorando? Debet ergo, velit, nolit, cum moerore et tristitia sufferer, quod patitur.
>
> Erat itaque rex ille multis tribulationum clavis confossus, quamvis in regia potestate constitutus
>
> [But, just as it was written by a certain wise man a long time ago, 'The minds of those in whom there is conscious concern for ruling are ever alert', I think I should be particularly alert, since I have just suggested a comparison (albeit of different degree) between the fortunate thief and the king: for the gallows are hateful to anyone who finds himself in trouble. But what can he do, if he cannot extricate himself from it, or even run away, or by some manner of means improve his lot by remaining there? He ought therefore to endure—willy-nilly—in pain and sorrow what he is suffering.
>
> King Alfred has been transfixed by the nails of many tribulations, even though he is invested with royal authority …]

Keynes and Lapidge were unable to locate the source the hexameter, confirming only that it did not come from a classical source.[91] Scharer speculated that it could be an adaptation of a quotation from Sedulius.[92] Lapidge would later independently identify it as a verbatim borrowing from the sixth-century poetical work, *In laudem Iustini Augusti minoris*, by the north African grammarian Flavius Cresconius Corippus.[93] The extracted passage is as follows:[94]

> Sed non in segnes solverunt pectora somnos: **invigilant animi quibus est pia cura regendi** tot latos populos, duros domitare tyrannos, consiliis uti, causas disponere mundi.
>
> [But they did not relax their hearts in sluggish sleep: **their minds stayed awake, whose pious responsibility it is to govern** so many far-flung peoples, to tame hard tyrants, to make use of counsel and to settle the problems of the world.]

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[91] *K&L*, 269 n. 217.
[92] Scharer, 'The Writing of History at King Alfred's Court', 200–1.
[93] Lapidge, *The Anglo-Saxon Library*, 116–9.
[94] Corippus, Flavius Cresconius, *In laudem Iustini Augusti minoris libri IV*, ed. and trans. Averil Cameron (London, 1976), 65, l. 139.

The hexameter comes from Book III of the *In laudem Iustini Augusti minoris*, where it is related that Justin's wife, empress Sophia, abstains from sleep after a coronation banquet because vigilance is the responsibility of just governance. Quotations of Corippus are exceedingly rare in Anglo-Saxon England—the work is otherwise only paraphrased in Aldhelm,[95] although thematic parallels have recently been suggested for the *Phoenix*[96]—which led Lapidge to surmise that the *In laudem Iustini Augusti minoris* must either have entered Alfred's court via Carolingian channels (directly via Grimbald or John the Old Saxon), or descended from common access to a manuscript housed in a library shared between Asser and Aldhelm, such as at Sherbourne, where the two figures were bishops roughly two-hundred years apart. However, the list of Anglo-Latin influences can be extended by no fewer than ten further quotations of the *In laudem Iustini Augusti minoris* in Aediuulf's *Carmen de abbatibus*, suggesting that its influence in Anglo-Saxon England was somewhat more widespread than is currently known.[97] Echoes of Corippus' writings have also been detected in the works of Venantius Fortunatus, Julian of Toledo, Eugenius of Toledo, Theodulf of Orleans, in extracts from the eighth council of Toledo (A.D. 653) and in an anonymous poem on the life of Charlemagne, opening further channels for transmission into Anglo-Saxon England.[98] For example, Venantius Fortunatus was frequently quoted by Aldhelm, and Julian of Toledo is quoted in the Old English *Orosius*.[99]

Clearly, the quotation was extracted to heighten the praise of Alfred's piety and mental adroitness in spite of his worldly pains, which Asser likens to the nails that had fixed Christ and the fortunate thief to the cross. He is careful not to draw too close a parallel

[95] Orchard, *The Poetic Art of Aldhelm*, 185–91.
[96] *Ibid.*, 118–9; 'Records for Source Title Laud.Iust' via Fontes Anglo-Saxonici Project, ed., *Fontes Anglo-Saxonici*: *World Wide Web Register*; Gorst, 'Latin Sources of the Old English Phoenix', *Notes and Queries* 53 (2006), 136–42.
[97] Orchard, 'Alcuin and Cynewulf: the art and craft of Anglo-Saxon verse', *Journal of the British Academy* 8 (2019), 295–399 at 372.
[98] Thomas N. Hall, 'Corippus', *SOEALLC.*
[99] Orchard, *The Poetic Art of Aldhelm*, 191–95.

between Alfred and the thief—Christ seems the intended comparison—but the overarching message is that mortal suffering affects all men equally: the gallows are hateful to all those who must be hung upon them. Notably, when Asser returns to the theme in chapter 105, he introduces Alfred's concern for the poor in judicial hearings by means of stressing once again the king's piety through prayer, which he took great pains to undertake both day and night inasmuch as his health would allow.[100] Perhaps the image Asser intended to invoke was the one devised in chapters 89 and 90: Alfred, fixed by the nails of his own tribulations, is quick to remember the suffering of those he is soon to judge, just as the fortunate thief beseeched Christ to remember him upon passing into heaven, on his newfound knowledge that he would be judged in the afterlife.

Why would Corippus, a sixth-century North African grammarian, be of interest to Asser in praising Alfred? It is possible to say more if Asser knew anything more of Corippus beyond the hexameter he quoted verbatim. Lapidge surmised that Asser may have come across Corippus' writings at his library in Sherborne where Aldhelm was bishop between 705/6 and 709/10, as Aldhelm's paraphrases of Corippus adduce further evidence that he was read in Anglo-Saxon England.[101] How much of Corippus' writings circulated there is currently unknown. Connections between Anglo-Saxon England and the Byzantine East were more widespread than is commonly acknowledged, and a substantial body of archaeological evidence supports regular contact between 600 and 1050, usually mediated through Rome.[102] Theodore's arrival in England in the 660s, as well as Alfred's correspondence with Elias, Patriarch of Jerusalem in the 880s or early 890s, provides evidence that direct connections

[100]Stevenson 1904, 91–2: His ita ordinabiliter per omnia digestis, dimidiam, sicut Deo devoverat, servitii sui partem custodire cupiens, et eo amplius augere, in quantum possibilitas aut suppetentia, immo etiam infirmitas, permitteret, taediosus examinandae in iudiciis veritatis arbiter existebat, et in hoc maxime propter pauperum curam, quibus die noctuque inter cetera praesentis vitae debita mirabiliter incumbebat.
[101] Lapidge, *The Anglo-Saxon Library*, 118–19; paraphrases discussed in Orchard, *The Poetic Art of Aldhelm*, 189–90.
[102] Lapidge, 'Byzantium, Rome and England', 363–5.

between Anglo-Saxon and Byzantine courts existed in addition to the documented travel of missionaries such as the Anglo-Saxon pilgrim Willibald in 724–27, or the Frankish monk Bernard in 870.[103] Therefore, the idea that anything more of Corippus' poetry should have survived beyond the roughly one dozen hexameters presently known via quotation or paraphrase by Anglo-Latin authors is not an outlandish suggestion.

As for Corippus' life and works, how much Asser would have known of his biographical background is also unknown, although even the modern understanding of Corippus' career derives nearly exclusively from his two surviving poems, the *Iohannes* and the *In laudem Iustini Augusti minoris*.[104] The former was an eight-book praise-poem of John Troglita, field Marshall of the Byzantine Emperor Justinian.[105] Following Justinian's conquest of North Africa during the Vandalic War of 533–34, the efforts to restore imperial control of the praetorian prefecture of Africa, most notably in Carthage, resulted in a period of unrest as Mauri tribes from the interior regions of modern-day Tunisia rebelled against imperial rule. Troglita's triumphs to break the resistance resulted in a cessation of hostilities that occasioned Corippus' writing of the *Iohannis,* which he seems to have read before the *proceres* in Carthage.[106] In the twenty years that passed between the *Iohannis* and the creation of the *In laudem Iustini Augusti minoris,* Corippus' growing esteem apparently placed him in Constantinople, now older and perhaps facing some troubles, but thankful of an official position under the auspices of Constantinople's chief magistrate, quaestor Anastasius (*fl.* 565–78). Although the *In laudem Iustini Augusti minoris* is officially dedicated to the passing of Justinian and the accession of Justin II, Corippus' affection for Anastasius is expressed in superlative terms in a lengthy panegyric of more than fifty lines that prefaces the *In laudem Iustini Augusti minoris,* steeped in the same Christian imagery that Corippus

[103] *Ibid.*, 373–7.
[104] Cameron, *In laudem Iustini Augusti minoris libri IV*, 1.
[105] *Ibid.*, 1–2.
[106] *Ibid.*, 1.

accords the emperor as the *imago Christi*. In this respect, the *In laudem Iustini Augusti minoris* is somewhat unusual as a classical poem, as its thoroughly Christian symbolism is focused on themes otherwise chiefly represented in 'imperial art, the language of law codes or in treatises on kingship.'[107] Thus, for example, Corippus borrows a popular scriptural image of the Tree of Life signifying Christ and the Church (from Daniel 4:10–12, but probably known to him from the poetry of Caelius Sedulius),[108] yet applies it to Anastasius rather than Justin II, and integrates it with another biblical metaphor of the stream issuing from paradise, here flowing from the imperial court to nourish Corippus' writing; both these images he offers in praise of Anastasius' legal acumen as *magister officiorum*:[109]

> Haec inter amoena libenter
> nutriar et vestra satiatus protegar umbra,
> summe magistrorum, perocerum decus, arbiter orbis,
> principis auspicio leges et iura gubernans,
> iustitiae vindex, inopum pater, omnia curans
> iudiciis relevare piis, qui munera temnis,
> spernis avaritiam, fulvum qui respuis aurum,
> quaestor Anatasi, quem Christi munere fidum
> cognovit princeps geminoque ornavit honore.
> Felix est totus Iustino principe mundus,
> felix haec aetas in qua Sapientia regnat,
> felices populi te iudice, quos facis ipse
> sub dominis gaudere piis.
>
> [May I gladly be nurtured amid these pleasances and being sated may I be protected by your shade, greatest of magistri, glory of our leaders, guide of the world, watching over law and justice under the auspices of the emperor, champion of justice, father of the needy, striving to mitigate all ills by pious judgements, you who spurn bribes, turn your back on greed and reject yellow gold too, quaestor Anistasius, whom the emperor saw to be loyal through the gift of Christ, and honored with dual office. Happy is the whole world with Justin as emperor, happy this age in which Wisdom rules, happy the people with you as judge, the people whom you yourself make to rejoice under pious rulers.]

In an Alfredian context, what strikes immediately about Corippus' commendation of Anastasius is how it follows the same patterns of praise as Asser's casting of Alfred in chapters 105 and 106 of the *Vita Alfredi*. The progression of ideas is the same, with oversight of the law as a conceptualisation of justice being followed by the care for the poor or needy, then the use of judgements to ameliorate wrongs, and finally the spurning of bribes which

[107] Cameron, *In laudem Iustini Augusti minoris libri IV*, 9.
[108] *Ibid.*, 124.
[109] *In laudem Iustini Augusti minoris libri IV*, ll. 24–35, ed. and trans. Averil Cameron, 35–6 and 86–7.

Asser specifically outlines in chapter 106 when describing Alfred's anger with his corrupt judges. Finally, whereas Asser bridges Alfred's disparagement of his corrupt judges to a first-person quote offered in the king's voice that, 'I am astonished at this arrogance of yours, since through God's authority and my own you have enjoyed the office and status of wise men, yet you have neglected the study and application of wisdom' (adding that literacy and education was the only avenue through which they could retain power), Corippus similarly construes Anastasius' oversight of the law as the means through wisdom is able to flourish is his present day and stir the people to appreciate wise and pious rulers.[110]

As the example of the *Proverbia Grecorum* has shown, excerpts of literary passages pertaining to wisdom or judgement sometimes circulated in compilations apart from the works in which they originally appeared. Here, fewer than ten lines could be extracted to seed the ideas elaborated in Asser's *Vita Alfredi*. On the understanding that at least one hexameter reached Asser's hands intact, for which it has been questioned whether Asser was consciously asserting a comparison between Alfred and a Byzantine emperor by employing it,[111] it is at least plausible that Corippus' habit to emphasise virtues of kingship according to judicial and Christological principles influenced Asser's mode of argument along the same lines in the *Vita Alfredi*. At the same time, an interest in just rulers is found in the passages from the Alfredian translations highlighted at the outset of this chapter as an elaboration on the exercise of wisdom, paralleled in the approach to translation seen in the Mosaic prologue of Alfred's *Domboc* previously covered. These need not have all descended from a common source, although presumably the same ideas that would have attracted the Alfredian court to these characterisations of rulership would have attracted its constituents to Corippus'

[110] *VA*, 106, ed. Stevenson, 95–5: 'Nimium admiror vestram hanc insolentiam, eo quod, Dei dono et meo, sapientium ministerium et gradus usurpastis, sapientiae autem studium et operam neglexistis.'
[111] Thomas N. Hall, 'Corippus', *SOEALLC.*

panegyric of Anastasius, should it have been available to them in a complete, abridged, or excerpted form.

That praise poetry of this kind was enjoyed at the Alfredian court and therefore read and experimented with is substantiated by the survival of two acrostics in a ninth-century manuscript of gospels from south-west England or Wales, Bern, Burgerbibliothek, 671, once believed by Lapidge to have been penned by Alfred's priest, John the Old Saxon.[112] The acrostics have recently been re-edited by Robert Gallagher, who questioned their specific association with John the Old Saxon, but illuminated their continuation of an acrostic tradition in cultural vogue among Carolingian and Anglo-Latin poets of the eighth and ninth centuries who were emulating 'Sibylline' acrostics considerably older:[113]

> Admiranda m*ihi* mens *est* t*ran*scurrere gest A
> Ex arce astrifera cito s*ed* redis arbiter i*n*d E
> Lex etiam u*t* docuit typice portendere fraede L [=Aelfred]
> Flagrantique simul moles mundi arserit igne F
> Rex formasti his s*ed* melius gnaru*m* optime flam*mis* R
> Eripis atq*ue* chaos uincens Christe ipse necasti E
> Diuino s*upe*r astra frui p*er* s*a*ecula uultu D
> En t*ibi* discendant e celo Grati*a*e tot *Æ*
> Let*u*s eris semp*er Æ*lfred p*er* co*m*peta ate L [=leta]
> Flectas iam mentem sacris satiare sirela F [=faleris]
> Recte doces p*roper*ans falsa dulcidine mure R [=rerum]
> Ecce aptas clara semp*er* lucrare taltan E [=talenta]
> Docte p*er*egrine t*ran*scurrere rura sophie D
>
> [My mind is to run through marvellous deeds:
> From the starry citadel, you [will] return readily thence as Judge,
> Just as the law taught figuratively, to foretell Alfred,
> At the same time the world's mass will burn in a blazing fire.
> O King, you created, but from these flames more agreeably and most rightly the wise one
> You rescue - and so triumphing, Christ, you yourself destroyed the chaos –
> To enjoy the divine visage above the stars through the ages.

[112] *G&L* no. 794; *K&L*, 192; Lapidge, 'Some Latin Poems as Evidence for the Reign of Athelstan', in *ASE* 9 (1981), 61–98.

[113] Gallagher, 'Latin Acrostic Poetry in Anglo-Saxon England: Reassessing the Contribution of John the Old Saxon', *Medium Ævum* 86.2 (2017), 249–74; Gallagher, 'King Alfred and the Sibyl: Sources of praise in the Latin acrostic verses of Bern, Burgerbibliothek, 671', *Early Medieval Europe* 27.2 (2019), 279–98. Gallagher emends the following words from the MS readings: *es = ex; erce = arce; reddes = redis; faede = fraede; flagrantice = flagrantique; fletas = flectas; transcurre = transcurrere*. The translation here is Gallagher's, which deviates from Lapidge's in a few minor ways; I have restored Lapidge's rendering of the end of the second line, that Christ is to return as *arbiter*, or judge; cf. Lapidge, 'Some Latin Poems as Evidence', 82.

> Behold, may all the graces descend from heaven for you!
> You will always be joyful, Alfred, through the happy crossroads [of life].
> May you now turn your mind and be satisfied with sacred adornments.
> Rightly you teach, hastening away from the deceptive charm of worldly affairs.
> See, you apply yourself always to gain bright talents,
> To run wisely through the fields of foreign learning.]

Each acrostic's syntax is intricately arranged to fit the format of the acrostic—that is, the spelling of Alfred's name on either side of each verse, first as AELFRED/ELFRED, then as ELFRED/ÆLFRED. This, along with a passing (and anagrammatically encoded) reference to Alfred in the first acrostic that delays the naming of its dedicatee as Christ, appears to conflate their authority on matters of judgement. As elsewhere in the Alfredian corpus, the association between judgement and wisdom is seen to be particularly close, which the second acrostic linking these to learning through a rather Gregorian reference to pursue divine knowledge in lieu of worldly affairs.

Acrostics were a popular vehicle of poetic expression in Anglo-Saxon England, composed not only by anonymous students at the seventh-century school of Theodore and Hadrian,[114] but also by Aldhelm as prefaces to his *Enigmata* and *Carmen de virginitate* that attracted important imitators in Boniface and Tatwine.[115] Concomitant with the compositions of the Anglo-Latin poets was the dissemination of Augustine's *Sibylline acrostic* from his *Dei civitate Dei*, which was much more widespread in England than on the Continent.[116] As Gallagher has noted, however, acrostics first became avenues for royal praise within the Carolingian milieu of Charlamagne's court, where Alcuin was the most prolific composer of them.[117] Here again the Carolingians took as their source of inspiration a Byzantine poet of

[114] Orchard, *The Poetic Art of Aldhelm*, 195–200.
[115] 'Acrostics', *BEASE*, 5; Orchard, *The Poetic Art of Aldhelm*, at 62 and 248–9 (imitation by Boniface), 242–3 (imitation by Tatwine).
[116] Alcamesi, Filippa, 'The *Sibylline Acrostic* in Anglo-Saxon Manuscripts: the Augustinian Translation and Other Versions', in ed. Rolf Bremmer and Kees Dekker, *Foundations of Learning: The Transfer of Knowledge in the Early Middle Ages* (Leuven, 2007), 147–74 at 147–50.
[117] Gallagher, 'King Alfred and the Sibyll', 285.

North African extraction, namely Publilius Optatianus Porphyrius, whose acrostics composed in praise of Constantine gave them the 'greatest Christian imperial pedigree possible.'[118] The verses therefore would have carried a weighty Carolingian association of royal praise that may well have extended to Constantinian examples; recasting these models in familiar Alfredian themes of just kingship and the pursuit of learning accorded Alfred with considerable esteem as a ruler and intellect.[119] However, one wonders whether, in addition to the parallels with the *Sibylline acrostic* Gallagher has suggested, if some of these images of Byzantine learning might have become intermingled; as in Corippus' praise of Anastasius and his legal acumen, the focus of the Bern acrostics on judgement and justice as a means of quelling chaos, and of divine learning as a path to happiness and wisdom, are images prominently positioned in Corippus' panegyric. Moreover, Corippus' distinct fusing of classical and Christian Latin poetic traditions (especially of Dracontius, Sedulius, Prudentius, Arator and Paulinus of Petricordia, who were among his most favoured inspirations) gave rise to his distinctive associations between biblical imagery and the imperial court.[120] Therefore, it is not a surprise that Carolingian authors such as Theodulf of Orleans and the anonymous poet of Charlemagne's *Aachener Karlsepos* were attracted to Corippus' themes when composing praise poetry of their own; [121] that Asser was likewise attracted may suggest Byzantine inspiration was not limited only to Porphyrius, Corippus, or the Sibylline tradition, but some combination thereof that found particular resonance in ninth-century Francia and England.

The acrostics, as with Asser's seeming use of Corippus in his distinctive construction of Alfredian learning and judicial oversight, conceive of Alfred almost as a figurehead from which royal authority flows. While these images were clearly efficacious for achieving royal

[118] *Ibid.*, 285.
[119] *Ibid.*, 289–91.
[120] Cameron, *In laudem Iustini Augusti minoris*, 8–10.
[121] Thomas N. Hall, 'Corippus', *SOEALLC.*

praise, both for poetry composed in celebration of the king and in biographies looking back favourably on his life and accomplishments, they raise important questions about the employment of Latin learning at the Alfredian court. Asser's *Vita Alfredi* is not a poetic work, yet its source-study clearly demonstrates it drew occasionally on verse. Similarly, the Bern acrostics that were constructed with specific Latin models need not have incorporated familiar themes of Alfredian wisdom and judgement into their composition unless these were of especial importance to their royal subject. Therefore, as a final exploration of the expression of royal authority within an Alfredian milieu, it is worth considering in what ways the royal corpus reflected these themes. As with other castings of judgement and kingship across the corpus, it would seem that the specific inspirations for the expressions of royal authority seen in the literary works often also drew on Anglo-Latin models in ways that have not been fully appreciated by the scholarship to date.

The Verse Epilogue of the *Pastoral Care*

The Old English *Pastoral Care* ends with a verse epilogue of thirty lines that is unique to that text, and which until recently has been viewed by commentators with a degree of scepticism.[122] Whereas the *Pastoral Care* opens with a lengthy prose preface written in the first-person that is explicitly declared to be Alfred's own voice, the verse epilogue makes no

[122] The metaphorical significance of the water imagery has been variously interpreted, often in contrary ways, inferring biblical allusion or else secular expression of a wisdom conceit. Neil D. Isaacs, 'Still Waters Run "*Undiop*"', *Philological Quarterly* 44.4 (1965), 545–9; J. E. Cross, 'The Metrical Epilogue to the Old English Version of Gregory's *Cura Pastoralis*', *Neuphilologische Mitteilungen* 70.3 (1969), 381–7; William Whobrey, 'King Alfred's Metrical Epilogue to the "Pastoral Care"', *JEGP* 90.2 (1991), 175–86; Allen Frantzen, 'The Form and Function of the Preface in the Poetry and Prose of Alfred's Reign', *Alfred the Great: Papers from the Eleventh-Centenary Conferences*, ed. Timothy Reuter (Aldershot: Ashgate, 2003), 121–36 at 127–8; Britt Mize, 'Manipulations of the Mind-as-Container Motif in *Beowulf*, *Homiletic Fragment II*, and Alfred's Metrical Epilogue to the *Pastoral Care*', *JEGP* 107.1 (2008), 25–56 at 47–53; Malcolm Godden, 'Prologues and Epilogues in the Old English Pastoral Care, and their Carolingian Models', *JEGP* 110.4 (2011), 441–73 and 468 n.76, in which Godden cites conflicting readings plaguing the scholarship of the epilogue, even in cases where authors insisted straightforward interpretations. See now Daniel Anlezark, 'Drawing Alfredian Waters: the Old English *Metrical Epilogue* to the *Pastoral Care*, Boethian *Metre* 20, and *Solomon and Saturn II*', *Meanings of Water in Early Medieval England* (Turnhout: Brepols, 2021), 241–66.

mention of the king and employs a complicated image of flowing water to exhort its reader to receive its wisdom. The ambiguity caused by Alfred's prose preface directly segueing into an unattributed translation of Gregory's text has been considered to be one of the strongest impositions of Alfred's royal authority in the corpus;[123] its effect is heightened by the verse preface that immediately follows, speaking from the book's perspective and positioning Alfred as its latest message-bearer after Augustine and Gregory.[124] The provision of the verse preface evidently obviated identifying Gregory and his dedicatee for the *Regula pastoralis*, John of Ravenna, at the beginning of the text. Excising their names left the impression that the *Pastoral Care* was written in Alfred's voice rather than Gregory's, which has been attested by a contemporary gloss left behind in two manuscript copies of a shared exemplar, in which the Anglo-Saxon reader writes '*Ælfredes cynges mæssepreost Iohannes*' at the end of the work where John of Ravenna's name is mentioned, presumably confusing him for Alfred's court helper, John the Old Saxon.[125] The pattern developed in the prose and verse prefaces makes the verse epilogue all the more peculiar, as Alfred is absent from its narrative and it prominently positions Gregory as the worldly authority through which wisdom flows.

In comparison to the prose preface, the verse epilogue has received comparatively little comment and has been assessed as being both stylistically difficult and elusively

[123] Godden, 'The Player King: Identification and Self-Representation in King Alfred's Writings', *Alfred the Great*, ed. Timothy Reuter, 137–50 at 137–8; David Pratt, *The Political Thought of Alfred the Great*, 169–70; Amy Faulkner, 'Royal Authority in the Biblical Quotations of the Old English *Pastoral Care*', 125–40 at 127–9.
[124] The way in which the verse preface carefully navigates the problem of authorship by attributing composition to *Rome papa*, 'the pope at Rome', is worthy of note. The epithet distances itself from Gregory, who is only identified by name in the subsequent sentence, and not as author. Meanwhile, the verb used for 'composed' in the opening lines is *adihtode*, a *hapax legomenon* unique to this passage, and fashioned from the more common verb *dihtian*, which can mean 'dictate' as much as 'compose'. The word descends from Latin *dictare*, which it frequently glosses in Anglo-Saxon manuscripts; cf. 'Dihtan, dihtian', v., *DOE* and MnE 'dight', v., *OED*.
[125] John the Old Saxon's identity can be conjectured from the fact that he, along with his Continental colleague Grimbald, were the only named members of Alfred's court attested in the documentary record from which episcopal office was withheld. Pratt perceived this to demonstrate their indispensable help to the Alfredian project: *Political Thought*, 57–8. On the Gregorian preface and epilogue, see Godden, 'Prologues and Epilogues', 464–5 and n.66 for details on the marginalia of the concerned manuscripts, Cambridge, Trinity College, MS R.5.22 and Cambridge, University Library, MS Ii.2.4.

metaphorical.[126] Virtually all analysis of the poem's imagery has been conducted in reference to scriptural readings, either drawn directly from the Bible or as moderated through patristic or exegetical writers including Augustine, Jerome, and Gregory.[127] However, the favoured source has been the prose passages using similar water metaphors within the *Pastoral Care* itself, on the basis that it was a common metaphor of Gregory's that might have resonated with the Alfredian translator to expound upon when composing verses to conclude the work.[128] This attribution is not without merit, although it must be acknowledged that a remark by the poem's most influential editor, Elliott Dobbie, that 'there is nothing in the metrical epilogue to connect it inescapably with the *Pastoral Care*' inadvertently solicited efforts to demonstrate otherwise, which later scholars took up almost as a challenge.[129] Subsequently, Malcolm Godden's acknowledgement that the epilogue's author may not have been that of the *Pastoral Care* translation, and that therefore the construction of such framing devices as 'afterthoughts' does not make them accidents of history to either the Anglo-Saxon or the Carolingian textual tradition that Alfred's court may have modelled in creating them, has been an important development.[130] Rather than narrowly confine interpretation of the prologue with reference to scriptural sources or the prose text it is attached to, this view permits consideration of a wider scope of influence than what has been considered to date.

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[126] ASPR VI, cxii; Allen Frantzen, *King Alfred* (Boston: Twayne, 1986) at 39; Whobrey, 'Metrical Epilogue', 175.

[127] The current scholarly understanding is signalled in Irvine and Godden's recent edition of the Old English *Consolation of Philosophy*, where they remark of the *Pastoral Care* verse epilogue also included in the volume that it 'draws on Saint John's Gospel (7:38–39) and on chapters 38 and 39 of the *Pastoral Care* itself, and perhaps too on the traditional metaphors referring to Gregory's eloquence seen for instance in the incipits of the four books of the Old English *Dialogues*', *The Old English Boethius: With Verse Prologues and Epilogues Associated with King Alfred*, ed. and trans. Susan Irvine and Malcolm Godden, DOML 19 (Cambridge, MA, 2012), xxiii.

[128] As suggested by Isaacs, 'Still Waters', 548–9, but repeated in nearly every publication following; cf. Whobrey, 'Metrical Epilogue', 179–86; Godden, 'Prologues and Epilogues', 467–71.

[129] ASPR VI, cxii; the challenge is confronted head on by Isaacs, 'Still Waters', 548, and Whobrey, 'Metrical Epilogue', 176 and 185.

[130] Godden, 'Prologues and Epilogues', 442–8.

This chapter aims to demonstrate the unacknowledged influence that Anglo-Latin poetry had on the verse epilogue of the *Pastoral Care* in particular.

The poem begins with a metaphor implicitly suggesting the text of the *Pastoral Care* is a body of water from which wisdom flows, the verses wending their way through a long sequence of paronomastic allusions that carry additional suggestions and meaning:[131]

> Ðis is nu se wæterscipe ðe us wereda god
> to frofre gehet foldbuendum.
> He cwæð ðæt he wolde ðæt on worulde forð
> of ðæm innoðum a libbendu
> wætru fleowen, ðe wel on hine
> gelifden under lyfte. Is hit lytel tweo
> ðæt ðæs wæterscipes welsprynge is
> on hefonrice, ðæt is halig gæst.
> Ðonan hine hlodan halge and gecorene,
> siððan hine gierdon ða ðe gode herdon
> ðurh halga bec hider on eorðan
> geond manna mod missenlice.
> Sume hine weriað on gewitlocan,
> wisdomes stream, welerum gehæftað,
> ðæt he on unnyt ut ne tofloweð.
> Ac se wæl wunað on weres breostum
> ðurh dryhtnes giefe diop and stille.
> Sume hine lætað ofer landscare
> riðum torinnan; nis ðæt rædlic ðing,
> gif swa hlutor wæter, hlud and undiop,
> tofloweð æfter feldum oð hit to fenne werð.
> Ac hladað iow nu drincan, nu iow dryhten geaf
> ðæt iow Gregorius gegiered hafað
> to durum iowrum dryhtnes welle.
> Fylle nu his fætels, se ðe fæstne hider
> kylle brohte, cume eft hræðe.
> Gif her ðegna hwelc ðyrelne kylle
> brohte to ðys burnan, bete hine georne,
> ðy læs he forsceade scirost wætra,
> oððe him lifes drync forloren weorðe.
>
> [This is now the fount that the God of Hosts promised in comfort for us as earth-dwellers. He said that it was his will that ever-living waters should flow continually in the world from the hearts of those under the sky who believed in him. There is little doubt that the fount's source is in the kingdom of heaven, that is, the Holy Spirit. From there saints and the elect drew it; afterwards, they, obedient to God, directed it

[131] Dobbie, *The Anglo-Saxon Minor Poems*, ed. Elliott Van Kirk Dobbie, ASPR VI (New York, 1942), at 111–12.

> by means of holy books here on earth in various ways for the minds of men. Some dam up wisdom's stream in the mind's vessel, keep it captive with their lips, so that it will not flow away to no use. But the pool remains deep and still in the man's breast through the Lord's grace. Some let it spill over the land boundaries in small streams. It is not an advisable thing for pure water to thus flow away loud and shallow across the fields until it forms a marsh. But draw it for you to drink, now that the Lord has granted Gregory the grace to have directed the Lord's stream to your doors. Let everyone who has brought a sound vessel fill his waterskin and return quickly. If a follower has brought to this stream a vessel pierced through, let him mend it with care, lest he spill the clearest of waters or lose the drink of life.]

Isaacs identified over twenty examples of what he considered to be shifting uses of water imagery, all to some extent sharing in the tension between flowing water and still pools that he felt were exemplified in the two half lines *hlud and undiop* and *diop and stille*.[132] Several of these terms—some that escaped Isaacs' focus—are in fact *hapax legomena* or words appearing only rarely outside of the Alfredian corpus, such as the nouns and adjectives *welspryge*, *unnyt*, *undiop*, and *scirost*, and the verbs *tofloweð*, *torinnan*, and *forsceade*.[133] This contributes to both the richness of the imagery and its difficulty that earlier commentators remarked on, while highlighting the care with which the poet sought to elaborate his refrain of streams, pools and the flow between them to steer the metaphor in different directions. Whobrey considered the epilogue to have a straightforward structure with three main parts, namely the scriptural foundation of the water-as-wisdom metaphor in lines 1–8, a temporal advancement of that metaphor to the present-day teaching of the Church in lines 9–21, and an invitation to the reader to participate in the transmission of wisdom in

[132] Isaacs, 'Still Waters', 546–7.

[133] All figures drawn from *DOE* and *DOEC*, accounting for variant spellings and referenced by Cameron's shorthands: *welsprynge* is unique in verse to *CPEp* and appears only three more times in prose (all in saints lives) and twice in glosses (both ultimately traceable to Aldhelm, glossing *fontis* and *latex*); *unnyt* is rare in poetry, occurring just eleven times in verse, seven of which belong to poems of Alfredian provenance including *PPs*, *MPs*, *Met*, and *CPEp*; *undiop* is unique only to *CPEp*, although it occurs once as *undep* in a late version of the *Chronicle*; *scirost* is a superlative form unattested elsewhere in Old English; *tofloweð* and its related form, *toflownnesse*, occur fewer than thirty times in the corpus, nearly two thirds of which derive from the Alfredian texts *CPEp*, *Met*, *CP*, *Bo*, *GDPref* and *Bede* with the bulk of the remainder belonging to psalm gloss variants; *torinnan* is unattested elsewhere in Old English; and *forsceade* is uniquely attested in prose in *CP*, otherwise only appearing three times in verse in *CPEp*, *GuthA*, and *Grave*.

lines 22–30.[134] However, as Godden has argued, the rhetorical address to the reader is not necessarily a scriptural inheritance in the same way the essence of the imagery is, as it appears to draw upon Carolingian models such as Alcuin's verse epilogues to the book of Ecclesiastes and his *De animae ratione*, as well as the conceit of appealing to authority through provenance deployed in Alcuin's verse prefaces to works like the *Categoriae decem* and *De dialectica*.[135] The message, of course, is the same: that those who read the *Pastoral Care* and receive its teaching are nourished by its streams of learning, issuing ultimately from God and passing through the Church and its teachers.

As the epilogue has been interpreted almost exclusively with reference to scripture and exegesis, it is important to outline the strengths of that argument. The progenitor of the water-as-wisdom metaphor derives from Christ's statements in John 7:38–39, that, '*Qui credit in me sicut dixit scriptura flumina de ventre eius fluent aquae vivae. Hoc autem dixit de Spiritu quem accepturi erant credentes in eium.*'[136] The ways in which these biblical verses resonated with medieval exegetical writers is treated extensively by Whobrey utilising the work of Hugo Rahner, tracing its route of transmission from the early patristic exegete, Origen of Alexandria (d. 253), to the theologian Ambrose (d. 397) whose writings Cross had earlier signalled as a likely source, to Jerome (d. 420) and his interpretation that bishops received the living water from the apostles, and finally to Gregory the Great (d. 604), whose casting of the metaphor in several chapters of the *Regula pastoralis* was favoured by Whobrey (and Isaacs before him) as Alfred's immediate source owing to his translation of the Old English *Pastoral Care.*[137] More recently, Britt Mize, interested in the mind-as-container

[134] Whobrey, 'Metrical Epilogue', 176; cf. Orchard, 'The *Hisperica Famina* as Literature', *The Journal of Medieval Latin* 10, 1–45.
[135] Godden, 'Prologues and Epilogues', 462–6.
[136] 'He who believes in me, as the scripture said, "out of his breast shall flow rivers of living water." Now this he said of the Spirit that they should receive, who believed in him'. Quoted from the Vulgate version, translation mine, shadowing Douay-Rheims, *Biblia Sacra iuxta Vulgatam Versionem*, ed. R. Weber and R. Gryson, 2 vols. (Stuttgart: Deutsche Bibelgesellschaft, 1994).
[137] Whobrey, 'Metrical Epilogue', 176–9; Cross, 'Metrical Epilogue', 386.

motif that the epilogue employs at the end of the poem, explored parallels in both Anglo-Saxon vernacular poetry and complementary scriptural passages like Jeremiah 2:13, Ecclesiasticus 21:17, and perhaps Matthew 7:6, each adding some element to the water-as-wisdom motif as a sapiential analogue, though Mize determined Alfred's epilogue featured several novel modifications such as spilling the waters as loss.[138]

Gregory sustains the water-as-wisdom image in three chapters of the *Regula pastoralis*, equating to chapters 38, 39 and 48 in the Old English *Pastoral Care*. Notably, the motif is ventriloquised by Solomon in chapter 48, giving extra emphasis to its message of spreading wisdom, in which Solomon directly exhorts the reader to both '*Drinc ðæt wæter of ðinum agenum mere ... & læt ðine willas iernan wide*' and '*hafa hie ðeah ðe anum, ðylæs elðiodige hie dælen wið ðe*.'[139] The logical contradiction of sharing wisdom while keeping it to oneself is explained in the subsequent passages, in which Gregory (or rather the Alfred-persona) clarifies that it is important to preach divine teachings to the masses but to withhold them from *awiergedan gæstas*, 'accursed spirits'. David is summoned to support Solomon in this view and to further clarify the message, in which it is intimated that 'accursed spirits' are persecutors who would seek to corrupt the teachings by finding some sympathy between their own sin and the preacher's.[140] It is therefore important to spread teachings as widely as possible through the safest routes, which the Old English translator subtly alters the Gregorian metaphor of dispensing water along a street to *kyninga herestrætum,* the 'king's highways'.[141] The use of a technical term rarely attested outside of charter bounds, which elsewhere appears five times in the Alfredian translations of the *Pastoral Care* and the prose

[138] Mize, 'Mind-as-Container Motif', 50–3.
[139] Sweet, *Pastoral Care*, 373. 'Drink the water from your own pool…and let your springs flow widely'; 'and yet keep them to yourself, lest you share them with strangers.'
[140] Cf. Psalm 53.
[141] Sweet, *Pastoral Care*, 375.

psalms, draws notice as another imposition of royal authority.[142] As we have already seen from William of Malmesbury's account of Alfred's legacy and its fusing of militaristic and legal edifices as the rationale for enforcement of safety throughout the kingdom including its public highways, Alfred's system of roadways and burhs to garrison troops was undoubtedly his most important contribution to the kingdom's infrastructure, as outlined in the documentary record by both the *Burghal Hidage* and the entry for 893 of the *Chronicle.*[143] Further contextualising the metaphor—itself a message to Alfred's bishops—by situating the appropriate recipients of wisdom in relation to the roadways safeguarded by the boundaries of Alfred's kingdom, carries a strong message from Alfred to his teachers.

Gregory's water images in chapters 38 and 39 are somewhat different, introducing the metaphor of the weir to explain how the elect are to dam the stream of wisdom within their minds. Initially, the weir is literal, representing the power to control the flow of water:[144]

> Ac ðæt mennisce mod hæfð wætres ðeaw. Ðæt wæter, ðonne hit bið gepynd, hit miclað and uppað and fundað wið ðæs ðe hit ær from com, ðonne hit flowan ne mot ðider hit wolde. Ac gif sio pynding wierð onpennad, oððe sio wering wirð tobrocen, ðonne toflewð hit eall, and ne wierð to nanre nytte, buton to fenne.
>
> [But the human mind is like water. When water is confined, it increases and rises, struggles back towards where it was before, when it cannot flow where it wants. But if the dam is opened, or the weir is broken, it all flows away and comes to no use, but becomes a marsh.]

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[142] 19 occ., 'here-stræt', *DOE*; O'Neill believed the translation of *herestrætum* for Latin *platea*, which he stated was unique to the *Pastoral Care* and the prose psalms, to be the invention of a common translator for those works, *King Alfred's Translation of the First Fifty Psalms* (Cambridge, MA: Medieval Academy of America, 2001), at 94. However, the word appears nearly twenty times in Old English, including in the poems *Exodus* and *Andreas*. It is likely O'Neill meant the word was unique to the *Pastoral Care* and prose psalms among Old English prose.

[143] R. A. B Mynors, R. M. Thomson, and M. Winterbottom, eds., *William of Malmesbury: Gesta Regum Anglorum*. Volume I. (Oxford: Oxford University Press, 1998), 188–91. On Alfred's system of burhs, cf. *K&L*, 23–5; Abels, 'English Logistics and Military Administration 871–1066: the Impact of the Viking Wars', *Military Aspects of Scandinavian Society in a European Perspective, A.D. 1–1300*, ed. A. N. Jørgensen and B. L. Clausen (Copenhagen, 1997), 257–65; Pitt, 'Alfredian Military Reform: The Materialization of Ideology and the Social Practice of Garrisoning', *Early Medieval Europe* 30.3 (2022), 408–36.

[144] Sweet, *Pastoral Care*, 277.

Later, it is revealed that the weir represents the power wielded by those who carefully exercise their wisdom:[145]

> Be ðæm wæs suiðe wel gecweden ðurh ðone wisan Salomon, ðætte se se ðæt wæter ut forlete wære fruma ðære towesnesse. Se forlæt ut ðæt wæter, se ðe his tungan stemne on unnyttum wordum lætt toflowan. Ac se wisa Salomon sæde ðætte suiðe deop pol wære gewered on ðæs wisan monnes mode, and suiðe lytel unnyttes utfleowe. Ac se se ðe ðone wer bricð, and ðæt wæter ut forlæt, se bið fruma ðæs geflites.
>
> [That was very well said by the wise Solomon, that he who let out the water was the cause of discord. He who lets out the water lets the noise of his tongue flow away in useless words. The wise Solomon said that a very deep pool is weired in the wise man's mind, and very little of what was useless flowed out. But one who breaks the weir and lets the water out is the instigator of conflict.]

Gregory's source for these images in the *Regula pastoralis* is Proverbs 17:14 and 18:4, though the notion of teaching wisdom as a fountain of life appears elsewhere in the same book, namely Proverbs 13:14. The use of the weir to amplify the image of creating the pool of water would have been especially powerful in an Anglo-Saxon context, where watermills were employed in the production of food, and where the damming of water connoted the force and danger of its constrained potential, as echoed in these passages.[146] The tension built by the translator in describing the water as *miclað and uppað and fundað*, increasing and rising and struggling to find its former course, is complemented by the equally potent verbs *tobrocen* and *toflewð*, the latter of which we have already seen in the rare diction employed by the epilogue poet to describe the *hlud and undiop* flooding of the fields. In the second passage, the verb *utfleowe* is expressed in the negative, as if to emphasise the effort expended by those who constrain the deep pool of wisdom in their minds from spilling away. This, too, is distinctively Alfredian phrasing, with forms of *utfleowe* in either compounded or uncompounded forms nearly exclusively appearing in the Old English versions of the *Pastoral Care*, the *Dialogues*, the *Consolation of Philosophy*, Bede's *History*, the prose

[145] *Ibid.*, 279.
[146] Atherton, *The Making of England: A New History of the Anglo-Saxon World*, 82–5.

psalms, the *Domboc* and a version of the Martyrology;[147] its employment in the *Consolation* to describe the immutability of streams of water returning to the sea, or in the prose psalms to relate God's shifting of immense waters (*ofermætum wæterum*) to scourge David's enemies, indicates its strength to an Alfredian understanding.[148] When Alfred departs from Gregory's text in chapter 39 to return to the image for a final time in this section, it is to chastise those who let their mind flow away negligently, as they will not undertake the effort to constrain it: '*nellað hie gehæftan and gepyndan hiora mod, swelce mon deopne pool gewerige*'.[149] This again adds dimension to the ebb and flow of water as wisdom, placing special care on those who would dam and release it as if acting as a weir in the dispensation of teaching.

The scriptural and exegetical interpretation of the epilogue is then as follows: water in its representation of wisdom is a powerful force that issues from the Holy Spirit and is later channelled by important earthly authorities including saints and churchmen like Gregory by means of holy books. The wise dam this wisdom in their mind, as if in a weir, and must be careful to not let it flow away uselessly; this is reiterated in the fields coming to a marsh and in the leaky vessel brought to the stream. It seems unlikely that the epilogue presents a choice of how best to distribute wisdom;[150] rather, each turn of the metaphor reiterates the power of damming the pool and only ever provides one outlet for distributing it, which is the dispensation of holy books. The fact that the *wæterscipe* implicitly references the *Pastoral Care* resonates with the epilogue's idea that its words are streams; it has been noticed that the shape of the epilogue in the Hatton 20 manuscript tapers to a point and thus resembles water

[147] 'utfleow-, ut fleow-, ut flow-', *DOEC*. 15 occurrences resemble the *Pastoral Care* usage, belonging either to the Alfredian texts cited (where they appear once each) or to the writings of Wulfstan and Ælfric where the verb is used to capture the blood flowing out of the wound in Christ's side after it is inflicted by the lance during the events of the Passion; while it appears only twice in glosses, this same Christological context is shared by the gloss in the Durham hymnal, taken ultimately from Venantius Fortunatus' *Vexilla regis prodeunt* that explores this subject in Latin verse.
[148] Chapter 24 in W. Sedgefield, *Alfred's Old English Version of Boethius' De consolatione philosophiae* (Oxford, 1968), 53; Psalm 17:15–18 in Patrick O'Neill, *King Alfred's Old English Prose Translation of the First Fifty Psalms* (Cambridge, MA: Medieval Academy of America, 2001).
[149] Sweet, *Pastoral Care*, 283.
[150] As argued by Mize, 'Mind-as-Container Motif', 52.

pouring into a container.[151] The metaphor it therefore productive: it is not only the recipients of wisdom who must fill their mind's vessel, they must continue the process of filling the 'vessels' that are books. It is in this way that the epilogue emphasises Alfred's authority as much as Gregory's, as it appears within a larger tapestry of ideas presented in the *Pastoral Care* that books are vessels of wisdom and Alfred is keen on producing them.[152]

There are, however, points of contention with believing the epilogue expounded all these ideas from scripture. Some of these problems derive from artifacts of the translation. Issues facing a straightforward interpretation of the epilogue include the fact that the *wæterscipe* is as much a fount as a stream issuing from it;[153] it is unclear who 'the elect' are and how they are distinct from the saints, and whether they draw from the fount that is the holy spirit or from the holy books 'here on earth';[154] the image of water spilling into the fields is unlike anything presented in scripture or the prose passages of the *Pastoral Care,* for which the creation of the marsh is all the more impactful;[155] why exactly it is *durum* or 'doors' that Gregory has directed the streams to;[156] what the nature of the 'vessel' is, and how exactly it is broken or pierced;[157] and the image of the clarity or purity of the waters, which is emphasised by the poet several times, but largely taken for granted in the scholarly understanding of the epilogue.[158] To these semantic and syntactic problems we can add other questions concerning authorial motives. For example, why ideas in a prose text would inspire

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[151] Irvine, 'The Alfredian Prefaces and Epilogues', *A Companion to Alfred the Great,* ed. Nicole Guenther Discenza and Paul E. Szarmach (Leiden: Brill, 2015), 143–170 at 158–60.
[152] *Ibid.*, 160.
[153] That the poet clarifies this in ll. 6–8 is an important feature.
[154] Godden, 'Prologues and Epilogues', 466 and n.68 discusses the syntactical problem posed by lines 9–12. Sweet interpreted *siððan* to mean the saints and the elect were among those who drew wisdom from holy books. While Godden has disagreed with Sweet's rendering, and I have followed him in rendering these lines, it is notable that translators continue to interpret the saints and elect as being the recipient of holy books, not their producers. Cf. Fulk, *The Old English Pastoral Care* (Cambridge, MA: Harvard, 2021), 536–7.
[155] *CPEp,* ll. 18–21. *Land-scare* specifically denotes divisions of land, which Joseph Bosworth connected to other Germanic cognates, such as Icelandic *skör*, meaning 'rim, edge'; cf. 'land-scearu', Joseph Bosworth and T. Northcote Toller, *An Anglo-Saxon Dictionary Based on the Manuscript Collections of Joseph Bosworth* (Oxford, 1881–98).
[156] *CPEp*, ll. 22–4.
[157] *CPEp*, ll. 25–30.
[158] *CPEp,* ll. 20 and 29.

composition of an epilogue in verse, or how images that might charitably be called scriptural in essence, only distantly resemble scriptural quotations while also exerting rather different connotations on those metaphors than the scriptural sources do, owing to the rhetorical framing employed by the epilogue poet.

Godden adduced further Alfredian evidence in the form of a series of passages from the Old English *Dialogues* using a similar wisdom-as-water metaphor, though it has important differences from the *Pastoral Care* epilogue that indicate its source is somewhat different:[159]

> Her ongynneð se æresða stream þære clænan and hlutran burnan þurh þone halegan breosð ures fæder and larheowes þæs apostolican papan sanctus Gregorius up aspringan ond forþ yrnan to lare and to bisene eallum þam, þe lysteð feran on liues weg … Her yrneð up se æftra stream þære godcundan spræce, se cymð of þære rynelan þæs gastlican æsprynges and þam halgan gaste forgeofendum gæþ þurh þa ofergyldan weoloras þæs eadigan and þæs apostolican weres sancte Gregories, se mid Grecum Crysosthomas is gehaten, to þon þæt þurh þa toflowendnysse þæs ylcan streames sy onlihte and geþenede þa ingeþancas geleaffulra breosta … Her onginneð se þridda flod of ðam neorxnawanglican wylle, þe þurh þone gyldenan muþ forð aarn þæs halgan papan and biscopes sancte Gregories, þone Romane for þæra fægran worda gyfe Os Avrevm nemniað … Her aspringeþ seo feorðe yð ðære hluttran burnan of ðam muðe þæs æþelan lareowes, of þære þam þe þyrsteþ and lysteð magon drincan and gecnawan.
>
> [Here begins the first stream of the clean and pure river to spring up through the holy breast of our father and teacher the apostolic pope St. Gregory, and to flow for the instruction and example of all those who wish to journey on the way of life … Here flows the second stream of the divine discourse, which comes from the river of the spiritual spring and through the grace of the Holy Spirit passes through the golden lips of the blessed … St. Gregory who is called Chrysostom by the Greeks, so that through the flow of that same stream the minds of faithful breasts may be illuminated and served … Here begins the third stream from the well of Paradise, which ran forth through the golden mouth of the holy pope and bishop St. Gregory, whom Romans call Golden Mouth because of that fine gift of words … Here springs the fourth wave of that pure stream from the mouth of the noble teacher, from which those who thirst and desire can drink and have understanding.]

As the *Dialogues* approach the metaphor from a slightly different angle, it sheds light on how it may function in the *Pastoral Care*. Firstly, it conflates Gregory and Paradise as the source

[159] Text and translation by Godden, ‘Prologues and Epilogues’, 467–8.

of the fount, adding the details about the four rivers flowing from Eden that was a popular characterisation of the Gospels among earlier exegetical writers.[160] The stream is *clænan and hlutran*, 'clean and pure' or 'clean and clear', and plainly conflated with the words passing through Gregory's golden lips. There is no distinction made between Gregory's teachings and the scripture he is associated with; all of it issues from 'the spiritual spring and through the grace of the Holy Spirit', whom Gregory channels with his words. Godden contended that the appearance of the same water-as-wisdom metaphor in two Alfredian texts demonstrated a clear link between them, though he admits it may have been a current idea among the Alfredian writers.[161]

It is clear that whoever among the Alfredian circle penned the *Pastoral Care* verse epilogue exercised their creativity in devising it, and that certain peculiarities of its composition are likely to have been invention. For instance, the broken vessel detail which Mize believed to be drawn from Ecclesiasticus 21:17 is complicated considerably by the fact that Alfred's vessel is not 'broken' but *ðyrelne*, or 'pierced'.[162] This is idiomatic both for the choice of vessel described (a *kylle*, a leather sack or waterskin) and the verb used to ruin it, *ðyrel*, which appears far more frequently in Alfredian translations than anywhere else in Old English, including liberal use in the *Domboc* and *Bald's Leechbook* where the technical subject matter of those works render its piercing meaning unambiguous.[163] Of the *durum* or 'doors' that Gregory is said to channel the water to in the epilogue, this too has a specific Alfredian resonance: the range of figurative meanings for 'door' in Alfredian prose includes

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[160] *Ibid.*, 468; Dekker identified its use in Irenaeus and Cyprian, for which Godden saw parallels in writings by Hrabanus Maurus, Walahfrid Strabo, and others. Sources more immediate to Alfred can be found.
[161] *Ibid.*, 468.
[162] *Cor fatui quasi vas confractum / et omnem sapientiam non tenebit*, 'The heart of a fool is like a broken vessel, and no wisdom at all shall it hold', Mize, 'Mind-as-Container Motif', 50–1.
[163] 'cyll, cylle', *DOE*, who demonstrate it is strongly linked to Latin *culleus*, 'leather sack', per *DMLBS*. 'ðyrel, þyrel, ðirel, þirel', *DOEC*, occurs nearly 70 times in the corpus if counting compounded forms that rightly form separate lemmas; it is used liberally in the OE Bede, the *Pastoral Care*, the *Consolation*, the *domboc*, *Bald's Leechbook*, and the *Martyrology*, which comprise the majority of the occurrences. Its meaning is further explained by the existence of compounds unique to the Alfredian corpus, such as *ðurhðyrel*, found only in the *Pastoral Care* and the *domboc*.

the end of human life,[164] the supplying of salvation or divine aid,[165] the nature of a person,[166] the opening of a book,[167] and 'understanding', all of which resonate with the *Pastoral Care* epilogue in some way and therefore likely reflect a sympathy at the Alfredian court for a range of symbolic associations not unlike those shown by words like *ellen* and *cræft*.[168] If not wholly invented, these characterisations display considerable adaptation into an Alfredian style. However, other details like the specific clarity of the waters or the agricultural image of the fields becoming a marsh, as well as the larger questions broached by the epilogue, such as why it was composed in verse rather than prose and why it applies the image of the fount to worldly as well as spiritual authority, are queries that might be answered by looking beyond the scriptural sources investigated by scholars thus far.

It is significant to note that the waters-as-wisdom metaphor appears several times in Anglo-Latin verse, most frequently in works dated to the late seventh- and eighth-centuries when it may have had a greater cultural currency than later in the Anglo-Saxon period. Although there appear to be closer parallels for elements of the verse epilogue in the Anglo-Latin corpus than in the scriptural and exegetical sources that scholars have focused on to date, Godden seems to have been the first to argue that Anglo-Latin verse may have served as a direct model for the metrical preface and epilogue of the *Pastoral Care*, which is without precedent among Old English writings.[169] However, while Godden put especial focus on Alcuin's verse prefaces and epilogues as prototypical framing pieces of this type that may have attracted the attention of the Alfredian court, he diverts from the source study employed in his analysis of the *Pastoral Care* prefaces to state tersely that 'the Alfredian writer was

[164] *PPs* 106:17, cf. 'duru', 3.b.ii, *DOE*.
[165] *Solil 1* 8.7 and *CP* 16.105.14, cf. 'duru', 3.b.iii, *DOE*.
[166] *CP* 21.157.21, cf. 'duru', 3.b.vi, *DOE*.
[167] *CP* 25.11, cf. 'duru', 3.b.v, *DOE*.
[168] *Bo* 35.97.13, cf. 'duru', 3.b.vii, *DOE*. Peter Clemoes, 'King Alfred's Debt to Vernacular Poetry: The Evidence of *Ellen* and *Cræft*', in *Words, Texts and Manuscripts: Studies in Anglo-Saxon Culture Presented to Helmut Gneuss on the Occasion of his Sixty-Fifth Birthday*, ed. Michael Korhammer (Cambridge: D. S. Brewer, 1992), 213–38.
[169] Godden, 'Prologues and Epilogues', 443.

probably following Carolingian precedents in his use of a verse epilogue, such as Alcuin's commentary on the book of Ecclesiastes or his *De anime ratione*', arguing a case for authorial ingenuity when he writes that 'the elaborate imagery of watercourses raises some interesting questions … specific to this piece', for which Godden favoured the idea that the water imagery came from Gregory's prose writings, as mediated by their appearance in the Old English translations of the *Dialogues* and *Pastoral Care*.[170] Moreover, the closest parallels for the imagery of the epilogue I have found in Alcuin's writings derive from works not discussed by Godden in relation to any of the Alfredian prefaces and epilogues, and which may not be localisable to Alcuin at all, owing to evidence of similar parallels existing in works of other Anglo-Latin writers that are known to have been read at the Alfredian court.[171] Therefore, in absence of a specific exemplar, it seems more accurate to say that Gregory was an important inspiration for the theme of the *Pastoral Care* epilogue, and that Alcuin, alongside a host of other Anglo-Latin poets, served as a possible immediate influence for the versification of Gregory's themes that scholars to date have nearly entirely credited to the Alfredian epilogue author.

The water-as-wisdom metaphor was especially productive in Anglo-Latin verse, where it is used by Bede, Aediluulf, a number of anonymous poets, and most extensively by Aldhelm and Alcuin. The basic metaphor takes on several different modes, all essentially Christological in meaning, but differing in their reference to the waters of baptism or of scripture.[172] A typical expression is exemplified by Bede's description in the *Vita metrica S.*

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[170] *Ibid.*, 466.

[171] For example, while some familiarity of Alcuin's *De anime ratione* is attested via a quotation of that work in the *Metres of Boethius* and its prose version, it is Aldhelm rather than Alcuin who is favoured by Asser in his *Vita Alfredi*, cf. Lapidge, *The Anglo-Saxon Library* (Oxford: 2006), at 115–20 and 237–9; Lapidge, 'Asser's Reading', in *Alfred the Great: Papers from the Eleventh-Centenary Conferences*, ed. Timothy Reuter (Aldershot: Ashgate, 2003), 27–48.

[172] The baptismal references will be omitted here, but the dual operation of baptismal conversion and the flow of scripture via holy books is exemplified by passages such as in Aldhelm's *Carmina ecclesiastica* 4.8, ll. 9–15, or his *Carmen de virginitate*, ll. 1179–83; *A Consolidated Library of Anglo-Saxon Poetry*, ed. Andy Orchard et al. (Oxford, 2016–22).

Cuthberti of a congregation as a living field which the bishop waters with the divine word.[173] This expression is much expanded in later Anglo-Latin works, such as Aediluulf's early ninth-century *Carmen de abbatibus*:[174]

> Pontificalis apex, meritorum munere clarus
> Eadfridus enituit, sanctorum regmina seruans.
> Vndae que glaucis cupiunt crispare fluentis
> Litora, quin refluis satagunt nudare meantes
> Cursibus, et terram praecingunt caerula sanctam,
> Atque itiner cupidum pandunt, cum litora nudant.
> Hunc Domini seruus ueniens uisitare sategit,
> Poscebatque, sibi superae de germine messis
> Pabula iam tribui: cui prompta mente sacerdos
> Pectore de gnaro pandit salutaria dicta,
> Imbribus atque piis sitientis corpora potat.
> Aureus ille libens hausit, quae ructat ab alto
> Pectore, subque sui sumpsit penetralia cordis
>
> [An eminent bishop, famed by the gift of his merits, Eadfrith, shone forth, maintaining the rule of the holy men, where waves desire to makes ripples on the shore with shimmering streams, but strive to lay it bare when going on their backward course, and the ocean waves encircle a sacred land, and reveal a ready road, when they lay the shore bare. The servant of the Lord strove to come and visit this man, and requested that sustenance be given to him now from the seed of the divine harvest. With his ready mind the priest spoke salutary words to him from his wide heart, and offered drink from pious showers to the body of the thirsty man. He gladly drank in with his ears what the other sent out from the depths of his breast, and he took it into the inner chambers of his heart.]

Inherent to Aediluulf's casting of the metaphor is the ebb and flow of water, explicitly linked to the salutary words received by one's ears, yet nevertheless held *alto pectore*, deep in the bishop's breast, as in the *Pastoral Care* epilogue where *se wæl wunað on weres breostum...diop and stille*.[175] The water is transferred from breast to heart, as if from vessel to cup, emphasising the efficiency of the exchange through the recipient's thirst. Many of these aspects are anticipated by Aldhelm's several uses of the metaphor, where there is often a

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[173] *Ecclesiam gemino qui postquam sedulus anno / Pontificis de iure regit, uerbique fluentis / Viuida prata rigat…*, 'After he had diligently ruled the church for two years with the authority of a bishop, and had watered the living fields with the streams of the Word…'; *A Consolidated Library of Anglo-Saxon Poetry*, ed. Andy Orchard et al. (Oxford, 2016–22).
[174] Aediluulf, *Carmen de abbatibus*, 5, ll. 1–13; *A Consolidated Library of Anglo-Saxon Poetry*, ed. Andy Orchard et al. (Oxford, 2016–22).
[175] 'the fount remains deep and still in the man's breast', *CPEp*, ll. 16–17.

similar tension between the stillness of the fount and its dispensation in the teaching of the divine word, as for example in the preface to the *Carmina ecclesiastica* where the fount is never still for those worthy to receive its blessings,[176] yet in its application to Mary in the *Carmen de virginitate*, she is an enclosed garden and a *fons quoque signatus caelesti gurgite pollens*, that is, 'a fountain sealed up, swelling from the heavenly stream'.[177] Whereas Aediluulf's deployment of the metaphor lays bare its symbolism by stating outright the link between streams and words, speaking and listening, Aldhelm's is highly allusive. The section of the *Carmen de virginitate* in which this metaphor appears describes Mary's Annunciation, whereupon the visit from Archangel Gabriel transforms her both into the mother and the bride of Christ. Aldhelm follows an Insular tradition of Marian apocrypha in which Solomon is the speaker of the aforementioned verses equating Mary with the fountain and the garden, deriving ultimately from Origen of Alexandria's commentaries where the Mary's Annunciation was known to be an allegory for the relationship between Christ and the people of God (represented by Israel or by the Church).[178] Mary, being both a spiritual vessel and the first person to receive Christ's revelation, is thus akin to Aediluulf's thirsting believer, with the important difference that, in the exegetical tradition flowing from Origen to Aldhelm, the swelling of her fount also symbolised the fecundity of the Church. Aldhelm's conceptualisation of Mary's body as both a temple and sanctuary for Christ amplifies this meaning, as it positions the Church as a literal vessel for the passing of Christ's teaching and salvation to the world.[179]

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[176] *Larga de pietate fluens et fonte superno, / Dignis qui numquam populis torpescit in aeuum!*, 'flowing from liberal piety and the heavenly font: which shall never grow still for worthy folks!' Aldhelm, *Carmina ecclesiastica*, 1, ll. 20–1; *A Consolidated Library of Anglo-Saxon Poetry*, ed. Andy Orchard et al. (Oxford, 2016–22). .

[177] Aldhelm, *Carmen de virginitate*, ll. 1698–99; *A Consolidated Library of Anglo-Saxon Poetry*, ed. Andy Orchard et al. (Oxford, 2016–22).

[178] The early circulation of the Marian apocrypha is also attested in Adamnán's (d. 704) *De locis sanctis*. Kirsty March, 'The Anglo-Saxon Bride of Christ: Text and Image', *Quaestio* 10 (2009), 8–26 at 9–13; Mary Clayton, *The Apocryphal Gospels of Mary in Anglo-Saxon England*, at 101.

[179] March, 'The Anglo-Saxon Bride of Christ: Text and Image', 21–5; cf. *Carmen de virginitate*, lines 1682–85.

Another important aspect of the distinctive casting of the water-as-wisdom metaphor in the verse epilogue of the *Pastoral Care* is the potency of the agricultural imagery it employs, driven by the implication that the waters which flow over the fields and turn them into a marsh would otherwise be the cause of sapiential flourishing if applied in the correct proportion.[180] This, too, is an idea more closely paralleled in the Anglo-Latin corpus than in the scriptural antecedents commonly cited as the epilogue's sources.[181] As Godden has indicated, the four-fold streams of wisdom motif that is linked to the garden of Eden and thus to the Gospels in the Old English *Dialogues* has exegetical precedents, yet some of these are closer to Alfred's court than the writings of Hrabanus Maurus or Walahfrid Strabo, and of course some are already prepared in verse.[182] In the anonymous eight-century work known as the *Miracula S. Nyniae*, the saint's words are said to be flowing with teaching and engender many rivers arranged in four-branched streams, washing the hearts of those it touches.[183] Meanwhile, in Alcuin's *Versus de patribus regibus et sanctis Euboricensis ecclesiae*, or York poem, the agricultural overtones are drawn out to emphasise how Gregory the Great propagated the seeds of Christ's teaching among the Anglo-Saxons:[184]

> Rexit tunc temporis almus
> Gregorius praesul, toto uenerabilis orbi,
> ecclesiae sedem Romanae maximus, atque
> agrorum Christi cultor deuotus ubique,

[180] Mize, 'Mind-as-Container Motif', 50.
[181] While I will focus hereafter on the watercourse image developed by the epilogue, it is notable that a key feature of the agricultural metaphor is that of the marsh itself, which, in the Anglo-Latin tradition, was not distinguished as a wasteland. In Asser's borrowing of Aldhlem's busy bee metaphor already discussed in relation to Alfred's acquisition of wisdom above, the field in which the bee tends the flowers is in fact a *gronnios*, or 'marsh': *velut apis fertilissima longe latque gronnios interrogando discurrens*, *VA* ch. 88. In a similar passage from Aldhelm's prose *De virginitate*, it is likewise a *prato*, or 'meadow': *purpureos pudicitiae flores ex sacrorum voluminum prato decerpens*, 'plucking crimson flowers of purity from the meadow of holy books', as in *Aldhelmi Opera*, ed. Ehwald, 249 and *Aldhelm: The Prose Works*, ed. Lapidge and Herren, 76.
[182] Godden, 'Prologues and Epilogues', 468.
[183] *Splendida dum proceris fluitabant dogmate dicta / Late per populos provulgans ore loquelas / Plurima quadrifluis seminavit flumina rivis / Gurgitibus puris populorum corda rigabat*. 'the splendid words of the nobleman were flowing with teaching, as he, proclaiming spoken utterances widely among the peoples, sowed very many rivers in four-branched streams, and watered the hearts of the peoples with pure torrents', *Miracula S. Nyniae*, ll. 154–7; *A Consolidated Library of Anglo-Saxon Poetry*, ed. Andy Orchard et al. (Oxford, 2016–22).
[184] Alcuin, *Versus de patribus regibus et sanctis Euboricensis ecclesiae*, ll. 78–89; *A Consolidated Library of Anglo-Saxon Poetry*, ed. Andy Orchard et al. (Oxford, 2016–22).

> plurima perpetuae dispersit semina uitae.
> Vomere nec solum Latios confregerat agros,
> sed bonus atque pius peregrini cultor agelli,
> oceani tumidos ultra sulcauit aratro
> pectora diuini fluctus gentilia uerbi,
> arida mellifluis perfundens arua fluentis:
> de quibus aequorei potus hausere Britanni
> iam sibi perpetuae Christo donante salutis.
>
> [At that time holy Gregory, a man revered by the whole world, ruled the see of the church of Rome as supreme bishop, and as a devoted cultivator of Christ's fields everywhere he scattered very many seeds of life everlasting. He not only broke up the fields of Latium, but as a fine and pious cultivator of foreign plots of land, beyond the billowing waves of the ocean, he furrowed heathen hearts with the plough of the divine word, drenching dry meadows with honey-flowing streams, with which the sea-girt Britons, drained their draughts of everlasting salvation which Christ granted.]

It is clear from Alcuin's praise of John of Beverley (d. 721) and Ælberht of York (d. 780) using remarkably similar language that he reserved the metaphor for those leaders of the Church whom he held in the highest esteem.[185] Here, Gregory is envisioned as a superlative cultivator of Christian learning who seeded it even among the Britons closed off by the sea, recalling the credit given to both Augustine and Gregory in the verse preface to the *Pastoral Care* for bringing that text *ofer sealtne sæ*, 'across the salt sea' to the *ieg-buendum* or island-dwellers, itself a turn on the *fold-buendum* formula used in the opening lines of the verse epilogue to mirror the preface and frequently appearing elsewhere in Anglo-Saxon vernacular poetry.[186] The draughts of everlasting salvation recall the *lifes dryncc* described in the final line of the epilogue, here linked to Christ, and in the epilogue linked to the *dryhtnes welle*. It complements the agricultural image of the parched field, which Gregory ploughs and waters in correct proportion for Christian learning to flourish.

However, the closest Anglo-Latin analogue I have been able to identify for the *Pastoral Care* verse epilogue is one of a number of water-as-wisdom metaphors used by Aldhelm in his *Carmina ecclesiastica* and his *Carmen de virginitate*, where, in both works,

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[185] *Ibid.*, ll. 1084–89 and 1394–1435.
[186] *Foldbuendum* topos elsewhere in *Beo* 309b and 1355a, *Ridd1* 13a, *Az* 24b, *GuthA* 64a, *ChristC* 867b and 1177a, *Descent* 101b and 105b, *Creed* 22b, and *El* 1013b.

the metaphor is closely associated with Christ and the Evangelists. Speaking of John, Aldhelm writes that he drank eternal streams from Christ's sacred breast and spread the seeds of his fame throughout the world.[187] The account is paralleled in the *Carmina ecclesiastica*, where it is applied to Matthew and his penning of his gospel:[188]

> Matheus egregium describens dogma salutis
> Ebrea per simplum digessit dicta libellum
> Plurima sanctificis narrans miracula scedis
> Quae modo per mundum diuulgant scripta triquadrum;
> Quem Fison fluuius paradisi fonte redundans
> Mire portendit pandens misteria rerum:
> Fontis designat saluator iure figuram,
> De quo quadrifluis decurrunt flumina riuis:
> Quattuor ut quondam nascentis origine saecli
> Limpida per latum fluxerunt flumina mundum,
> Quae rubros flores et prata uirentia glebis
> Gurgitibus puris et glauco rore rigabant.
> Sic doctrina Dei fluxit de fonte quaterno
> Arida diuinis irrorans corda scatebris.
>
> [Matthew, in writing down the outstanding teaching of salvation, set out Hebrew words in a simple little book, narrating very many miracles in holy pages which writings now make known throughout the tripartite world. The River Fison, flowing forth from the fount of Paradise and revealing the hidden mysteries of things, marvellously betokens him. The saviour properly signifies the fount, from which rivers flow in fourfold channels just as once at the beginning of the nascent world four clear rivers flowed throughout the wide earth, which irrigated with their pure streams and crystal-clear moisture the red flowers and the flourishing meadows on the soil: in this way did the teaching of God flow from the four-fold fount, irrigating parched hearts with its holy springs.]

The parallels between this passage and the verse epilogue of the *Pastoral Care* are immediately striking, especially in their approach to the metaphor, the procession of ideas, and the specific emphasis the poets place on certain details by reiterating his point or calling

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[187] *Promere nunc nitor sacrum sermone Iohannem, / Qui fuit accubitor Christo gratissimus almo. / Pectore de sacro sorbebat flumina doctor, / Imbribus aeternis sitiens ingurgitat aluum; / […] Plurimus idcirco deuulgans semina famae / Virtutum rumor latum crebrescit in orbem*, 'Now I shall strive in my speech to proclaim the blessed John, who most beloved by merciful Christ and reclined upon his breast. This learned man drank fountains from the sacred breast; the thirsty one sated his stomach with eternal streams […] For that reason very many tales of his virtues grew frequent, spreading the seeds of his fame throughout the wide world.' Aldhelm, *Carmen de virginitate*, ll. 460–67; *A Consolidated Library of Anglo-Saxon Poetry*, ed. Andy Orchard et al. (Oxford, 2016–22).

[188] Aldhelm, *Carmina ecclesiastica*, 4.10, ll. 1–14; *A Consolidated Library of Anglo-Saxon Poetry*, ed. Andy Orchard et al. (Oxford, 2016–22).

attention to it with his diction. As in the verse epilogue where the *wæterscipe* is announced from the outset as the preceding text of the *Pastoral Care* and also the *halga bec* the saints and the elect use to disseminate Christian doctrine on earth, Aldhelm begins this passage with the image of Matthew's Gospel being dispersed by books with holy pages.[189] Immediately thereafter, Aldhelm is careful to emphasise just as the epilogue poet does, that the source of the fount in this water-as-wisdom metaphor is God, whose rivers of learning spread throughout the earth in the hearts and minds of men.[190] In this section, to compose lines five, six and eight, Aldhelm borrows from Caelius Sedulius' *Carmen paschale* and Vergil's *Eclogae* to render the supposedly scriptural image, thereby revealing the importance of an admirable hexameter over a biblical quotation for the purposes of Aldhelm's versification, though the reiteration that the saviour signifies the fount is an idea of his own fashioning.[191] Aldhelm's agricultural metaphor that follows is nearly as muted as the epilogue poet's, placing an emphasis on the waters running over the fields rather than sowing them, as Alcuin related.[192] Perhaps most striking is the language used to describe the water as both *puris*, 'pure', and *glauco*, 'crystal-clear', a two-fold emphasis that the epilogue poet employs when describing the waters as *hlutor*, meaning 'clear' or 'pure', and *scirost*, meaning 'clearest' but connoting 'brightest', per its etymon *scir* which is an adjective used of both water and light.[193] *Scirost* in its superlative form here is in fact a *hapax legomenon*, possibly suggesting

[189] *CPEp*, ll. 1–12.
[190] *CPEp*, ll. 6–10. Note that, while *wæterscipe* and *wæterscipes wel-sprynge* have been translated ambiguously as 'body of water' and 'source of the body of water' in many renderings of the poem, the hesitance to assign firm definitions to these words belongs to the translators rather than to the poet who endeavours to reiterate his meaning; c.f. R. D. Fulk's recent edition which diverges from earlier translations in its use of 'fount', *The Old English Pastoral Care* (Cambridge, MA: Harvard, 2021), 536–7.
[191] 'Carmen ecclesiasticum 4.10', Fontes Anglo-Saxonici Project, ed., *Fontes Anglo-Saxonici: World Wide Web Register*. Lines six and eight are assigned an S1 sigla, indicating direct borrowing, whereas line five, designated S3, is a looser paraphrase. Further sources relevant to this passage are the S1 borrowing of line thirteen from Paulinus of Perigueux's *Vita metrica S. Martini* and the S3 paraphrase in line eleven of Venantius Fortunatus' *Carmina*.
[192] *CPEp*, ll. 18–21.
[193] *CPEp*, ll. 20 and 29; 'Scir', Joseph Bosworth and T. Northcote Toller, *An Anglo-Saxon Dictionary Based on the Manuscript Collections of Joseph Bosworth* (Oxford, 1881–98).

the epilogue poet was searching for a particular meaning; it is notable that, in Aldhelm's writings, *glaucus* can have the meaning 'sparkling, shiny, brilliant', which is the same connotation carried by *glaucis* to describe the 'shimmering streams' in Aediluulf's *Carmen de abbatibus* above.[194] The Anglo-Latin usage of *glaucus*, which could indeed be translated by *scirost* if an Old English poet desired to do so,[195] is decidedly closer to the phrase used in the *Pastoral Care* verse epilogue than the connotations of 'wisdom' Isaacs perceived in *scirost*, or the scriptural basis Cross traced to the 'living waters' of John 7:38.[196]

One can also divine from the Anglo-Latin analogues an extra-textual significance for the water-as-wisdom metaphor that is absent from scripture yet concomitant with Gregory's use of it in exegesis. In much the same way that the verse epilogue has been positioned in reference to Alfred's relationship to his audience of bishops for the *Pastoral Care*, the audiences receiving the Anglo-Latin poems outlined above provide insight into the rhetorical aim of the water-as-wisdom metaphor in these earlier contexts. Alcuin's *Versus de patribus regibus et sanctis Euboricensis ecclesiae* was a work of episcopal authority seeking to praise the past efforts of English bishops and to inspire others to take up their mantle; the work itself was likely finalised upon Alcuin's return to England in 792–93, during a time at which the news of the Viking attacks at Lindisfarne troubled him considerably, and the poem was envisioned to some extent as a celebration of English ecclesiastical achievement as a rendering of Bede's *Historia ecclesiastica* in verse.[197] Aldhelm's *Carmen de virginitate* was modelled on the *Carmen* and *Opus paschale* of the fifth-century poet Caelius Sedulius that celebrated Christ's life and miracles, as reported by Bede, and its unusual incorporation of both male and female examples of virginity seems to have reflected the demography of its

[194] 'Glaucus', *DMLBS*. Cf. Aediluulf, *Carmen de abbatibus*, book 5, line 3.
[195] Compare, for example, the glossing of *glaucus* as *blæ-hæwen*, meaning 'bright, gleaming', 'bluish' in Old English glosses of Aldhelm, 'blæ-hæwen', DOE.
[196] Isaacs, 'Still Waters', 546; Cross, 'Metrical Epilogue', 386.
[197] 'Alcuin', *BEASE*, 26–7; Simon Coates, 'The Bishop as Benefactor and Civic Patron: Alcuin, York, and Episcopal Authority in Anglo-Saxon England', *Speculum* 71.3 (1996), 529–58.

dedicatees at the double monastery of Barking.[198] Similarly, Aldhelm's poems collected in the *Carmina ecclesiastica* were envisaged as church *tituli* and altar dedications, framing the religious context of their medium quite literally.[199] To the extent that both Aldhelm and Alcuin served as important sources for Aediluulf's *Carmen de abbatibus*, that poem's concern with the abbots and monks of an unidentified Northumbrian monastery under the auspices of the church of Lindisfarne is reflective of the learned interests of its dedicatee, Ecgberht, bishop of Lindisfarne, 803–21.[200]

In each case, the learned ecclesiastics who served as the intended recipients of these works likely inspired the generous application of a metaphor that positioned them implicitly or explicitly as participants in the passing of divine knowledge issuing from Christ's teachings to his disciples. It was a considerable rhetorical statement of power, made in estimation of the influence and import of the offices held by bishops and their secular supporters, of which the *Pastoral Care* verse preface participates in this tradition by prominently positioning Alfred as sharing in the esteem of Augustine and Gregory.[201] From this point of view, Alfred's absence from the verse epilogue is not the problem it appears to be on the surface, as his inclusion in the *wæterscipe* as one of the elect who produced the *Pastoral Care* and thus channelled Christian teaching via books on earth marks him as one of the recipients of its divine authority. In fact, it is just this association that is made of a secular king in a colophon to a book donated to Christ Church in 926 x 939 by Alfred's grandson, Æthelstan, in which the book 'filled from the sacred fount' with streams of learning is

[198] Lapidge and Rosier, *Aldhelm: The Poetic Works*, 56–7 and 98.
[199] 'Aldhelm', *BEASE*, 27–9.
[200] 'Ædiluulf', *BEASE*, 6–7.
[201] *CPPref*, ll. 11–16. See also Daniel Anlezark, 'The *tres linguae sacrae* in Bodleian Library MS Hatton 20', in *The Embroidered Bible: Studies in Biblical Apocrypha and Pseudepigrapha in Honour of Michael E. Stone*, ed. Matthias Henze and William Adler (Leiden and Boston: Brill, 2017), 64–78.

provided as a gift for the pastor and flock of Canterbury by the king who is denoted as being *quod rex aureolis sacro spiramine fusus*, 'filled with the holy spirit'.[202]

Conclusion

The Alfredian construction of themes of judgement, kingship, and the transmission of royal authority was heavily steeped in an appreciation of scripture and a desire to promote associations with Christological models. However, the means through which these associations were achieved have not been fully appreciated in the scholarship to date. The engagement with Latin learning demonstrated in this chapter emphasises the extent to which Anglo-Latin influences were brought to bear on potent ideas about just rule and strong leadership.

From the *Domboc*'s alterations of Exodus we can discern how these models were not only theoretical but extended to examples of practical use. It is likely that the *Domboc* cited penitential practice in an effort to syncretise conflicting legal traditions, and that this may have also influenced the Exodus translations. However, it is clear that, whatever the specific inspirations, the expectations for just judgement expressed in this text were in keeping with an Alfredian understanding of governance drawn from the highest Christian authorities including Moses and Christ.

The *Vita Alfredi* offers insight into the literary dimension of imperial aspiration at the Alfredian court, which, like the Bern acrostics, drew upon specific inspirations for its esteem of Alfred as a Christological ruler. The fact that Alfred's kingship was placed in alignment

[202] *quisque sitit ueniat cupiens haurire fluenta: / dulcia mella gerens inueniat latices. / ergo greges pastorque sacrae Dorobernicus aulae / se caueant, ne quid fraus inimica gerat: / hunc quisquis textum diuino fonta refertum / tollere praesumat, finetenus pereat!,* 'Whosoever thirsts, desiring to drink from streams [of learning], let him come: / let him, bearing sweet honey, discover [these] waters. / Therefore let the flock and pastor of the whole court of Canterbury / be on their guard, lest envious deceit perpetrate something [untoward]: / whosoever dare to take away this book, filled from the sacred fount, / may he perish utterly!', text and translation in Lapidge, 'Some Latin poems as evidence for the reign of Athelstan,' *ASE* 9 (1980): 61–98, at 95–6.

with Christian as well as Gregorian models is made explicit in the verse epilogue to the *Pastoral Care*. Envisioning the transmission of royal authority as a stream issuing from God, and carrying both divine learning and worldly prestige, was an adaptation of Anglo-Latin models carrying important royal pedigrees. Offering this praise in vernacular poetry likely carried other important associations, and perhaps was more personal to Alfred than has been assumed by the poem's neglect to mention him by name. From what Asser related about Alfred's love of poetry, however, and his interest in both Latin and vernacular examples, there comes the important question of whether this passage reflects something of Alfred's literary tastes.

In much the same way that Alfred's thematic explorations of judgement, kingship, and royal authority probed traditions of Latin learning for biblical inspirations, other works among the documentary corpus took on these methods of investigation in their search for related themes of lineage, history, and record-keeping through writing. In the next chapter, I shall explore how these themes are expressed in charters and Alfred's royal will.

Chapter 4: The Documentary Record of Alfred's Reign

Introduction

The legal culture of early Anglo-Saxon England has frequently been affiliated with the documentary activity of royal courts conducting the administrative functions of statecraft, and there is ample evidence to suggest that both grew out of the emerging literacy of the Anglo-Saxon church. The fundamentally ecclesiastical concerns of the Kentish law codes that followed Æthelberht's (d. 616) in the last quarter of seventh century,[1] were contemporaneous with the archepiscopal tenure of Theodore of Tarsus (*fl.* 668–90) and the establishment of his influential school in Canterbury, assisted by Theodore's North African colleague, Hadrian (d. 709 or 710).[2] Of the few remnants of Theodore's incredible educational legacy to survive are the *canones Theodori*, a set of pronouncements on penitence and ecclesiastical discipline that were disseminated by Anglo-Saxon missionaries on the Continent just a few decades after Theodore's death in 690, and which bear linguistic features reminiscent of the writings of former pupils of his school, particularly Aldhelm.[3] The earliest surviving charters similarly date the 670s,[4] developing from antecedent Latin documents such as the Roman private deed, which they resemble in form and language.[5] In both cases, the inauguration of these important administrative tools arose from burgeoning literacy closely linked to the nascent Anglo-Saxon church, which provided a prototype for the expanding auspices of royal authority as the kingdoms grew.

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[1] That is, the codes of Hlothere and Eadric (673–86) and Wihtræd (690–725), the latter of which is known by its regnal date to have been promulgated by 695, 'Appendix I, Kings of Kent', *BEASE*, 523.
[2] Lapidge, 'Byzantium, Rome and England', *Roma fra Oriente e Occidente, Settimane di Studio del Centro Italiano di Studi sull'alto Medioevo* 49 (2002), 363–400; Lapidge, 'The career of Archbishop Theodore', *Archbishop Theodore: Commenorative Studies on his Life and Influence*, ed. Michael Lapidge (Cambridge: Cambridge University Press, 1995), 1–29.
[3] Lapidge, 'The School of Theodore and Hadrian', *ASE* 15 (1986), 45–72 at 48–9.
[4] Snook, 'Who Introduced Charters into Anglo-Saxon England? The Case for Theodore and Hadrian', in the *Textus Roffensis*', in *Textus Roffensis: Law, Language, and Libraries in Early Medieval England*, ed. Bruce R. O'Brien and Barbara Bombi (Turnhout: Brepols, 2015), 257–89.
[5] Gallagher, 'The vernacular in Anglo-Saxon charters: expansion and innovation in ninth-century England', *Historical Research* 91.252 (May 2018), 205–35 at 208.

It is also within the documentary context of charters and law codes that the first use of the vernacular as a vehicle of writing appears. From the earliest attestations, charters employed a mixed use of languages to accomplish their task, reflective of both the developing adaptation of the charter format for English purposes, as well as the effort with which the English strived to adopt Latin as a documentary language despite the challenges of squaring it with the everyday operation of the state in the vernacular. In Latin charters, English place names and descriptions of landscapes are thoroughly employed due to either a lack of Latin equivalents or ambiguity that could be caused by using them.[6] This mirrors the use of the vernacular in Old English law codes where the strongest evidence against translation from lost Latin originals remains the expansive vocabulary of recondite legal descriptors that had developed amid oral Germanic culture for purposes of clarity.[7] That these were clearly embedded in a pre-existing form of law-giving is suggested by lexical and syntactic features of the seventh-century Kentish laws that include alliterative tautologies and other mnemonics.[8] The fact that charters and laws strived mightily to adapt oral custom to developing systems of writing signals their interest to questions of literacy and the evolution of vernacular prose.

It is unclear whether Anglo-Saxon legislative practice continued into the later eighth and early ninth centuries century under Mercian control, although Alfred cites Offa's laws as an influence on his own.[9] What is clear, however, is that Alfred's corpus of Old English charters was presaged by a pattern of increasing vernacularisation beginning around the turn of the ninth century and rapidly increasing in pace by the 850s.[10] By then, charters had

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[6] Gallagher, 'The Vernacular in Anglo-Saxon Charters', 209.
[7] *The Laws of Alfred: the* Domboc *and the Making of Anglo-Saxon Law*, ed. and trans. Stefan Jurasinski and Lisi Oliver (Cambridge, 2021), 5 and 12–15.
[8] Oliver, *The Beginnings of English Law* (Toronto: University of Toronto Press, 2002), 25–34.
[9] Wormald, 'In Search of King Offa's "Law-Code"', in *People and Places in Northern Europe, 500–1600: Studies Presented to P. H. Sawyer*, ed. I. Wood and N. Lund (Woodbridge: Boydell, 1991), 25–45, repr. in his *Legal Culture in the Early Medieval West: Law as Text, Image and Experience* (London: Hambledon, 1999), 201–23.
[10] Gallagher, 'The Vernacular in Anglo-Saxon Charters', 210.

adopted many of the features familiar to Alfredian examples, some of which we have already seen in Chapter 1 of this thesis. What there remains to comment on is how these Mercian scholars leveraged their past experience of royal administrative rule to help Alfredian royal authority to reach its acme. Through this small corpus of charters, and also the important documentary productions of the *Anglo-Saxon Chronicle* and Alfred's royal will, themes of lineage emerge as powerful tools of Alfredian governance, built to no lesser extent upon Latin learning and Christian ideals to portray Alfred in an effusively favourable light.

The Development and Use of Royal Authority in Vernacular Charters

By the eighth and ninth centuries, the official roles of Anglo-Saxon bishops had expanded to a point where the administration of their diocese required vigilant supervision. The impression given by the legislators at Clofesho in 747 was that the governance of minsters was something of a compromise between their vision for strict adherence to Church doctrine and the rise of 'lay minsters' where observance was comparatively lax without a full retinue of the clerical orders.[11] The uneasy affiliation of priests within monastic communities, and the attendant roles required to be fulfilled on ecclesiastical estates whose monastic houses were fairly small,[12] ensured that bishops were kept busy balancing their pastoral care with the administrative commitments of their office.[13] This may have been one impetus for the vernacularisation of official documents among those charged with reading, signing, and producing them, as, by the ninth century, external pressures by Viking forces put further strain on an already diminished performance of monastic duties and rates of Latin literacy.[14]

Documentary activity continued throughout the early eighth century without turning wholly to the vernacular. Thus, the use of Old English was still by this time a means of

[11] Foot, *Monastic Life in Anglo-Saxon England, c. 600–900* (Cambridge, 2006), 176.
[12] *Ibid.*, 176–80.
[13] Pratt, *Political Thought of Alfred the Great*, 48.
[14] *Ibid.*, 49.

expediency rather than prestige.[15] By the 840s, however, circumstances had started to change. Shifting Carolingian documentary practice began to place an emphasis on the vernacular for statements of royal authority or expressions of identity, hindered somewhat by the proliferation of vernacular languages on the Continent in contrast to England's homogeneity.[16] It seems that changing social practices, therefore, rather than purely external pressures, occasioned this reprioritisation of documentary activity almost overnight. How rapid the shift actually was is impossible to assess from the patchy evidence that has survived, but the emergence of a single charter sheet, written almost wholly in the vernacular in the mid-840s, places this change within a Mercian context at the court of King Berhtwulf.[17] Berhtwulf sought to grant land at Wotton Underwood in Buckinghamshire to his thegn, Forthred, whom he accords with authority additional to his own:[18]

> + In nomine Domini Ego Berchtwulf cyning sile Forðrede minum ðegne nigen higida lond in Wudotune in ece erfe him to hiobbanne 7 to siollanne ðæm ðe hit wille mið eaðmodre hernisse him to ge eornigan ofer his daeg. … Ic Berhtwulf rex ðas mine ge saldnisse trymme 7 fæstna in Cristes rode tacne 7 in his ðære haligran—a 7 in his wotona gewitnisse … 7 we æc alle bibeodað ðe æt ðisse gewitnisse werun on Cristes noman 7 on his ðære haligran gif ænig monn ðas ure gewitnisse incerre on owihte ðaet he æbbe ðæs ælmaehtgan godes [unhlisan] 7 his ðære haligran up in heofnum ðæs [we] hi[m ge]beod [an] maege.
>
> [In the name of the Lord, I, King Berhtwulf, give to my thegn Forthred, an estate of nine hides in Wotton for him to have in perpetual inheritance, and to give after his day to whoever has earned it from him by humble obedience … I, King Berhtwulf, strengthen and confirm this my grant in the sign of Christ's cross and of his saints for ever, and in the witness of his council … And also we all, who were at this witnessing, command in the name of Christ and in (that) of his saints that if any man change that in any way, he shall incur the infamy of Almighty God and of his saints in heaven above for it, [of which may some be declared to him]

Although the document opens with a typical example of a Latin invocation, the remaining references to the king's authority are written in Old English and affiliated especially with

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[15] Gallagher, 'The Vernacular in Anglo-Saxon Charters', 234.
[16] *Ibid.*, 234–5.
[17] Keynes, 'Mercia and Wessex in the Ninth Century', in *Mercia: An Anglo-Saxon Kingdom in Europe*, ed. Michelle Brown and Carol A. Farr (London: Leicester University Press, 2001), 310–28 at 320.
[18] S 204, *Anglo-Saxon Charters: An Annotated List and Bibliography*, ed. P. H. Sawyer (London, 1968). Online.

Christ's dominion and blessing. As opposed to a substitution for a Latin equivalent such as *Dominus*, Christ's authority is conferred alongside his disciples, which the charter author calls attention to several times. Linguistic features like these are difficult to place, as there are no entirely vernacular charters of a contemporaneous date to merit thorough comparison; however, the charter's impressive array of bishops in its witness list has attracted notice as capturing an essence of its pedigree and elevated register.[19] It gives the impression that the king is taking his place alongside his witnesses rather than above them, in effect ennobling their positions nearly to the status of his own. The frequent reference to Christ's disciples thus seems well-chosen, especially amid a witness list that includes no fewer than five bishops and a host of other ecclesiastical authorities. The royal tone would seem to argue against suggestions that it was merely a draft to be Latinised later, which might well be deduced already from its presumably literate attestors.[20]

King Berhtwulf's court is also credited with the production of two Mercian Latin charters that are unsurpassed in their literary rhetoric, heightening the Christological comparisons seen above to include overt biblical quotations and emphatic deployment of poetic style.[21] These show a commensurate advance in the style of Latin documentary practice in this period, undoubtedly influenced by the same expanding auspices of royal courts and their interest in (and experimentation with) expressions of royal authority. In S 197, for example, a lengthy preamble is provided to justify the writing of the charter as a record of material possessions:[22]

> In nomine almi et agye sophię qui monarchiam mundi tocius ac celsitudinem cęlorum abditamque profunditatem turgentis oceani, in altis et in imis, omnia cum suo maiestatis imperio, qui in primordio mundi creauit et nunc in ęuum gubernat et regit, summus pater omnipotens Deus. Status huius mundi in uelocitate deficiet et rotunda seculorum uolubilitas facesset, sic alternando creaturarum qualitas decrescit, sic

[19] Keynes, 'Mercia and Wessex in the Ninth Century', 320–1.
[20] Gallagher, 'The Vernacular in Anglo-Saxon Charters', 228.
[21] S 193 and S 197, of Breedon-on-the-Hill.
[22] S 197, text as edited and translated in Snook, 'When Aldhelm met the Vikings', *Mediaevistik* 26 (2013), 111–48 at 121–2.

> mutando mortalis uitę fragilitas fatescit. De qua miserrima humani status uicissitudine Ęcclesiastes cęlesti afflatus spiritu competentem protulit sententiam. "Generatio" inquid "uenit et generatio uadit," alii nascuntur et alii moriuntur. Ita uniuersa diuitiarum facultas et temporalis gazę possessio, que precessorum anxia sollicitudo per indefesso laborum emolumenta lucratur, proh dolor incertis heredibus, interdum optatis, interdum exosis, relinquitur. Quem admodum psalmista, inprouidam humani generis socordiam conquerens increpitet "Thesaurizat et ignorat cui congregat ea." Ideo sunt omnes nostras serie et sermocinationis litterarum apicibus confirmandos, ne unquam ullo obliuione tradantur, sed perpetua memoria seruantur quicquid reges ac precedentes patres firmiter constituerunt.
>
> Qua de re ego Berhtwulfus, diuino fultus suffragio rex Merciorum, cum consensu et consilio principum ac magistratuum Męrcianorum gentis …
>
> [In the name of the holy and nourishing wisdom. In the very beginnings of the world, the Highest Father, all-powerful God, created the kingdom of the whole world; and now through the ages, he governs the heights of heaven, the hidden depths of the surging ocean and rules all things in the heavens and in the deep with the power of His majesty. The condition of this world is in rapid decline and the circular revolution of the world will fail, so the nature of creation declines with the passing of time, so the fragility of mortal life falls away with change. Ecclesiastes, inspired by the heavenly spirit, put forth this sentiment, corresponding to the wretched mutability of the human condition: "A generation," it said, "comes and a generation goes," some are born, others die. Thus all control of riches and the possession of temporal treasure which the nervous anxiety of our predecessors acquired through tireless labours of work might, depressingly, be left to uncertain successors, sometimes to be approved of, sometimes to be detested. Nevertheless, the psalmist, lamenting the improvident weakness of human kind, said "he stores up and yet he does not know for whom he collects those things." Therefore, everything we own must be confirmed by a series of discussions and forms of letters; rather than it being lost forever in oblivion, may it be preserved in perpetual memory. Howsoever did earlier kings and fathers firmly set it down.
>
> On this matter, I, Berhtwulf, supported by divine help, King of the Mercians, with the consent and counsel of the chief and leading men of the Mercian people …]

It has been suggested that the style of S 193 and S 197 is heavily indebted to the poetry of Aldhelm, employing not only rare diction heretofore unattested in the documentary corpus, but also stylistic devices such as rhyme, alliteration, and hyperbaton.[23] In this way, the charter goes beyond its remit in merely reporting the administrative activity of the court and offers initiative for its production stretching back to the creation of the world. The royal inscription that follows is more typical of documentary practice, yet this too represents an evolution over S 204. Here, Berhtwulf's authority is cast in more auspicious terms than before, positioning

[23] Snook, 'When Aldhelm met the Vikings', 124–5.

his leading men prominently amid his court, yet held in balance of the divine help he receives from God. In this way, the poetic preamble serves to draw a parallel to his receipt of divine rather than worldly authority, oddly juxtaposed in language disparaging the keeping of possessions, which must later be justified by means of employing writing to record them for posterity and thereby elevate them beyond earthly vanities.

Although some semblance of documentary writing approaching the style of S 204 began in Wessex as early as 846 during the reign of Alfred's father, Æthelwulf,[24] it was under Alfred's reign in the 880s that his charters accreted many of these same poetic and rhetorical features, such as in the opening of S 346, believed to be written in 889, after Alfred's recruitment of scholars to his court:[25]

> Sedulo namque nonnullis et maxime per instantis vitæ turbidam discordiæ rabiem in hac decrepita finis mundialis canitiæ contingere solet quod simplicem memorialis præcordii oculum turbines obliviose obscenitatis quatientes reverberant; seu nebulæ neglegentiarum nubiferis deprivationum fuscationibus a recte possessionis jure radiantem justitiæ Phoebum obnubilant; quapropter necesse cuilibet homini est ut litteratoriis apicibus omnia atquisita seu possessa ob præsentium sive succedentium cantelam quæ a catholicis vel heroicis viris cujuslibet persone majoris minorisve potestatis Deo ejusque sanctis per celorum celsitudinem tradita sunt etiam testimonio et roboratione ipsorum firme rationis serie firmentur rectoque caraxantis stilo in scedulis notentur.
>
> Anno igitur postquam almifica cælestini luminis gemma per agrum virginalis pudicitiæ humano generi desiderabilis mistici spiraminis specimine enituit octingentesimo octuagesimo nono indictione . vii . cujus denique splendoris et gratiæ nobis jubare radiante ego Ælfred rex Anglorum et Saxonum et …
>
> [Unremittingly, through certain things and particularly through the troubled madness of the discord of the present life, in this declining old age of the world's end, it is wont to happen that the tempests of obscene oblivion shake and batter the simple eye of the soul's memory. If the mists of neglect, with the cloud-bringing obfuscations of forgetfulness, obscure the radiant sun of justice from the rightful law of possession, then it shall be unavoidable for all men that all their acquisitions or possessions must be confirmed with the forms of letters for the security of present or successive generations. Those things which are handed over by either catholic or heroic men, or by anybody, of greater or lesser influence, to God in the heights of heaven and to his saints, should be certified by the firm testimony and subsequent confirmation of parties subscribing the transaction themselves, with the proper pen they should be noted down in order.

[24] S 298; Gallagher, 'The Vernacular in Anglo-Saxon Charters', 230.
[25] S 346, text as edited and translated in Snook, 'When Aldhelm met the Vikings', 127–8.

> Therefore, in the seventh indiction, in the 889th year after the nourishing gem of celestial light shone out through a field of virginal chastity for the human race by the sign of the desired mystical breath, now, with the radiance of this splendour and grace shining on, I, Alfred, King of the Anglo-Saxons ...]

As Snook has noted, elements of this charter's advanced style were presaged by Alfredian examples before it, most notably S 217. However, the rich use of language to assume Alfred's voice in order to impart the strongest possible message of royal authority makes this document not just a remarkable example of the diplomatic corpus, but of the Alfredian oeuvre as a whole. In addition to three paraphrases of Aldhelm's *De virginitate*,[26] the charter is replete with familiar Alfredian imagery, including the loosely alliterative phrase *fuscationibus a recte possessionis jure radiantem justitiæ Phoebum*, to 'obscure the radiant sun of justice from the rightful law of possession', recalling once more the Alfredian emphasis on just conduct as a cause for moral initiative, here placed in mirror of the misty neglect of documentary practice as a forsaking of wisdom.

The fact that the charter introduces its subject matter by means of historical decentralisation is another rhetorical feature. In effect, it achieves a three-fold ambition: first, to cast aside the vain pursuit of worldly possessions by invoking language of cataclysm; second, by characterising history as the means by which faithful and heroic men secure their legacy; and thirdly, by suggesting that writing was the tool through which posterity would remember one's actions, not material pursuits. In combination, these stylistic features leverage hallmarks of Alfredian discourse with considerable literary skill, for an otherwise purely documentary enterprise to carry out a necessity of political administration. It is for this reason that Alfred's charters such as S 346 challenge a traditional understanding of the Alfredian corpus, as they employ the king's voice, speak with his royal authority, and utilise literary inspirations to achieve their rhetorical goals. These documents are, in other words, a

[26] *litteratoriis apicibus; caraxantis stilo; crucis vexillo;* Snook, 'When Aldhelm met the Vikings', 129.

recapitulation of the tenets of the Alfredian educational programme, achieved with a high level of skill, but adapted to the space and aims of their documentary purpose.

Where the inspiration for these changes in documentary practice was coming from is important to consider in context of the wider Alfredian initiative. If the surviving evidence indicates that changes in both vernacularisation and increasingly verbose Latinity in charters were initiated under Berhtwulf's reign in the 840s, the specific inspirations for this shift in documentary practice can be placed in Mercia. As we have seen in Chapter 1, literacy standards in Mercia may have remained high due to geographical isolation from outside threats, yet the types of texts still being produced at scriptoria there may not have permitted the poetic experimentation shown in these charters, and thus one suggestion that charters may have proved a vehicle for intellectual expression among learned scribes in Mercia with fewer outlets for their abilities.[27] Upon the recruitment of Mercians to Alfred's court throughout the later 870s and 880s, some of these inspirations seem to have been carried to the West Saxon court, with the important caveat that Alfred's own corpus of surviving charters is not large, at scarcely more than a dozen examples, and contains some that are nearly illiterate and others that are later forgeries.[28] The demography of charter scribes at the Alfredian court was therefore mixed, writing in Old English and Latin, with surviving authentic charters showing wide variation in their abilities.

From the first five years after Alfred's death in 899, a remarkable group of charters has survived from the reign of Edward that demonstrate increasingly literate engagement with the documentary format, particularly in their experimentation with their use of the king's

[27] Snook, *The Anglo-Saxon Chancery: The History, Language and Production of Anglo-Saxon Charters from Alfred to Edgar* (Woodbridge: Boydell, 2015), 35.
[28] For example, S 344, which Stevenson, *Asser's Life of King Alfred*, 199 n. 4, and Brooks, *The Early History of the Church of Canterbury: Christ Church from 597 to 1066*, 172 and 360–1 n. 70, deemed authentic but incompetently drafted.

voice.[29] As a recurring character among them is ealdorman Ordlaf, whose legal activities have already been examined in Chapter 3's discussion of the Fonthill letter and its literary focus and Christological themes, it is interesting that this group of charters should show similar experimentation in their introductory prefaces, such as a repeated quotation of the Nicene Creed, *omnia uisibilia et inuisibilia*, 'all things visible and invisible'.[30] In contrast to the more formulaic expressions of royal authority made in the king's voice and almost assuredly not written by him in the centuries leading up to Alfred's reign, the decision to include these lengthy prefaces in charters carried additional implications for the construction of royal authority. In examples as extreme as S 346 above, Alfred appears literate, pensive, and stirred to royal initiative by philosophical aims, in which his own perception of his actions was made with an understanding of their wider historical context and therefore steeped in a wisdom eclipsing that of a simple command.

Such an expansion of the royal voice is remarkable in a documentary context, and clearly in keeping with those expressions of royal authority employing Alfred's voice among the corpus of translations of Latin literature. The importance of Mercian influences in the development of this change in documentary practice is not to be overlooked. However, the employment of it within the valences of the Alfredian court is significant, as it demonstrates both a reinvigoration of diplomatic literacy as well as well as an unprecedented expansion of how royal authority could be related through use of the king's voice. These developments pre-dated the Alfredian educational reforms (in Mercia by some decades, in Wessex by several years) yet they share with those reforms a new engagement with literary sources and their presentation of them through the voice of a wise king.

[29] That is, S 1284, S 359, S 368, S 373, S 374, and S 1286, all produced in Winchester between 900 and 904, Snook, *The Anglo-Saxon Chancery*, 46–9.
[30] *Ibid.*, 48.

Themes of Lineage in King Alfred's Royal Will

As we have seen from the stylistic expansions to documentary practice developed throughout charter production before, during, and after Alfred's reign, the expression of literary themes in administrative and historical contexts was a fertile area of documentary experimentation at the Alfredian court. Themes of kingship and royal lineage are particularly important to the *Anglo-Saxon Chronicle*, in which the cursory treatment given to most annals from 60 BC to 755 AD gives the impression that they were included mainly to emphasise the rise of the West Saxon dynasty and position it as an inheritor of an empire descended through the Carolingians and the Romans, all the way back to Christ.[31] As with the *Domboc*, the wide dissemination of Old English copies of the *Chronicle* signals it as an important tool of governance for the royal court.[32] However, Alfred's voice is conspicuously absent from its contents and the short preface that circulated in the contemporaneous A-version reduces his reign to a single sentence: *Þa feng Ælfred hiera broþur to rice, 7 þa was agan his ielde .xxiii. wintra 7 .ccc. 7 .xcvi. wintra þæs þe his cyn ærest Westseaxna lond on Wealum geeodon*, 'Then their brother Alfred succeeded to the kingdom, and he was then 23 years old, and 396 years had passed from when his kin first conquered the land of the West Saxons from the Britons.'[33] There is therefore a marked difference in how the *Chronicle* presents history and

[31] Note that the large expansions to annals 755 and 855, the latter pertaining to Alfred's father Æthelwulf, serve to emphasise Alfred's genealogy and the rise of Wessex. Irvine, 'The Anglo-Saxon Chronicle', in *A Companion to Alfred the Great*, ed. Nicole Guenther Discenza and Paul E. Szarmach (Leiden: Brill, 2015), 344–67. at 354–58; Leneghan, *Translatio Imperii*: The Old English *Orosius* and the Rise of Wessex', *Anglia* 133 (2015), 656–705 at 663–69; Irvine, 'The Anglo-Saxon Chronicle and the Idea of Rome in Alfredian Literature', in *Alfred the Great: Papers from the Eleventh-Centenary Conferences*, ed. Timothy Reuter (Aldershot: Ashgate, 2003), 63–78; Brooks, 'Why is the Anglo-Saxon Chronicle about Kings?', *ASE* 39 (2010): 43–70; Foot, 'Finding the Meaning of Form: Narrative in Annals in Chronicles', in *Writing Medieval History*, ed. Nancy F. Partner (London: Hodder Arnold, 2005), 88–108; Yorke, 'The Representation of Early West Saxon History in the Anglo-Saxon Chronicle', in *Reading the Anglo-Saxon Chronicle*, ed. Alice Jorgensen (Turnhout: Brepols, 2010), 141–60.

[32] Just as the *Domboc*, the *Chronicle* is preserved in six Old English copies: Cambridge, Corpus Christi College, 173 (*G&L* no. 52); London, British Library, Cotton Tiberius A. ii (*G&L* no. 364); London, British Library, Cotton Tiberius B. i (*G&L* no. 370.2); London, British Library, Cotton Tiberius B. iv (*G&L* no. 372); London, British Library, Cotton Domitian viii (*G&L* no. 328); and London, British Library, Cotton Otho B. xi (*G&L* no. 357f).

[33] *The Anglo-Saxon Chronicle: A Collaborative Edition*, *MS A*, ed. Bately, 1–2.

royal authority, even if it nonetheless shares the same outlook on these topics as other texts of the Alfredian corpus.[34]

The impression given by Alfred's royal will is altogether different and follows on from the developments that were happening concurrently in charters issuing from his court. Like those documents, Alfred's will was likely composed in the 880s, and bears evidence of having gone through at least one re-drafting, as might be inferred from what the Alfred-persona says in the introductory preface.[35] It is in fact one of only two royal wills to survive the Anglo-Saxon period, and predates the other (of King Eadred, *r.* 956–55) by nearly a century.[36] Although composed in the vernacular rather than in Latin, it shares in some of the features of charter S 346 above, especially in the length of its introduction, its focus on the passage of time, and the importance of leaving records for posterity; it does not engage in the same bombastic rhetoric as the aforementioned charter, but it is not devoid of style either. The use of rare diction, characteristic of most of the Alfredian works, is demonstrated by the following sample:[37]

[34] Here it is also relevant to mention the *Chronicle*'s contemporary use: its annals informed several other Alfredian texts and those of later writers, in which the usage attested by Asser's *Vita Alfredi* and possibly the Old English *Orosius* suggests that the annals could be elaborated upon to impart a weightier impression of their basic facts; cf. *K&L*, 39–41 and 55–6.
[35] *K&L*, 173.
[36] *Ibid.*
[37] Works cited by Cameron short title and reference counts per *DOEC*.

TABLE 4: Rare Words in Alfred's Will

Word *(Headword)*	***Occurrences***	***Definition***	***Texts***
brocie *(brocian)*	6 occ.	To afflict, oppress	**Ch1507**, 2x **Or**, **Bo**, 2x elsewhere
cyrelif *(cyre-lif)*	2 occ.	State of dependence on a chosen lord; a dependent with the right to choose his lord	**Ch1507**, ChrodR
gerædene *(ge-ræden)*	2 occ.	A proposal, purpose, condition	**Ch1507**, LawWer
gerysne *(ge-risene)*	54 occ.	Fit, convenient, proper	20x **Bede**, 5x **CP**, 5x **GD**, 2x **Bo**, 2x **Solil**, **Or**, 18x elsewhere
mægcild *(mæg-cild)*	2 occ.	A young kinsman	**Ch1507**, LS 26
sperehealfe *(spere-healf)*	1 occ. (*hapax*)	Male side (or line)	**Ch1507**
spinlhealfe *(spinel-healf)*	1 occ. (*hapax*)	Female side (or line)	**Ch1507**
sundorfeoh *(sundor-feoh)*	1 occ. (*hapax*)	Private property, private estate	**Ch1507**
unleanod *(unleanod)*	1 occ. (*hapax*)	Not repaid	**Ch1507**
wæpnedhanda *(wæpned-hand)*	1 occ. (*hapax*)	The male side (or line)	**Ch1507**
wæpnedhealfe *(wæpned-healfe)*	1 occ. (*hapax*)	The male side	**Ch1507**
wifhanda *(wif-hand)*	2 occ. (*hapax*)	The female side (or line)	2x **Ch1507**
yrfegeflitu *(irfe-geflit)*	1 occ. (*hapax*)	A dispute about inheritance	**Ch1507**
yrfegewrit *(irfe-gewrit)*	4 occ. (*hapax*)	Writing concerning an inheritance, a will, testament	4x **Ch1507**

The author's preference for collocations is evident in the balancing of several word pairs, especially those focused on lineage by means of descent via the male or female line. The carefully chosen vocabulary for terms used to remedy problems faced by the kingdom and the royal family is particularly apparent, not just in rare diction but in examples like *gerysne*, which is predominantly Alfredian in usage and appears more often in the Anglian translation of Bede's *Historia Ecclesiastica* than elsewhere in the corpus of Old English excluding Alfred's works, perhaps hinting at a Mercian origin for this specific term. Other items of vocabulary are better discussed in context of the will.

Alfred's will opens with a lengthy preface of more than six hundred words, explaining the relevant facts of how the will came to be created, under whose authority, and his state of mind in preparing it, faced as he was with the death of his father and brothers amid other

worldly calamities. It begins with an appeal to the authority of his councillors, with whom he says he deliberated in conjunction about his soul and inheritance:[38]

> Ic Ælfred cingc mid Godes gife 7 mid geþeahtunge Æþeredes ercebisceopes 7 ealra Westseaxena witena gewitnesse, smeade ymbe minre sawle þearfe 7 ymbe min yrfe þæt me God 7 mine yldran forgeafon 7 ymbe þæt yrfe þæt Aðulf cingc min fæder us þrim gebroðrum becwæð, Aþelbolde 7 Æðerede 7 me; 7 swylc ure swylce lengest wære, þæt se fenge to eallum. Ac hit gelamp þæt Æþelbold gefor; 7 wyt Æþered, mid ealra Westseaxena witena gewitnesse, uncerne dæl oðfæstan Æþelbyrhte cingce uncrum mæge on þa gerædene þe he hit eft gedyde unc swa gewylde swa hit þa wæs þa wit hit him oðfæstan; 7 he þa swa dyde, ge þæt yrfe, ge þæt he mid uncre gemanan begeat, 7 þæt he sylf gestrynde.
>
> [I, king Alfred, by the grace of God, and with the advice of Archbishop Æthelred, and with the witness of all the West Saxon councillors, have been deliberating about the needs of my soul, and about the inheritance which God and my elders granted to me, and about the inheritance which my father, King Æthelwulf, bequeathed to us three brothers, to Æthelbald, Æthelred and myself stipulating that whichever of us lived longest was to succeed to everything. But it came to pass that Æthelbald died; and Æthelred and I, with the witness of all the West Saxon councillors, entrusted our share to our kinsman, King Æthelberht, on condition that he restored it to us in the state in which it was when we entrusted it to him; and he did so, both that inheritance and what he had acquired by the use of our share, and what he had himself acquired.]

From its opening sentence, the will focuses its attention immediately on the passage of time, first in relation to the soul, just as in S 346,[39] then on the division of Alfred's private property. Each section of the preface is connected by rhetorical parataxis, in which a problem is first mentioned, then the solution that had been reasoned afterward. Immediately after the passage above, Alfred explains the issues his brother Æthelred had had in trying to divide the inheritance, anticipating the problem Alfred would face. There is another segue of mortal danger, then a reaffirmation of the solution devised by the West Saxon court and its councillors:[40]

> Ac hit gelamp þæt we ealle on hæðenum folce **gebrocude** wæron; þa spæce wyt ymbe uncre bearn, þæt hy sumre are beþorftan, sælde unc on þam **brocum** swa unc sælde.

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[38] *Select English Historical Documents of the Ninth and Tenth Centuries*, ed. and trans. Florence E. Harmer, (Cambridge, 1914), 15–19 at 15–16. Translation mine.

[39] … *solet quod simplicem memorialis præcordii oculum turbines obliviose obscenitatis quatientes reverberant*, 'it is wont to happen that the tempests of obscene oblivion shake and batter the simple eye of the soul's memory.'

[40] Harmer, *Select English Historical Documents of the Ninth and Tenth Centuries*, 16. Translation and emphasis mine.

> Þa wæron we on gemote æt Swinbeorgum, þa gecwædon wit on Westseaxena witena gewitnesse þæt swaðer uncer leng wære, þæt he geuðe oðres bearnum þara landa þe wyt sylfe begeaton 7 þara land[a] þe unc Aðulf cingc forgeaf be Aðelbolde lifiendum butan þam þe he us þrim gebroðrum gecwæð.
>
> [But it came to pass that we were all **oppressed** by the heathen army. Then we discussed our children, that they would need some property, whatever might happen to the two of us amid this **oppression**. When we were at an assembly at *Swinbeorg*, we agreed, with the witness of the West Saxon councillors, that whichever of us outlived the other, should give to the other's children the lands which we had ourselves acquired, and the lands which King Æthelwulf gave to us during Æthelbald's lifetime, except those which he had bequeathed to us three brothers.]

In this passage, an allusion is made to the disruption caused by the Vikings, referred to twice as 'oppression' through polyptoton of *gebrocude … brocum*—this term anticipates a third appearance of the word in the will's epilogue, expressed in verbal form and turned instead on those who would oppress the beneficiaries of the will, in effect condemning their actions with a scornful association. Alfred then offers another sentence about the agreement with his brother before coming round to his point, in which the last section of the preface closes with a powerful piece of rhetorical composition:[41]

> Ac hit gelamp þæt Æðered cingc gefor. Þa ne cydde me **nan mann nan yrfegewrit ne nane gewitnesse** þæt hit ænig oðer wære butan swa wit on gewitnesse ær gecwædon. Þa gehyrde we nu **manegu yrfegeflitu**, nu þa liedde ic Aþulfes cinges **yrfegewrit** on ure gemot æt Langandene 7 hit man arædde beforan eallum Westseaxena witum. Þa hit aræd wæs, þa bæd ic hy ealle for minre lufan—**7 him min wedd bead þæt ic hyra næfre nænne ne oncuðe forþon þe hy on riht spræcon**—7 þæt hyra nan ne wandode ne for minan lufan ne for minum ege **þæt hy þæt folcriht arehton**, þy læs ænig man cweðe þæt ic **mine mægcild oððe yldran oððe gingran** mid wo fordemde. 7 hy þa **ealle to rihte gerehton 7 cwædon þæt by nan rihtre riht geþencan ne mihtan ne on þam yrfegewrite gehyran**. "Nu hit eall agan is þæron oð þine hand, þonne þu hit becweðe 7 sylle swa gesibre handa swa fremdre swaðer þe leofre sy." 7 hi ealle me þæs hyra wedd sealdon 7 hyra handsetene þæt be hyra life hit **nænig mann næfre ne onwende on nane oðre wisan** butan swa swa ic hit sylf gecweðe æt þam nyhstan dæge.
>
> [But it came to pass that King Æthelred died. Then **no one made known to me any will or testimony** that the arrangements were any other than what we had previously agreed before witnesses. When now we heard of **many disputes** about the inheritance, I produced King Æthelwulf's will in our assembly at *Langandene*, and it was read before all the West Saxon council. When it had been read, I urged them all

[41] *Ibid.*, 16–17. Translation and emphasis mine.

> for love of me—**assuring them with my pledge that I would never bear a grudge against any of them on account of speaking what they thought was right**—that none of them for love or fear of me should hesitate to **recite the common law**, lest any man should say that I had wronged **my young kinsmen, whether the older or the younger**. And then they **all declared what was right**, **and said that they could not devise a more just title, or find one in the will**. 'Now everything therein has passed to your possession, so you may bequeath it and give it to the hand of any kinsman or stranger, whichever you prefer.' And they all gave me their pledge and their hand-sign, that **no man, so long as they lived, would ever make any change** other than as I declare it myself at my last day.]

Much of Alfred's most powerful statements in the will are contained in this short passage concluding the preface, written in a style that resembles several other impositions of the Alfredian voice, such as what appears at the end of the *Domboc*'s Mosaic prologue. As there, there are rhetorical flourishes that read as distinctively Alfredian, such as the *oððe ... oððe* connective employed to stretch out Alfred's claim to do right by his kinsmen, or *mægcild*, an obscure term with only two appearances in the Old English corpus, but seemingly here referring to Alfred's nephews, Æthelhelm and Æthelwold.[42] Superlative stress on negative syntax, such as those sentences claiming that no alternative to Æthelwulf's will existed, or that Alfred's own will could not be challenged by virtue of the witnesses present to sign it, give the impression that these aspects of the transaction were to be made particularly clear. Perhaps most interesting, however, are two statements in the middle of this passage, referring to Alfred's mercy toward objectors who merely wished to observe the proper administration of the law. The affirmation that the will was universally deemed valid, and therefore 'most just', reconciles any dissent; it resembles similar constructions in the *Domboc*, such as the statement at the head of the law code that the laws opening it are *mæst ðearf*, or 'most necessary'.[43] Likewise, the end of the preface is peppered with references to the will itself: *yrfegewrit*, a *hapax legomenon*, is repeated three times, twice in close relation to the

[42] *K&L*, 316 n. 14.
[43] *Af* 1. See also the significance of the phrase in Daniel Anlezark, 'Which Books are "Most Necessary" to Know? The Old English *Pastoral Care* Preface and King Alfred's Educational Reform', *English Studies* 98.8 (2017), 759–80.

rhetorically mirrored *hapax* coinage *yrfegeflit*, meaning a 'dispute about inheritance'. While collocations such as these are distinctive of Alfredian prose, it is additionally notable that, like in the charter examples discussed earlier in this chapter, these coinages place especial emphasis on the will's perspective that preserving important facts of history or lineage in writing is the only solution to resolve disputes concerning them, and to overcome the earthly uncertainties such as the death of family and Viking depredation.

Conclusion

While Alfred's charters and will seldom receive attention for their literary features, we see in their best examples a remarkable employment of literary style that questions their frequent exclusion from an 'Alfredian canon.' For example, Janet Bately's contention that, 'just as present-day rulers have their speech writers, drafters, secretaries and advisory committees, so King Alfred is surely highly unlikely to have been personally responsible for each and every detail of the wording of official documents such as charters, his law code, or even perhaps his will', which she offers as sufficient reasoning for eliminating these sources from her re-analysis of Alfredian authorship and style, is assuredly short-sighted in its aim to delineate the features of that style and where it appears.[44] Descriptions of charters such as S 217 and S 346 as 'flamboyant' likewise reveals a preconception about the form these documents ought to take.[45] While there is value in both these perspectives in coming to grips with the reality that documentary writings had a functional purpose, the suggestion that modern perceptions of usefulness should be brought to bear against their chosen form of expression is itself a methodological oversight.[46] Even if it were admitted that Alfred's charters or his will were

[44] Batey, 'Alfred as Author and Translator' in *A Companion to Alfred the Great*, ed. Nicole Guenther Discenza and Paul E. Szarmach (Leiden: Brill, 2015), 113–42 at 117 and n. 21.
[45] Snook, 'When Aldhelm met the Vikings', 125.
[46] Given the links between Alfred and Aldhelm alluded to throughout this thesis, especially in Chapters 1 and 2, it is noteworthy that the most overt Aldhelmian quotations and paraphrases occur in documentary writings dealing with inheritance, royal authority, and lineage. As Alfred may have thought of himself as a descendent of

written by others on his behalf, it begs the question why documentary specialists would turn to literary techniques to supplement their administrative tasks. More pertinently, one wonders in the aftermath of the Alfredian authorship debates whether such a description of documentary practice excludes its productions from those of the royal corpus anymore.

If the Alfredian corpus is to be circumscribed by genre classification and intentions for audience reception such as 'the books most necessary to know', then the documentary corpus—inclusive of its charters and royal will—must be included in that discussion. These texts employ an Alfredian voice, spoken in a familiar style, and relate familiar themes. Some of these features mark them as being exceptional above and beyond texts of the royal corpus lacking them, such as the prefaces to the Old English *Boethius* and the *Soliloquies*, while commensurate inspiration from Latin rhetorical convention would seem to align the documentary examples with those of the royal corpus rather than divide them.[47]

The spectrum of Latin literacy at Alfred's court is broadly covered by the documentary corpus. Some scribes worked with limited abilities, while others perhaps best represent Alfredian Latinity at its apogee. Thus, it is curious that ambitious examples of Latin diplomatic writing should survive in charters such as S 217 and S 346, given the rapid production of vernacular translations of Latin literature that the Alfredian court busied itself with. If these documents were trivial, or their prefaces merely ornamental, it is difficult to conceive how a court so hard-pressed for literate workers could spare their time. Conversely, the co-expression of themes of lineage, history, and royal authority in texts of the documentary corpus written in Old English and Latin suggests the literary framing of these documents was more important to their production that has commonly been acknowledged.

Aldhelm, the suggestion that this royal styling was accidental or not essential to the functions of the Alfredian court is dubious. See further Lapidge, 'The Career of Aldhelm', *ASE* 36 (2007), 15–69 at 18–19.

[47] For recent analysis of the cohesion of the prefaces and epilogues, their inspirations, and examples that test the boundaries of the corpus, see especially Irvine, 'The Alfredian Prefaces and Epilogues', *A Companion to Alfred the Great*, ed. Nicole Guenther Discenza and Paul E. Szarmach (Leiden: Brill, 2015), 143–170 at 143–7.

As a final consideration of this thesis, therefore, the intellectual horizons of this Latin learning shall be explored through the creation of the medical work known as *Bald's Leechbook*, its interest in Latin Byzantine medical literature, and its multiple connections with the Alfredian court.

Chapter 5: *Bald's Leechbook*

Introduction

The interest of *Bald's Leechbook* to the present study lies in its connections to the Alfredian court and the light it may shed on the intellectual concerns of some of its workers. For reasons explored in this chapter, situating *Bald's Leechbook* in an Alfredian context or in the decades shortly after Alfred's reign complements its style, scope, and range of sources, in addition to contextualising its inclusion of a list of cures purportedly sent directly to the king to treat his illness. However, while *Bald's Leechbook* has sometimes been considered an Alfredian text, the significance of its inclusion in the Alfredian corpus has rarely been considered from the perspective of the corpus at large.

This chapter explores some of avenues through which *Bald's Leechbook* may contribute to the understanding of the Alfredian educational reforms. It is seldom acknowledged how frequently the literary translations employ rhetorical allusions to medicine and the attendant role of the physician as an analogy for learning, which in turn resembles similar connections made in the writing and intellectual interests of Theodore, Aldhelm, and Alcuin, among others. These thematic sympathies, which are further reflected in the *Leechbook*'s reporting of Alfred's illness and the spread of his royal authority to the Near East in the search for cures, complicate our view of how interdisciplinary the Alfredian court may have been. By contrast, it is often taken for granted that medicine was primarily practiced at Anglo-Saxon monastic houses where ailing rates of Latin literacy precipitated a turn to using the vernacular for medical writing by the ninth century, seemingly before Alfred's reign. While it is not presently argued that Alfred's project was modelled on this tradition of medical prose writing, shared concerns of translating, of providing access to important information, and of educating ecclesiastical orders through the production of books, emerge as common interests between the two movements that may have been already

familiar to Alfred's circle of intellectuals. Finally, *Bald's Leechbook* is an indispensable early witness to the incorporation of Byzantine learning into Anglo-Saxon scholarship of the ninth century, suggesting that texts from this area of the world were available at least through intermediate channels. In particular, a Byzantine medical text previously not known to have circulated in Anglo-Saxon England is postulated as a likely source for the identification of synovial fluid seen in two Alfredian works, absent elsewhere in the corpus of Old English. This information adds to a body of evidence already analysed by this thesis that some of Alfred's workers may have had access to substantial monastic libraries, perhaps at Canterbury or Sherbourne, that facilitated these references to Byzantine scholarship and to similarly well-read Anglo-Latin authors such as Aldhelm. For these reasons, the question of whether *Bald's Leechbook* was directly sponsored by Alfred can be seen to have hindered important insights the text offers into the intellectual backdrop of the late ninth and early tenth centuries, including intersections with the Alfredian educational reforms.

Medical Literature in Early Anglo-Saxon England

The large surviving corpus of Old English medical writings provides entirely different intellectual contexts to the range and types of learning attested in Alfredian England, especially in relation to the medical work known as *Bald's Leechbook* and its multiple connections to the Alfredian court. Of the four medical collections that survive in a complete form that are firmly dateable to the Anglo-Saxon period, *Bald's Leechbook* is the oldest in its material context and survives uniquely in British Library, Royal 12 D. xvii, edited for the first time by Oswald Cockayne in his monumental *Leechdoms, Wortcunning, and Starcraft of Early England* alongside the other three medical compendia.[1] Cockayne is responsible for naming the collections, which are designated the *Lacnunga*, preserved in British Library, Harley 585,[2] *Leechbook III*, compiled with Bald's text in the Royal 12 D. xvii manuscript but considered separate from it on grounds of style,[3] and the medical complex sometimes known collectively as the *Herbarium Apuleii*, consisting of the *Old English Herbarium* and *Medicina de quadrupedibus*, attested in whole or in part in four manuscript copies in Harley 585, British Library, Cotton Vitellius C. iii,[4] British Library, Harley 6358b, and Oxford, Bodleian Library, Hatton 76.[5] Together, these manuscripts comprise the earliest body of vernacular medical texts in early medieval Europe and represent a substantial investment into the accessibility of pharmaceutical knowledge to their monastic practitioners, numbering over 500 leaves or 1,000 manuscript pages, reflecting only what has survived.[6]

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[1] *Leechdoms, Wortcunning, and Starcraft of Early England*, ed. and trans. Oswald Cockayne, 3 vols., *Rerum Britannicarum Medii Aevii Scriptores* 35 (London, 1864–1866). Numerous fragmentary medical writings survive from the Anglo-Saxon period, and one substantial later collection known as the *Peri didaxeon*, although it is frequently discussed apart from the others owing to its difference in sources, date, and language, 'Medical Literature and Medicine', *BEASE*, 309–11.
[2] *G&L* no. 421.
[3] *G&L* no. 479.
[4] *G&L* no. 402.
[5] *G&L* no. 632–33. The *Medicina de quadrupedibus* is attested also in Oxford, Bodleian Library, Bodley 130 (*G&L* no. 549).
[6] Linda E. Voigts, 'Anglo-Saxon Plant Remedies and the Anglo-Saxons', *Isis* 70 (1979), 250–68 at 251; 'Medical Literature and Medicine', *BEASE*, 309–11. A glimpse of what was lost is provided by the near-destruction of British Library, Cotton Otho B. xi, which contained recipes related to *Bald's Leechbook*, some of

The origin of the Old English medical collections is a matter of some dispute, as nearly all of them bear Anglian orthographical features that have occasionally attracted their assignment to Mercian scriptoria antedating Alfred's reign.[7] The discovery of a single leaf belonging to an apparently mid-ninth century Anglo-Saxon medical collection of unknown provenance by a French conservator who donated it to the Bibliothèque nationale de France in 1949–50, stirred academic debate after the leaf was studied and published by Bella Schauman and Angus Cameron nearly thirty years later in 1977.[8] The archaic features of this leaf, named the Omont fragment after its discoverer, were assessed as being extensively Anglian and included the doubling of vowels to indicate vowel length, the use of *b* rather than *f* in voiced bilabial fricatives, postconsonantal *uu* and *u* for West-Saxon *w*, inconsistency in the use of *æ* including *ēe* for *ǣ*, a preference for *ð* at the exclusion of *þ*, use of *c* and *ct* for later *h* and *ht*, replacement of *n* for *m* in word-final endings, unrounded *a* for *o*, 'Anglian smoothing' of *æ* in place of *ea* before *h*, intermixture of digraphs *io* and *eo*, and rare dialectal words not attested in later Old English.[9] Part of the dilemma posed by the Omont fragment was its inclusion of several medical recipes also appearing in *Bald's Leechbook*, in a way that seems one text was not copied from the other, suggesting an antecedent (and probably Mercian) source for the recipes.[10] However, by the later 1980s, Bately argued vigorously against Hubert de Vriend's view as the most recent editor of the *Old English Herbarium* and

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which were independent of it; a copy made by Laurence Nowell in 1562 is preserved in British Library, Additional 43703, fols. 261–64v (*G&L* no. 357). Also of significance to *Bald's Leechbook* is a fragmentary leaf that has drawn frequent comparison to that text, known popularly as the Omont fragment: Université Catholique de Louvain, Centre Général de Documentation, Fragmenta H. Omont 3(2).

[7] Of the *Lacnunga*, see for example *Anglo-Saxon Magic and Medicine: Illustrated Specially from the Semi-Pagan Text Lacnunga*, ed. J.H.G. Grattan and C. Singer (London, 1952), 96–227; of *Bald's Leechbook*, brief remarks in *Bald's Leechbook (British Museum Royal MS 12 D.xvii)*, ed. C. E. Wright and R. Quirk, Early English Manuscripts in Facsimile, vol. 5 (Copenhagen, 1955), at 32, and most recently Christine Voth, 'An Analysis of the Tenth-Century Anglo-Saxon Manuscript London, British Library, Royal 12. D. xvii', unpublished doctoral dissertation (University of Cambridge, 2015), at 43–50 and 158–59; of the *Old English Herbarium* and *Medicina de quadrupedibus*, see further below.

[8] Bella Schauman and Angus Cameron, 'A Newly-Found Leaf of Old English from Louvain', *Anglia* 95 (1977), 289–312.

[9] Schauman and Cameron, 'A Newly-Found Leaf', 304–12.

[10] M. L. Cameron, *Anglo-Saxon Medicine* (Cambridge: Cambridge University Press, 1993), 90–1; Cameron, 'Bald's Leechbook: its Sources and their Use in its Compilation', *ASE* 12 (1983), 153–182 at 168–70.

Medicina de quadrupedibus that those works could date as early as the eighth century by virtue of their Anglian characteristics, and provided scarcely more support for a ninth-century pre-Alfredian dating of any of the other texts of the Old English medical corpus, mainly citing the circular logic of determining what constitutes 'early Anglian linguistic features' by means of comparison to the certifiably ninth-century Mercian productions of the Old English *Dialogues*, the Old English *Bede*, and the *Martyrology*, all of which have been linked to the West-Saxon Alfredian court in some capacity.[11] She found the palaeographical and orthographical archaisms of the Omont fragment unconvincing on the same grounds, as West-Saxon manuscripts penned around or before the turn of the tenth century, such as the Oxford, Bodleian Library, Hatton 20 copy of the *Pastoral Care*, display some of the same tendencies.[12]

Only recently has Robert Fulk responded to Bately's criticisms as part of a larger enterprise to reassess supposedly early works preserved in substantially later manuscripts including the corpus of Kentish laws, the Old English penitentials, and contentious examples of anonymous Anglo-Saxon vernacular prose and poetry, all of which have faced conservatism to date them earlier than their manuscript witnesses at some point in their critical history.[13] Fulk emphasised the volume and regularity with which Anglian features appeared in certain texts including those of the Old English medical corpus, suggesting that the most logical explanation for these features was their original production at Mercian cultural centres before the destruction of the monasteries in the mid-ninth century, as waning Mercian political influence and lowering rates of Latin literacy were unlikely to support their

[11] Hubert Jan de Vriend, *The Old English Herbarium and Medicina de quadrupedibus*, EETS 286, (Oxford: 1984), xlii–iii and lxxxii; Bately, 'Old English Prose before and during the Reign of King Alfred', *ASE* 17 (1988), 93–138 at 100–4.
[12] Bately, 'Old English Prose', 102 n. 62 and 106.
[13] Robert D. Fulk, 'Localizing and Dating Old English Anonymous Prose, and How the Inherent Problems Relate to Anglo-Saxon Legislation', in *English Law Before Magna Carta* ed. Stefan Jurasinski, Lisi Oliver, and Andrew Rabin (Leiden: Brill, 2010), 59–79; Fulk, 'Anglian Features in Late West Saxon Prose', in *Analysing Older English*, ed. David Denison et al. (Cambridge, 2012), 63–74; *The Old English Canons of Theodore*, ed. R. D. Fulk and Stefan Jurasinski, EETS SS 25 (Oxford, 2012), xxxvi–xl.

creation in the early tenth century or the Benedictine Reform.[14] The dissonance between perspectives of the Old English corpus in the critical landscape, generally supporting Anglian origins for poetic texts not materially from that era on the basis they were later West-Saxonised, while generally rejecting the existence of a pre-Alfredian prose tradition despite a variety of linguistic and historical data to merit such an association,[15] demonstrates that these debates cannot be overcome by simply brushing away confounding examples like those posed by the Anglo-Saxon medical corpus as being inherently parochial.[16]

It is useful to consider that the Old English medical collections were not produced in a vacuum and therefore share in the same types of source-study that have revealed a wealth of information about the contents of Anglo-Saxon libraries and how these influenced texts of other genres. This can help to shed light on how medical collections were assembled and used in England, and when. Far from being silent on medical matters before the late ninth century, regular correspondence between the Isles and intellectual centres on the Continent including the Anglo-Saxon mission in Germany, attest the exchange of books and medicinal plants between monastic localities, in reflection of the needs of churchmen based there. In c. 754, Bishop Cynehard of Winchester wrote to Lull in Mainz requesting new medical books because the ones he currently had on hand to work with were filled with ingredients he found difficult to obtain.[17] An earlier letter from Lull wrote of sending pepper, cinnamon and frankincense to Abbess Cuniburg in England in c. 739–41, presumably to ameliorate to the same problem Cynehard complained of.[18] Other writers referring to the exchange of ingredients and medical knowledge as late as the ninth century include Gregory of Tours,

[14] Fulk, 'Localizing and Dating', 76–8; Fulk, 'Anglian Features', 63–7 and 72–4.
[15] *Ibid.*, 77; cf. Cuthbert's letter on the death of Bede, in Bertram Colgrave and R. A. B. Mynors, *Bede: Ecclesiastical History of the English People* (Oxford, 1969), 579–87 at 582. Cuthbert writes of Bede's ongoing efforts to produce an English version of John's Gospel at the time of his death in 735, implying Anglo-Saxon authors may have engaged in vernacular translation earlier than the surviving Old English corpus attests.
[16] Bately, 'Old English Prose', 101–2.
[17] Ep. 114, *Die Briefe des heiligen Bonifatius und Lullus*, ed. Michael Tangl, MGH (Berlin, 1916).
[18] Ep. 49, *Die Briefe des heiligen Bonifatius und Lullus*.

Alcuin, Boniface, and Walahfrid of Strabo.[19] Walahfrid, who was abbot of Reichenau between 838–49, wrote a poem called the *Hortulus* that related his personal experiences cultivating his monastic herb garden; in Vergilian style, he extols in celebratory hexameters the toil of undertaking this responsibility of monastic life. That works such as these were read in England (not to mention related to, by virtue of shared monastic practice) is attested by plant names from Macer's poem *De virtuibus herbarum* being glossed in the Cotton Vitellius C. iii manuscript of the *Old English Herbarium*.[20] Moreover, it is understood that the Anglo-Saxons were likely copying medical recipes in the vernacular as early as the eighth-century, as the preservation of an Old High German translation of an Anglo-Saxon medical remedy in Basel, Universitätsbibliothek, F. iii dating to that era suggests just such a practice, and corroborates the exchange of medical knowledge referenced in personal correspondence.[21]

A number of recipes recorded in *Bald's Leechbook* that were sent to Alfred by Elias, Patriarch of Jerusalem, are an important witness to the continuation of this tradition of pharmaceutical exchange within an Alfredian milieu. The details of this exchange will be considered in depth later; however, the circumstances of how it came to fruition merits brief explanation. Beginning in 841, waning Abbasid power occasioned civil unrest in Palestine that spilled over into Jerusalem and was the cause of the destruction and ransoming of Christian churches until roughly 868, upon the accession of Ahmad ibn Tulun and his appointment of a Christian governor in Jerusalem to restore law and order and oversee the restoration of beleaguered holy sites.[22] As the sums required for this project were considerably large, progress was stymied until the death of Patriarch Theodosius in 878 and

[19] Voigts, 'Anglo-Saxon Plant Remedies', 259–61.
[20] *Ibid.*, 265.
[21] Hollis, 'Anglo-Saxon Secular Learning and the Vernacular', in *Secular Learning in Anglo-Saxon England: Exploring the Vernacular*, ed. László Sándor Chardonnens and Bryan Carella (Amsterdam: Rodopi, 2012), 1–43 at 16.
[22] Lapidge, 'Byzantium, Rome and England', *Roma fra Oriente e Occidente, Settimane di Studio del Centro Italiano di Studi sull'alto Medioevo* 49 (2002), 363–400 at 374.

the appointment of his successor, Elias III (878–906). Elias, perhaps on occasion of meeting Frankish missionaries in 870 when serving as *synkellos* under Theodosius, devised a plan to canvass western Christendom for support of the restoration project, evidence for which survives in a letter written to Frankish emperor Charles the Fat in 882 requesting funds.[23] The fact that a similar missive reached Alfred's court is supported by Asser's mention of it in the *Vita Alfredi*, in a chapter relating Alfred's illness.[24] From Asser's reporting, it seems Alfred responded positively to Elias' proposition, or else was sent the recipes and gifts in solicitation of the funding arrangement. However, the fact that the recipes preserved in *Bald's Leechbook* appear to remedy the symptoms of Alfred's illness—assessed by David Pratt to approximate to something like Crohn's disease—would imply that the Alfredian court did send information about the king in the other direction.[25]

That contact between Alfred's court and Jerusalem occasioned this exchange of recipes demonstrates the familiar channels through which medical knowledge could be passed in the late ninth century. The Anglo-Saxons, by way of their neighbours in Francia, had connections to Lombardy and thence to Rome, which served as a locus of trade routes stretching at least as far east as Constantinople by way of Monemvasia in Greece.[26] Carolingian medical practitioners of the eighth and ninth centuries were able to attain ingredients from Spain, Africa, and the Levant, made available in markets as near to England as Cambrai.[27] Meanwhile, although *Bald's Leechbook* thoughtfully omits certain foreign ingredients for local equivalents, it nevertheless includes a large number of exotic ones including aloes, balsam, incense, mastic, myrtle and wild olive from Africa, Arabia and the

[23] *Ibid.*, 375–6.
[24] *VA*, ch 91; *K&L*, 101 and 270 n. 220.
[25] David Pratt, 'The Illnesses of King Alfred the Great', *ASE* 30 (2001), 39–90 at 73.
[26] Lapidge, 'Byzantium, Rome and England', 364; 'Rome', *BEASE*, 409–11.
[27] Voigts, 'Anglo-Saxon Plant Remedies', 260–1.

Near East.[28] Source-study of *Bald's Leechbook* reveals many of the same connections, with a range of medical knowledge extracted from Oribasius' *Synopsis* and *Euporistes,* Alexander of Tralles' *Practica Alexandri*, Marcellus' *De medicamentis,* Galen and pseudo-Galen's *Ad Glauconem de methodo medendi, Liber tertius,* and *Passonarius Galeni,* the late antique distillations of Pliny the Elder's work to be found in the *Physica Plinii* and the *Medicina Plini*, Vindicianus' *Epitome Altera*, the anonymous collections known as the *Petrocellus,* the *Liber Aurelii,* and the *Liber Esculapii,* the pseudo-Dioscorides' *Liber medicinae ex herbis femininis* and *Curae herbarum*, and the *Pseudo-Apuleius Herbarius*.[29] As many of these works represent abridgements of earlier Greek or Roman medical treatises that became popular in early medieval Europe through Byzantine physicians such as Oribasius and Alexander of Tralles, both of whom Anglo-Saxon and Carolingian authors seem to have favoured, it is sufficiently demonstrated that the Anglo-Saxon compilers of *Bald's Leechbook* were working within a medical tradition with broad intellectual horizons, and clearly with access to an impressive library of texts.[30]

Whether *Bald's Leechbook* was created entirely at a West-Saxon scriptorium under the auspices of Alfred's court or assembled as a compilation of older Anglian material that was supplemented and updated with the best medical knowledge available at the time of Alfred's reign, the insights it offers into the study of literacy within an Alfredian context are of immense value if the work can be firmly assigned to the documentary productions of the king's court. As the earliest surviving medical text in a tradition that is believed to extend at

[28] Cameron, *Anglo-Saxon Medicine*, 43 and 103–7; Cameron, 'Bald's Leechbook: its Sources and their Use in its Compilation', *ASE* 12 (1983), 153–182 at 170–3.
[29] M. L. Cameron, *Anglo-Saxon Medicine*, 65–73; 'Cameron, 'Bald's Leechbook: its Sources and their Use in its Compilation', *ASE* 12 (1983), 153–182 at 154–66; 'Medical Literature and Medicine', *BEASE*, 309–11; Linda Voigts, 'Anglo-Saxon Plant Remedies and the Anglo-Saxons'. *Isis* 70 (1979), 250–68; Kesling, 'The Old English Medical Collections in their Literary Context', 20.
[30] Glaze, 'The Perforated Wall: The Ownership and Circulation of Medical Books in Medieval Europe, ca. 800–1200', unpublished PhD dissertation (Duke, 1999), at 32–6.

least as far back to Theodore of Tarsus' arrival in England in the 660s,[31] if not to earlier Irish precedents,[32] both the sources of *Bald's Leechbook* and its use of them through translation are of interest in understanding the inheritance and importance of medical learning to the Anglo-Saxons by the late-ninth and tenth centuries.

***Bald's Leechbook*: Structure and Style**

As previously mentioned, *Bald's Leechbook* is uniquely attested in London, British Library, Royal 12. D. xvii, a manuscript containing three distinct medical books written in Old English, all copied by a single scribe at Winchester sometime in the mid-tenth century.[33] It is significant that the production of this manuscript is believed to have been carried out by the same Parker Chronicle scribe that copied the annals for 925–955 of the *Anglo-Saxon Chronicle* and also the earliest extant copy of Alfred's *Domboc*, placing exemplars for each of this works at the same scriptorium.[34] Although the three medical books of Royal 12. D. xvii bear a single scribal hand, the third was considered by Cockayne to have been a separate collection with a different focus, which more recent scholars have supported on the basis that the two books of *Bald's Leechbook* appear to be a conceptual pair.[35] Moreover, it has been acknowledged that this stylistic division follows a six-line verse colophon at the end of the second book, which reads in part 'Bald habet hund [hunc] libru[m] cild que[m] conscribere iussit', indicating the eponymous Bald ordered Cild to compile or possibly write the two-volume collection, to which a third book was later appended.[36] However, the colophon has clarified little else aside from this division: neither Bald nor Cild can be identified in other

[31] D'Aronco, 'Anglo-Saxon Plant Pharmacy and the Latin Medical Tradition', in *From Earth to Art: The Many Aspects of the Plant-World in Anglo-Saxon England*; *Proceedings of the First ASPNS Symposium, University of Glasgow, 5–7 April 2000* (Amsterdam: Rodopi, 2003), 133–51.
[32] Hollis, 'Anglo-Saxon Secular Learning and the Vernacular', 13–15.
[33] Ker, *Catalogue of Manuscripts Containing Anglo-Saxon* (Oxford: Clarendon, 1957), 332–3.
[34] *Ibid.*, 332–3; for the Parker Chronicle, see Cambridge, Corpus Christi College 173, *G&L* no. 52.
[35] Cockayne, *Leechdoms, Wortcunning, and Starcraft*, II, xx.
[36] 'Bald owns this book, which he ordered Cild to compile', fol. 109r; Cameron, *Anglo-Saxon Medicine*, 20–1; 'The Artistry of Bald's colophon: Latin Verse in an Old English medical codex', *ASE* 48 (2019), 93–104.

Anglo-Saxon sources,[37] and the ambiguity of *conscribere* in medieval Latin obfuscates whether Cild's relationship to the *Leechbook* was an authorial or merely scribal one.[38] Bald and Cild have variously been called owner and scribe,[39] compiler and scribe,[40] and compilers one and two.[41] Attributions such as these have been helped along by stylistic observations that the contents of *Bald's Leechbook* differ in such a way as to seem to be the work of at least two writers or compilers.

Each book of the collection covers a broad range of medical topics generally organised in a head-to-toe fashion, in the same manner as Continental medical collections and the injury tariffs of Anglo-Saxon law codes.[42] Book I consists of predominantly external ailments such as bodily pains, skin diseases, fevers and paralysis, arranged by Cockayne into eighty-eight chapters, while Book II is chiefly internal, focusing on the organs, and arranged into sixty-seven chapters.[43] The style of each book has often been contrasted, as Book I features somewhat more varied topics, while Book II has many longer sections dealing with a more sophisticated diagnosis of illnesses. Richard Scott Nokes advanced a theory that each book had separate writers—which he distinguished from their compilers—and argued that, because there was a greater emphasis placed on situating the remedies of Book II within a tradition of medical practice that included the naming of the Anglo-Saxon physicians Oxa and Dun, it was likely that this writer had greater familiarity with his subject matter and may

[37] According to the *Prosopography of Anglo-Saxon England*, Bald is never mentioned outside of the *Leechbook*, and only one other Cild is known: a moneyer associated with the Bedwyn mint for Edward the Confessor between 1046 and 1062, long after the mid-tenth century completion date of Royal 12. D. xvii. Oswald Cockayne suggested that 'Bald' may have been short for another name, perhaps *Æthelbald*, but noted a certain attribution is impossible, *Leechdoms Wortcunning and Starcraft*, II, xxi.
[38] Cameron, 'Bald's Leechbook: its Sources and their Use in its Compilation', 153.
[39] Meaney, 'Alfred, The Patriarch and the White Stone', *Journal of Language, Literature and Culture* 49.1 (1978), 65–79 at 65; Nokes, 'The Old English Charms and King Alfred's Court', *Medieval English Studies* 10.1 (2002), 5–16 at 7.
[40] C. E. Wright and R. Quirk, ed., *Bald's Leechbook: British Museum Royal MS 12 D. XVII*, EEMF 5 (Copenhagen, 1955), 13.
[41] Nokes, 'The Several Compilers of Bald's Leechbook', *ASE* 33 (2004), 51–76 at 54–5.
[42] For example, in Alfred's *Domboc*, *Af* 44–77.
[43] Cameron, *Anglo-Saxon Medicine*, 42; Nokes, 'The Several Compilers of Bald's Leechbook', 55–6.

himself have been a physician.[44] Emily Kesling has rejected this view on the basis that the stylistic differences between the two books often reflect the different focuses of their Latin sources, and has argued that there is no reason to distinguish the two halves of *Bald's Leechbook* on the grounds of origin or the writing style of their compilers.[45] Rather, Kesling has suggested a demarcation between passages she considered 'short' and those she considered 'long', with examples of each type to be found in both books, yet a greater proportion of the longer passages appearing in Book II where its engagement with the Latin sources is often more nuanced.[46] Kesling emphasised the stylistic coherence of the passages she considered 'long', arguing that they were likely the work of a single person who was responsible for compiling the *Bald's Leechbook* exemplar, as these passages are found in no other collection; furthermore, Kesling situated the longer passages within a working process that sought to supplement a more basic medical collection with Late Antique sources that were considerably more advanced, with a vision that *Bald's Leechbook* should serve as an encyclopedia of medical learning.[47]

The manner in which *Bald's Leechbook*'s was compiled has received comprehensive study. It has been surmised that the text may have undergone at least three stages of production, outlined by Nokes as 'compilation', 'writing', and 'redaction.'[48] During the first of these phases, compilers would have assembled medical recipes from various sources and collected as many existing medical books as possible for consultation. Cameron's source-study, which found thorough engagement with post-classical Roman and Byzantine medicine such as Oribasius' *Synopsis* and *Euporistes,* the *Practica Alexandri*, Marcellus' *De Medicamentis,* the *Physica Plinii*, and the *Medicina Plinii,* were conceived to have been

[44] Nokes, 'The Several Compilers of Bald's Leechbook', 55–6 and 59–60.
[45] Kesling, 'The Old English Medical Collections in Their Literary Context', Unpublished doctorate dissertation (Oxford University, 2016), 43–4.
[46] *Ibid.*, 45–6.
[47] *Ibid.*, 45–6 and 64.
[48] Nokes, 'The Several Compilers of Bald's Leechbook', 51–2.

immediately available for on-hand consultation by the *Leechbook* compilers, at least in excerpted versions, which they collated with other Latin sources possibly descended from existing Old English translations.[49]

Once the sources were gathered, the compilers would have copied out the various passages, given them structure, and arranged them into the coherent chapter forms that the *Leechbook* is recognised for.[50] Nokes refers to the figures involved in this process to be 'writers', but distinguishing them from those responsible for compiling the source material is probably not necessary, as the compilers were likely literate clerical specialists with an advanced understanding of the sources consulted.[51] In this respect, the *Leechbook* compilers were also highly discerning: of the one-hundred-and-eighty recipes in Marcellus' *De medicamentis*, the compilers only chose to include seven, while from the thirty-nine recipes in the *Medicina Plinii* they took only three.[52] It is uncertain if these sources would have been available to them in complete form, yet the compilers' selection of remedies for inclusion in the collection follows similar principles in preferencing ingredients that were procurable in England at that time. Mentions of foreign perishables are not usually found, for example, but non-perishable foreign ingredients such as pepper, ginger, cinnamon, and frankincense are frequently included.[53]

Proof of the third phase of production, redaction and emendation, relies greatly upon the ordering of the *Leechbook*'s scrupulous table of contents, as well as its meticulous head-to-toe and internal-external arrangement of remedies. As already mentioned, Book I contains

[49] Cameron, 'Bald's Leechbook: its Sources and their Use in its Compilation', 161.
[50] Nokes, 'The Several Compilers of Bald's Leechbook', 51.
[51] Hollis, 'Anglo-Saxon Secular Learning and the Vernacular', 18. Similar logic has been employed for the creators of the Old English *Boethius* and *Soliloquies*, as the philosophical sources for these texts were also considerably advanced: Discenza, 'The Old English Boethius', in *A Companion to Alfred the Great*, ed. Nicole Guenther Discenza and Paul E. Szarmach (Leiden: Brill, 2015), 200–26 at 201 and Szarmach, 'Augustine's Soliloquia in Old English', in *A Companion to Alfred the Great*, ed. Nicole Guenther Discenza and Paul E. Szarmach (Leiden: Brill, 2015), at 233.
[52] Cameron, 'Bald's Leechbook: its Sources and their Use in its Compilation', 170.
[53] *Ibid.*, 172.

eighty-eight remedies that follow this general head-to-toe order, of which at least six are anomalous,[54] whereas the second book contains a similarly large number of remedies, but is missing several due to damage to the manuscript, particularly a lost gathering of leaves that excises chapters sixty through sixty-four.[55] Nokes believed some features of redaction or emendation were unconscious (for example, omissions due to scribal errors such as eye-skip, which are evident upon comparison to the table of contents, or obvious additions that do not fit with the *Leechbook*'s organisational structure). However, he remained cautious of his conclusions about the redacting process, as the sole surviving manuscript is a copy that could hide yet further omissions and mistakes.[56]

In addition to the methods of redaction and translation the *Bald's Leechbook* writers employed, Christine Voth has remarked on the text's use of dialect, arguing that it reveals underlying Anglian features that could plausibly place the surviving manuscript's exemplar at a West-Mercian scriptorium.[57] While *Bald's Leechbook* preserves some Anglian features akin to the other works of the Old English medical corpus, which, as we have seen, bears important evidentiary value for establishing the copying of medical literature in a pre-Alfredian context, *Bald's Leechbook* also features a high proportion of West-Saxon and more specifically Alfredian lexical items that have not received comment despite providing additional evidence of the *Leechbook's* association with the Alfredian court. These include a number of rare words preserved uniquely between Alfredian texts and *Bald's Leechbook*, such as those in the table below:[58]

[54] Nokes, 'The Several Compilers of Bald's Leechbook', 65–6, considers whether chapters 38, 39, 62–5, and 72 were misplaced.
[55] *K&L*, 34.
[56] Nokes, 'The Several Compilers of Bald's Leechbook', 65.
[57] Voth, 'An Analysis of the Tenth-Century Anglo-Saxon Manuscript London, British Library, Royal 12. D. xvii', unpublished doctorate dissertation (University of Cambridge, 2015), 43–50 and 158–9.

[58] Works cited by Cameron short title and reference counts per *DOEC*.

TABLE 5: Rare Words in *Bald's Leechbook*

Word *(Headword)*	***Occurrences***	***Definition***	***Texts***
abiterað *(a-biterian)*	3 occ.	To be or become bitter	3x **Lch II (1)** 42 (and headings), **CP**, also once in a gloss
broc *(broc)*	3 occ.	Use; advantage	**Lch II (2)** 6.1.5, 2x **Bede**
byndellum *(byndele)*	2 occ.	Binding; bandage	**Lch II (2)** 16.2.8, **LawAfRb 35**
cassiam *(cassia)*	2 occ.	*Cassia*; a cinnamon-like spice	**Lch II (1)** 66.1.3, **PPs** (prose)
elhygd *(el-hygd)*	2 occ.	Ecstasy; delirium	**Lch II (2)** 46.1.2, **GD**
feldgangede *(feld-gangede)*	6 occ. (twice in prose)	Going through open country	**Lch II (1)** 20.1.1, **CP**, also four times in poetry
feondsecum *(feond-seoc)*	5 occ.	Possessed by devils	3x **Lch II (1)** 63, 2x **Bede**
fortynende *(for-tynan)*	4 occ.	To cut off entirely, block	**Lch II (2)** 23.1.2, **CP**, **Bede**, also once in a gloss
gagates *(gagates)*	4 occ.	The stone *gagates*, jet	3x **Lch II (2)** 65 and 66 (and headings), **Bede**
gedryp *(ge-drypan)*	4 occ.	To cause to fall in drops	3x **Lch II (1)** 3, **Solil**
gehweled *(hwellan)*	3 occ. (5 occ. as *hwel-*)	To suppurate, inflame	2x **Lch II (2)** 22.1.3 and fragment, 2x **CP**, 4x LibSc with a different, figurative meaning
liðseaw *(liþ-seaw)*	8 occ.	Synovia (joint fluid)	7x **Lch II (1)** 61 (and headings), **LawAf 53**

The cross-pollination of Alfredian lexis reveals a theoretical underpinning to the use of language, where, for example, a medical understanding of mental afflictions such as delirium accords with an Alfredian literary conception of the mind. In a similar way, technical jargon such as *gehweled*, 'inflamed, filled with pus', is deployed in the *Pastoral Care* to increase the accuracy its translations, in this case, that a closed wound can be more painful than an open one, just as internal thoughts can more painful if they cannot be spoken aloud;[59] the *Pastoral Care* translation differs from typical usage here, where the Latin *putredo* is more typically captured by the Old English *for-rotodnes*, 'rottenness, corruption', or *fylþ*, 'filth'.[60] This list can be expanded by *hapax legomena* in other Alfredian texts demonstrating close parallels,

[59] Sweet, *Pastoral Care*, 273.
[60] '*for-rotodnes*', '*fylþ*', *DOE*, attested more than sixty-five times collectively, often in glosses and glossaries.

such as *fnesan*, 'to breathe hard, pant, gasp' in the *Dialogues*, closely related to *gefnese*, 'sneeze', used in *Bald's Leechbook*. While no single example can assert a direct connection between two texts, the large volume of overlapping language appearing in *Bald's Leechbook* and the rest of the Alfredian corpus suggests a shared lexicon. Another important item of lexical overlap will be examined in-depth shortly as further demonstrating shared expertise, textual concerns, and style.

Bald's Leechbook's Connections to the Alfredian corpus

As the Royal 12 D. xvii manuscript is believed to be a copy of a slightly older exemplar dating to the 890s or c. 900,[61] the production of *Bald's Leechbook* can therefore be considered part of the Alfredian corpus. The breadth and variety of the collection's sources, and the scrutiny with which they were compiled, has frequently led to this association with Alfred's reign; most studies of *Bald's Leechbook* have averred that the text is the most comprehensive and best-organised of the Old English medical compilations, and that this may in itself be proof that *Bald's Leechbook* was produced during Alfred's reign, perhaps even at his request.[62] Hollis has offered a somewhat more tempered view, suggesting that the text may have been created at this time and perhaps even by one of the physicians mentioned by Asser as being present at Alfred's court, yet stopped short of affiliating the text with Alfred's project of learning as its technical focus departs from the Christian spiritual and historical themes pursued in the rest of the royal corpus.[63]

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[61] Nokes, 'The Old English Charms and King Alfred's Court', *Medieval English Studies* 10.1 (2002), 5–16 at 13; Hollis, 'Anglo-Saxon Secular Learning and the Vernacular', 17;

[62] Meaney, 'King Alfred and his Secretariat', *Parergon* 11 (1975), 16–24; Meaney, 'Variant Versions of the Old English Medical Remedies and the Compilation of Bald's Leechbook', *ASE* 13 (1984), 235–68 at 251; Nokes, 'The Old English Charms and King Alfred's Court', 14; Nokes, 'The Several Compilers of Bald's Leechbook', 73–4; Pratt, *The Political Thought of Alfred the Great*, 70–1; Kesling, 'The Old English Medical Collections', 65–79.

[63] Hollis, 'Anglo-Saxon Secular Learning and the Vernacular', 17–18.

One problem with this view is that the royal corpus of translations often dwells on themes of illness, at times specifically associating these with Alfred's person in a way that gave these works an occasionally medical complexion.[64] Alfred's sickness, just as Gregory's before him, provided a powerful rhetorical tool for presenting the king's efforts to overcome his worldly pains.[65] Consequently, the medical imagery employed in the Alfredian translations presents not only illness as a condition of suffering, but also as something to be healed by attendant care, and it is here that the role of the physician figured prominently in several of the Alfredian translations. In the *Pastoral Care,* physicians are frequently affiliated with pastoral authorities, construed for example as physicians of the mind who must traverse the country as doctors do to attend to the health of their flock.[66] The comparisons are often drawn out and sometimes compared to specific ailments, such as the shifting of moods relating to the shifting of humours.[67] In the Old English *Boethius*, wisdom's teachings are presented as medicines, with understanding being representative of good health.[68] In one passage, the exercising of judgement is construed as cutting vice from a wrong-doer just as a physician must intervene for the care of his patient:[69]

> Swa swa se sioca ah þearfe þæt hine mon læde to þæm læce, þæt he his tilige, swa ah se þe ðæt yfel deð þæt hine mon læde to þæm ricum, þæt mon þær mæge sniðan & bærnan his unþeawas … Þæt is þonne hiora mildsung þæt mon wrece hiora unðeawas be hiora gewyrhtum. Ne scyle nan mon siocne monnan & gesargodne swencan, ac hine mon scel lædan to þæm læce þæt he his tilige
>
> [Just as the sick person needs to be taken to the physician, so that he may look after him, so one who commits evil needs to be taken to those in power, so that his vices can be cut away and burnt there … This then is their mercy, that one punishes their vices according to their merits. No one should cause trouble for a sick and afflicted person, but he should be taken to the physician to be looked after.]

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[64] Pratt, *Political Thought*, 124 and 134–8; Scharer, 'The Writing of History at King Alfred's Court', *Early Medieval Europe* 5.2 (1996), 177–206 at 187–91; Nelson, 'Power and Authority', 335–6.
[65] Scharer, 'The Writing of History at King Alfred's Court', 188.
[66] *Pastoral Care* §1, §9, §17, §21, §26, §38, §41, §48, §49, §50, §51, §60, §61, and §62.
[67] *Ibid.*, §61–2.
[68] *Consolation of Philosophy* §16, §22, §36, §38, and §39.
[69] *King Alfred's Old English Version of Boethius: De Consolatione Philosophiae,* ed. W. J. Sedgefield (Oxford, 1900), 123.

A similarly instructive passage survives in the Old English *Soliloques*, in which the expansions of the Old English text from its Latin original have been marked in bold:[70]

> Be ðam þu miht geþencan þæt þu ne scalt nan seofian, þeah þu ne mage þone wisdom myd þines modes eagum nacodne geseon swilcne swilcne he ys; forðam þu næfre þæt ne myhte þa **hwile þu byst on ðam þeostrum þinra sinna. Ac nota þæs wisdomes þe þu habbæ, and fagene ðæs dæles þe þu ongitan magæ, and higa georne æfter maran. He wot self þæt wisdom hwæs þu weorðe byst, hu myclum he hine þe eowie. Nis nanwiht wyrse on ðam men, þonne wene he þæt he si þæs wyrðe þe he nis. Se læca wot gearror þonne se seoca hweðer he hine gelacnian mæg þe ne mæg, oððe hweðer he hine mæg gelocnian, þe myd liðum læcedomum þe myd striðum. Forðam þū ne scealt to swiðe þe laðian, ne to swiðe seofian after awiht. Ne sint þa eagan þines modes æalles swa hale swa þu wenst.**
>
> [By this you may conclude that you should not to sigh even though you cannot see wisdom naked with the eyes of your mind just as it is; for you can never do that **while you are in the darkness of your sins. But enjoy the wisdom which you have, and have joy in the part which you cannot understand, and seek more with your whole heart. Wisdom itself knows what you are worthy of, and how much it may show itself to you. There is nothing worse in a man than to suppose that he is worthy of what he is not. The physician knows better than the sick whether he can be healed or not, or whether he can be healed by mild or by severe treatment. Therefore you must not excuse yourself too much, nor sigh too much after anything at all. The eyes of your mind are not so wholly sound as you suppose**.]

The argument that attendant authorities ought to take care in their actions just as physicians must apply their medicines with appropriate skill was productive for the Alfredian court's understanding of spiritual, intellectual, and even judicial matters. That these may have been interrelated issues is implied by the fact that most Anglo-Saxon physicians would have had some ecclesiastical or clerical affiliation, especially by virtue of the literacy required, though less advanced practitioners may have been secular.[71] Therefore, even in cases where texts do not aspire to the same functional purpose, it does not preclude a shared audience for their use; indeed, it is believed that archbishop Theodore's training in Constantinople before his arrival in England included medicine and that he may have taught it at his Canterbury school

[70] *King Alfred's Old English Version of St. Augustine's Soliloquies*, ed. Henry Lee Hargrove (New York: Henry Hold, 1904), 47–8.
[71] 'Medical Literature and Medicine', *BEASE*, 310.

alongside metrics, philosophy, rhetoric, metrology, astronomy and computus.[72] Aldhelm likewise includes medicine among his seven liberal arts,[73] while Alcuin helped cultivate the study of medicine at Charlemagne's court.[74]

Arguments for the *Leechbook*'s association with Alfred and his court circle have been strengthened by a mention of the king in Book II, chapter sixty-four. The entry describes several remedies evidently sent to Alfred by Elias, Patriarch of Jerusalem, for the treatment of various internal ailments, as evidenced by the passage's concluding line: *Þis eal het þus secgean Ælfrede cyninge domne helias patriarcha on gerusalem*, 'all this, Dominus Elias, Patriarch of Jerusalem, ordered to be said to king Alfred.'[75] The royal tone of the declaration led Cockayne to compare it with a similar passage from the Old English *Orosius,*[76] a work which more recently has been the subject of a stylistic comparison alongside *Bald's Leechbook* by Kesling, who perceived parallels in their approach to translation and paleographical features, by way of the scribal hand used in the Tollemache *Orosius.*[77] While the Elias recipes could have been added as a later interpolation (only half of the chapter survives due to a lacuna that cuts off the first six of the ten remedies that are listed as part of the chapter in the table of contents), a source-study carried out by Audrey Meaney revealed that all of the ingredients included in the remedies were of Syrian or Persian origin and therefore seemed authentic.[78] Moreover, Asser's corroboration of both Elias' contact with Alfred, as well as the nature of the king's illness, seem in keeping with the surviving list of

[72] Lapidge, 'Byzantium, Rome and England', 370.
[73] *De virginitate* XXXV, ed. and trans. Lapidge and Herren, *Aldhelm: The Prose Works*, at 42 and 96.
[74] Glaze, 'The Perforated Wall', 84–90; Hollis, 'Anglo-Saxon Secular Learning and the Vernacular', 14.
[75] Cockayne, *Leechdoms, Wortcunning and Starcraft*, II, 290.
[76] *Othere sæde his hlaforde, Ælfrede cyninge, þæt he ealra Norðmonna norþmest bude*, 'Ohthere told his lord, King Alfred, that he dwelled the northernmost of all the Northmen', Cockayne, *Leechdoms, Wortcunning and Starcraft*, II, xxv.
[77] Kesling, 'The Old English Medical Collections in their Literary Context', 68–76.
[78] Meaney, 'Alfred, The Patriarch and the White Stone', *Journal of Language, Literature and Culture* 49.1 (1978), 65–79 at 67–9.

contents for the recipe included in the chapter headings, describing ailments of the bowels and other internal organs:[79]

> LXIIII Læcedom se monian wiþ innoþes forhæfdnesse and gutomon; wið milte wærce and stice and spican wiþ utrihtan and dracontjan wiþ fule horas on men; and alwan wiþ untrymnessum; and galbanes wiþ nearwum breostum; and balzaman smiring wiþ eallum untrumnessum; and petraoleum to drincanne anfeald wiþ innan tydernesse and utan to smerwanne; and tyriaca is god drenc wiþ innoþ tydernessum; and se hwita stan wið eallum uncuþum brocum.
>
> [64. A leechdom: *semonia* for constipation of the bowels, and *gutomon* for pain in the spleen and stitch; and *spica* against diarrhoea; and *dracontia* for foul phlegm in a man; and *alwe* for infirmities; and *galbanes* for oppression of the chest; and balsam ointment for all infirmities; and *petraoleum* to drink unmixed for internal tenderness, and to apply externally; and *tyriaca* is a good drink for intestinal tenderness, and the white stone for all unknown diseases.]

This list of remedies demonstrates that, in addition to the extant four entries at the end of the chapter which treat general infirmities, internal and intestinal tenderness, and unusual ailments, all of the original contents for this chapter focused on internal pains predominantly of the bowels and digestive tract before they were lost. How the compilers of *Bald's Leechbook* would have acquired these recipes attained from personal letters to the king without an affiliation with the Alfredian court is an important consideration, even if it does not preclude access to them after the king had died. It is believed that Alfred seems to have suffered from an ailment approximating to Crohn's disease, a disorder that 'involves intense abdominal pain, and diarrhoea sometimes with mucus and blood, often alternating with periods of constipation.'[80] Elias may have learned of Alfred's sickness on occasion of two members from his court, Sigehelm and Athelstan, embarking on a trip to the Near East in 883 according to the *Anglo-Saxon Chronicle*, either terminating in India or Judea, and routing through Rome to help cultivate better relations with the new pope.[81] It is possible, therefore,

[79] Cockayne, *Leechdoms, Wortcunning and Starcraft*, II, 174.
[80] Pratt, 'The Illnesses of King Alfred the Great', 73.
[81] *Ibid.*, 67–8; Meaney, 'Alfred, The Patriarch and the White Stone', 67, notes that the boundaries for India were less specific in Alfred's time, and that it is possible this reference in fact refers to Jerusalem.

that Elias' concern over Alfred's health was in response to alms sent to the patriarch on this journey, sent in support of his rebuilding of churches.

As Kesling has indicated, the production of a work on medicine and medical theory would have fit well with the Alfredian project, which already included texts of practical use including the prose psalms and the *Pastoral Care*.[82] *Bald's Leechbook* shares with the royal corpus a concern to make Latin learning accessible in the vernacular, reconciled with local Anglo-Saxon priorities and needs. Among the court's corpus of documentary writings, an effort to compile encyclopedic works on matters such as history and geography is demonstrated by the Old English *Orosius*, with the aim of rendering these subjects of Latin learning more accessible for the purposes of education.[83] It is conceivable that *Bald's Leechbook* would serve a similar didactic purpose to make foreign learning on medical topics more readily available. It is possible, moreover, that its efficacy at generating an interest in medicine is already demonstrated by the wide array of medical metaphors and analogies employed across the Alfredian corpus. As a final point of consideration of connections between *Bald's Leechbook* and the Alfredian court, we shall now look at one example of possible borrowing extant in the royal corpus.

The Injury Tariff of Alfred's *Domboc*

The shared medical concerns of compilations such as *Bald's Leechbook* and the injury tariffs of Anglo-Saxon law codes have received rare comment. Stanley Rubin drew out parallels in a sequence of essays nearly thirty years ago, generally arguing that legal practitioners need not have had medical training to conduct their duties of assigning fines for assessed injuries, yet

[82] Kesling, 'Old English Medical Collections in the Literary Context', 71.
[83] Godden, 'The Old English *Orosius* and its Context: Who Wrote It, for Whom, and Why?', *Quaestio Insularis* 12 (2011), 1–30.

nevertheless outlining some shared concerns.[84] A single Anglo-Saxon law from Æthelberht's early seventh-century law code references additional compensation for injury if the victim requires medical treatment, suggesting physicians were not normally involved in the enforcement of secular law.[85] However, the Anglo-Saxon penitentials make frequent reference to the consultation of medical expertise, and regularly submit that wrong-doers must pay the subsequent costs of the physician.[86] Rubin surmised that, as most medical practitioners would have been ecclesiastics stationed at monastic houses, the fines levied by the penitentials may have served to fund their infirmaries, or else impart a moral lesson on offenders who cause harm.[87] It is true that the penitentials demonstrate preoccupations such as these, although there are scriptural precedents in the laws of Exodus that similar provisions requiring physicians expenses to be paid. One such law can be compared with equivalent translations from Alfred's *Domboc* and the *Scriftboc*:[88]

> **Exodus 21:18–19:** Si rixati fuerint viri et percusserit alter proximum suum lapide vel pugno, et ille mortuus non fuerit sed iacuerit in lectulo, si surrexerit et ambulavit foris super baculum suum, innocens erit qui percussit; ita tamenut operas eius et inpensas in medicos restitutat.
>
> [If men quarrel, and one strike his neighbour with a stone or with his fist, and he die not, but keepeth his bed; if he rise again, and walk abroad upon his staff, he that struck him shall be quit, yet so that he make restitution for his work, and for his expenses upon the physicians.]
>
> ***AfEl* 16:** Gif hwa slea his ðone nehstan mid stane oððe mid fyste, 7 he þeah utgongan mæge bi stafe, begite him læce **7 wyrce his weorc** ða hwile þe he self ne mæge
>
> [If someone should strike his neighbour with a stone or a fist, and he may nonetheless go out with a staff, let him obtain for him a physician **and perform his work** in the time that he himself may not.]

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[84] Rubin, 'Æthelberht 36: A Medico-Linguistical Discussion on the Word Hion', *Nottingham Medieval Studies* 39 (1995), 19–25; Rubin, 'The Bot, or Composition in Anglo-Saxon Law: A Reassessment', *Journal of Legal History* 17 (1996), 144–54; Rubin, 'Medical Attention in Anglo-Saxon Law: A Statute Sequence Reconsidered', *Medieval Life* 6 (1997), 3–6.
[85] *Æbt* 62; Rubin, 'Medical Attention in Anglo-Saxon Law', 3.
[86] *Ibid.*, 4.
[87] *Ibid.*, 4.
[88] *The Laws of Alfred*, ed. Jurasinski and Oliver, 67–9.

> ***Scriftboc*:** : Swa hwylc man se ðe in gecynde oðerne gedo wanhalne oðde hine womwlite on gewyrce, forgylde him þone womwlite, **and his weorc wyrce** oð þæt seo wund hal sy, and þæt læcefeoh ðam læce gylde, and fæste twa æfestena oðde þreo; gyf he nyte hu he hit gylde, fæste xii monað.
>
> [Whoever renders a man injured in his genitals or inflicts *womwlite* upon him, let him compensate his victim for the *womwlite*, **and let him perform his victim's work** until the wound has healed, and let him make payment to the physician, and let him fast for two or three of the ordained fasting periods; if he does not know how he might make compensation for the injury, let him fast for twelve months.]

Here again the Alfredian compiler of the *Domboc* saw fit to syncretise the biblical law with contemporary penitential practice, which, as demonstrated in the *Scriftboc*, required the wrong-doer to perform his victims work until he was healed. Jurasinski has suggested that this was devised specifically by the penitential tradition in order to remedy the spiritual wrongs of committing a violent crime, as well as do right by the victim who was rendered incapacitated by it.[89]

Other lexical oddities in the main text of the *Domboc* have hinted at the use of sources heretofore unknown. Lisi Oliver recently found that there is significant overlap between several of the *Domboc*'s personal injury laws and a near-contemporary Frisian law code known as the *Lex Frisionum*. The *Lex*—a Latin assemblage of legal rulings dated between 795–803 that was compiled in Frisia under Carolingian rule[90]—could represent the legal system with which several members of Alfred's court were familiar.[91] There appears to be some degree of correspondence between rare Alfredian terms for the body and those used in early ninth-century Frisia; however, these parallels must be dimly perceived through comparison to the entirely Latin *Lex Frisionum* and a later tradition of Frisian vernacular law

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[89] *Ibid.*, 69.
[90] Oliver, 'Who Wrote Alfred's Laws?', in *Textus Roffensis: Law, Language, and Libraries in Early Medieval England*, ed. Bruce R. O'Brien and Barbara Bombi (Turnhout: Brepols, 2015), 231–54 at 242.
[91] In addition to the Continental legal expertise speculated by Wormald for Grimbald and John the Old Saxon, Asser mentions the recruitment of several Frisians to Alfred's court in his *Vita Alfredi*, cf. *K&L* 43, 91, 119 and 258. Rolf Bremmer, however, has expressed reservation that the *Lex Frisionum* was not imposed by Charlamagne and may not have been popularly known in its contemporary setting, stated in personal communication to Oliver, 'Who Wrote Alfred's Laws?', 243.

dated to the late thirteenth and fourteenth centuries.[92] Nevertheless, Oliver found unique legal-formulaic parallels pertaining to the amputation of a hand for theft, damages to the lower arm and lower leg, valuations for specific anatomy of shoulder and for wounds causing infertility, as well as assessment of relative values for fingers, toes and teeth that match between Frisia and Wessex but not other Germanic territories with similar systems of law.[93] Oliver additionally noted a surprising lack of lexical similarity in the non-personal-injury laws of the *Domboc*, based upon a study of *hapax legomena* in Alfred's code and later Frisian legal codices; she interpreted this as perhaps more evidence that Alfred's court consulted Frisian law for the personal injury tariff alone.[94]

The aggregate of Oliver's evidence is compelling, although caution is due when assessing the particulars. Linguistic correspondence is somewhat tenuous for the reason mentioned above; namely, that promulgation of vernacular law occurred many centuries earlier for the Anglo-Saxons than it did for the Frisians. The closeness of Old Frisian to Old English is typified by the immense comparative value credited to Old Frisian by early grammarians and lexicographers of the Germanic languages such as Bosworth, Grimm and Rask, yet stands in contrast with later questioning of why these language authorities granted Frisian the diachronic epithet 'old' rather than 'middle' when compared to such usage in English.[95] The temporal gap that exists between the two vernaculars stands as an obstacle for assessing the similarity of several anatomical descriptors used in the *Domboc* and in Old Frisian legal codices, which Oliver considered as additional—but not definitive—corroboration of a link between Alfred's court and an Ingavaeonic tradition of law.[96] One

[92] Oliver, 'Who Wrote Alfred's Laws?', 243-5.
[93] *Ibid.*, 249.
[94] *Ibid.*, 250.
[95] Stanley, 'J Bosworth's Interest in "Friesic" for his "Dictionary of the Anglo-Saxon Language" (1838): "The Friesic is far the most important language for my purpose"', *Amsterdamer Beiträge zur älteren Germanistik* 31 (1990): 428–52 at 435.
[96] Oliver, 'Who Wrote Alfred's Laws?', 243–5.

factor to consider is that, if there was direct or indirect influence of Frisian legal formulae on the *Domboc*, this influence would have presumably been filtered through the expertise of the Alfredian court. Here, it is relevant that a few terms of the body match between the *Domboc*'s injury tariff and *Bald's Leechbook*—sometimes uniquely.

As shown in the following table devised by Oliver, several of the personal injury laws which seem to show 'Alfredian ingenuity' by diverging from their purported source of the injury tariff in Æthelberht's law code, in fact more closely parallel laws in the *Lex Frisionum*.[97] Laws which only circulated in Frisia and in Alfred's code are highlighted in red, while orange represents laws shared between Alfred, Frisia and Æthelberht favouring a connection to Frisia, and yellow indicates a plausible three-way match:[98]

TABLE 6: Valuations of the Body in Anglo-Saxon England and Frisia

Alfred	Frisia	Æthelberht
Scrotum	Hip and scrotum	'Gekyndlice lim' pierced through or stabbed into
Lower arm	Both bones broken below elbow 1 bone broken below elbow	
Visible wound		Wound visible outside clothing
Loins [30%] {testicles [40%]}	2 testicles off [100%] 1 testicle off [50%]	Damage to 'gekyndlice lim' [300%]
Shoulder wounded so fluid comes out	Arm off at shoulder Wounded so fluid comes out	Shoulder
Shin-break	Leg half-cut below knee	
Eye/hand/foot		
Calf	Leg fully cut below knee	
Large sinew Small sinew ?Spine		

[97] On Alfred's use of Æthelberht's personal injury tariff, see Wormald, *MEL*, 281; Richards, 'Laws of Ine and Alfred', 303; Pratt, *Political Thought*, 220; Dammery, 'The Law Code of Alfred the Great', Unpublished doctorate dissertation, 2 vols. (Cambridge: Cambridge University, 1990), I, 248-55.
[98] Oliver, 'Who Wrote Alfred's Laws?', 245.

It is possible to further draw out the comparison of one of the parallels highlighted in red, the law referring to the laming of a shoulder so that fluid leaks from the wound. Here is the law as it appears in Alfred:[99]

> Gif mon bið on eaxle wund, þæt þæt liðseaw utflowe, gebete mid XXX scill.
>
> [If a man is wounded in the shoulder, so that the joint-fluid flows out, compensate with 30 shillings].

This is what Oliver had to say about the correspondence:[100]

> One of the most remarkable of these comparanda is the statement in *Lex Frisionum* §22.35 that for the *iunctura scalpulae* ('shoulder joints', and also the joints at the elbow and wrist), damages must be paid if 'liquid runs from the wound which they call *lidu uuagi*'. Alfred §53 similarly assess damages for a wound to the shoulder in which *liðseaw* flows out. This liquid—the synovial fluid that protects the joint—is called *sivene* in the much-later *Brokmer Recht*: the etymological connection between *seaw* and *sivene* is obvious. The importance of the contextual connection is substantiated by the linguistic match. Parallel innovation is this detail seems unlikely in the extreme: were there no other connection between the laws of Alfred and Frisia, this correspondence alone would be enough to establish the strong possibility of a link between the Anglo-Saxon and Frisian rulings.

Oliver does not comment on another interesting detail about this law, however. Not only does it differ from all other Anglo-Saxon legislation in assigning a penalty for damage to the shoulder such that the synovial fluid runs out of the wound, the word for synovial fluid itself is an exceptionally rare term in Old English, preserved in only two sources. When accounting for variant spellings and irregularities of compounding, just eight occurrences can be found across the entire Old English corpus.[101]

Aside from the appearance of *liðseaw* in the law above, all seven of the other occurences appear in a single chapter of *Bald's Leechbook.*[102] As previously mentioned, it is important to consider that both the earliest copy of the *Domboc* in Cambridge, Corpus Christi College 173 and the sole copy of the *Leechbook* preserved in London, British Library, Royal

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[99] *Af* 53.
[100] Oliver, 'Who Wrote Alfred's Laws?', 246–7.
[101] '*lið-*', '*liþ-*', and '*se-*' via proximity search of *DOEC.*
[102] The recipe also uses several synonyms, including *liþule*, or 'joint-oil', which help clarify *liðseaw* as synovial fluid.

12. D. xvii, give the two works an identical date and place of compilation for their extant manuscripts, seeming to descend from a common origin in Winchester sometime in the mid-tenth century.[103] From a linguistic and paleographical point of view, the shared provenance of the manuscripts would seem to imply that the word *liðseaw* being preserved uniquely between them is not a coincidence, even if disregarding the purported Alfredian connection shared by the texts themselves.

Lexically, *liðseaw* is a descriptive compound. Its second element, *seaw* is mostly confined to medical texts, referring to 'juice', 'moisture', or 'humour'.[104] *Lið*, meanwhile, is one of several words used to describe a joint between limbs—other (and equally rare) compounds such as *liþincel* and *fingerliþ* would seem to associate the word typically with smaller joints. The larger joints of the spine, thigh, knee, ankle and wrist receive their own terms in Old English, including *geloda, þeohgelæte*, *cneow*, *ancleow*, and *wrist*, respectively.[105] The shoulder is usually a *sculdor*, whence the modern English word descends, or an *eaxl*, as seen in the Alfredian law above. While Oliver notes the etymological link between *seaw* and *sivene* is obvious, it is notable that the modern English words *sieve*, *sift*, *sye*, and *sipe* that each evolved from Old English equivalents also have the closest connections to Middle Dutch, Frisian and Middle Low German, suggesting a somewhat broader family of cognates for *seaw*.[106] A few of the Old English etymons, such as *sife*, likewise are attested mainly in *Bald's Leechbook* with a handful of other examples from Anglo-Saxon glossaries translating Latin *cribrum*.[107]

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[103] *G&L* nos. 52 and 479.
[104] 'seaw', in Joseph Bosworth and T. Northcote Toller, *An Anglo-Saxon Dictionary Based on the ManuscriptCollections of Joseph Bosworth* (Oxford, 1881–98); *An Anglo-Saxon Dictionary: Supplement*, by T. Northcote Toller (Oxford, 1908–21); *Enlarged Addenda and Corrigenda to the Supplement by T. Northcote Toller to An Anglo-Saxon Dictionary Based on the Manuscript Collections of Joseph Bosworth*, by Alistair Campbell (Oxford, 1972).
[105] 'joint', *A Thesaurus of Old English*, ed. Jane Roberts and Christian Kay with Lynne Grundy (Glasgow: University of Glasgow, 2017).
[106] 'sieve, n.', 'sift, v.', 'sye, v.1', 'sipe, n.', *OED Online*, Oxford University Press.
[107] 'sife', *DOEC*.

To compare *liðseaw* in its medical context, every occurrence of the word aside from in the chapter heading appears in Book I, chapter sixty-one of *Bald's Leechbook*, outlining remedies for joint pain and wounds to joints. The following excerpts are illustrative of the word's general usage:[108]

> Wiþ liðwærce cnua liðwyrt wið hunige oþþe ceow & lege on. Eft, wulfes heafodban bærn swiðe & gecnua smale asyft þurh clað, do on þæt dolg. Wið liþwærce cnua wermod wiþ teorwe & fencersan, awring þæt seaw of, meng tosomne, clæm on þæt lið þe þær sar sie, gebind fæste on. Wiþ liðseawe, gelodwyrt, brunewyrt & hare wyrt lytelu, oftost weaxeþ on tune, hæfð hwite blostman, gecnua ða þreo wyrta, gemenge. Þæt biþ god sealf. Manegum men liðseau syhð, gewring æples seaw on & hornes sceafoþan swiðe smale gesceaf, crim on þæt dolh innan, do þæt of & simle niwe on.
>
> Gif liþule utyrne genim eced & sure cruman berenes hlafes & renwyrmas, meng tosomne, bind on wæt þæt liþ mid ecede oþþe mid suran ealað. Gif liþule utyrne genim wermod & gecnua, do on teoro, clæm on & bind on fæste.
>
> [For joint pain, pound *liðwyrt* with honey, or chew it and lay it on. Again, burn thoroughly a wolf's skull and pound it small [with a mortar], sift it through a cloth, and place it on the wound. For pain in the joints, pound *wermod* with tar and *fencersan*, wring out the juice, mix it together, [then] smear the residue on the joint where the sore is, [and] bandage it. For ***liðseawe***, *gelodwyrt*, *brunewyrt* and *hare wyrt*, [which] often grow in gardens [and] have little white blossoms, pound the three plants, mix them, that is a good salve. With many men ***liðseau*** oozes out, wring an apple's juice on it, and shave very small some shavings of horn, stuff them inside the wound, remove it, and apply the same anew.
>
> If ***liþule*** runs out, take vinegar and sour crumbs of barley loaf, and earthworms, mix together, and bind it on; wet the joint with vinegar or with sour ale. If ***liþule*** runs out, take *wermod* and pound it, put it in tar, smear it on, and bandage it.]

For this specific recipe, Cockayne did not indicate a source but placed a footnote referencing cures for arthritis in the *De morbis acutis et chronicis* by the Roman North African physician, Caelius Aurelianus.[109] Aurelianus was active somewhere between the third and fifth centuries, and in this case was translating an earlier Greek medical work by Soranus of Ephesus. While Aurelianus' writings could be plausibly connected to the Anglo-Saxons by virtue of their preference for Byzantine medicine, they are not a recognised source for *Bald's*

[108] Cockayne, *Wortcunning, and Starcraft of Early England*, I, ch. 61, 132–5.
[109] *Ibid.*, 133.

Leechbook and Aurelianus' treatise on arthritis is considerably longer and more detailed than the *Leechbook* remedy. A final problem is that Cockayne cited Aurelianus for the 'oozing' of the synovial fluid, yet the arthritic symptom described in the *De morbis acutis et chronicis* may not specifically refer to this:[110]

> tunc articuli tumentes inflantur, ac deinde durescunt et solidati saxeam faciunt qualitatem. tum etiam nigriores efficiuntur atque contorti, ut in obliquas partes digiti vertantur, aut reflexi supinentur aut vicinis adfixi incumbant, et aliquando humore purulento vel mucilento collecto aut viscoso generent poros, quos nos transitus dicere poterimus. Dehinc etiam lapides sufficient, qui quidem articulos solvant et cutem distendant atque erumpentes promineant, et chirurgia et cutem hantur aut exilientes cyathisco ferramento tollantur, quod nos laureolum dicere poterimus, et rursum renascantur.
>
> [The joints then become inflamed and swollen, and later harden and solidify, assuming a stony character. They then also take on a darker colour and become twisted. Thus the toes and fingers are either turned sideways, or bent over backwards, or rest immovably upon their neighbors. Sometimes a purulent, slimy, or sticky fluid gathers, producing channels (Latin transitus, 'passages'); then stones develop that dislocate the joints and distend the skin, and then bust through and jut out.]

As Drabkin indicates in his translation, there is a flaw with Aurelianus' Latin at this point in the passage, indicating a confusion of *pŏros* ('passage') and *pōros* ('chalkstone').[111] In other words, while Aurelianus does refer to a sticky fluid forming in the joints, the intended sense (either of Aurelianus or his Greek exemplar) seems to be that it hardens into 'chalkstones', not that it produces channels in the skin such that the liquid flows out. The sentences immediately before and after the questionable phrase (referring to joints hardening, and stones forming in the joints), support this reading.

It is not clear that the *Leechbook* remedy refers to arthritis as opposed to injuries of joints generally. This is perhaps the most prominent obstacle to establishing a link to Caelius Aurelianus. The frequent reference to synovial fluid leaking out of wounds would suggest something additional to normal arthritic symptoms, as indeed the *Domboc* description

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[110] Caelius Aurelianus, *On acute diseases and on chronic diseases*, ed. and trans. Israel Edward Drabkin (Chicago, 1950), at 926–7.
[111] *Ibid.*, 927 n. 4.

corroborates with *utfleowe*, to 'flow out'. A more plausible source for the *Bald's Leechbook* remedy could be Alexander of Tralles' treatise on gout, *De podagra*, given the *Leechbook*'s thorough use of Tralles' medicines elsewhere in its remedies.[112] The treatise is a thorough exploration of the topic and discusses among other things the flow of humours (mainly of blood) into the joints, making them stiff and painful.[113] In a few instances, fluids are said to *supercurrit in articulis*, to 'overflow in the joints', perhaps attesting similar usage as *liðseaw* in *Bald's Leechbook*, although there is no particularly close parallel to suggest direct copying of the *Leechbook* remedy.[114]

The connection to Alfred's *Domboc*, on the other hand, is particularly similar in its use of the same term to describe the synovial fluid, as well as its tendency to leak from a wound in the joint. The medical overlap is therefore perplexing, given the specificity of this feature of anatomy. Cockayne, who was the first to note the parallel in his edition of *Bald's Leechbook*, remarked laconically that 'we find the outflowing of the synovia a subject of legal enactment [in] Alfred's Dooms', thus stressing the motion of the fluid as an important aspect of the comparison.[115] Since Cockayne's edition, however, the subject has received almost no comment. Hollis acknowledged the parallel in passing in a discussion concerning the vernacularisation of medicine, noting that it may demonstrate a carefully memorised diagnosis of an attendant physician, rather than a medical specialist contributing to this part of the *Domboc.*[116] Oliver has concluded the opposite, arguing that specialists were assigned to each of the *Domboc*'s sections and that this parallel could therefore indicate the work of a Continental helper unconsciously importing his understanding of the body and the law.[117]

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[112] 'The *De Podagra (On Gout)*: a pre-Garioponteanan treatise excerpted from the Latin Translation of the Greek *Therapeutica* by Alexander of Tralles', ed. and trans. Valerie Knight, unpublished doctorate dissertation (University of Manchester, 2015).
[113] *Ibid.*, §1.6, §2.2, §2.5, §3.20, §6.1, and §19.3.
[114] *Ibid.*, §3.20.
[115] Cockayne, *Leechdoms, Wortcunning, and Starcraft of Early England*, II, 132 n. 2.
[116] Hollis, 'Anglo-Saxon Learning and the Vernacular', 19.
[117] Oliver, 'Who Wrote Alfred's Laws?', 251.

The overlapping usage at least demonstrates that the phenomenon was more widely experienced in Anglo-Saxon England than imported copying from the *Lex Frisionum* would imply, and that contemporary physicians could diagnose the ailment in turn. Thus, if the law was inspired by a Frisian precedent, *Bald's Leechbook* provides a closer correspondence for why this fluid should be described as *liðseaw*, and how it could be expected to leak from a wound deep enough to impair the joint. Furthermore, it is important that we should only see this term appear in just two works within the Old English corpus, both with Alfredian connections, and both surviving in manuscript copies produced at the same time and place at Winchester in the mid-tenth century. Whether it can be argued there was any medical input on the *Domboc*'s personal injury tariff is additional; it can at least be surmised that whoever penned the law knew enough about the phenomenon to describe the synovial fluid accurately—an intriguing fact, given that no other Anglo-Saxon medical text demonstrates such an awareness.

Conclusion

The sources, methods of compilation, and multiple connections between *Bald's Leechbook* and the Alfredian court provide intriguing insights into the latter's intellectual horizons. The text preserves direct evidence not only of Alfred's connections with Byzantine Europe through its preservation of recipes sent by Elias, Patriarch of Jerusalem, for treatment of Alfred's mysterious ailment, but also by virtue of *Bald's Leechbook's* sophisticated handling of Byzantine medical sources in its compilation. Far from being a parochial text of merely technical interest, *Bald's Leechbook*'s handling of vernacular translation aligns it with questions of literacy that surround the Alfredian project.

This chapter has aimed to expand on the valuable work of the scholars cited herein, who have illuminated *Bald's Leechbook*'s sources and uses among its Anglo-Saxon audience.

The avenues for connection to an Alfredian milieu are already considerable, and include the approaches to translation seen in works such as the Old English *Orosius*, yet also in the often overlooked medical interests of the *Pastoral Care*, the *Boethius*, and the *Soliloquies*. That a shared translational strategy was adopted between *Bald's Leechbook* and other Alfredian works is further demonstrated by the lexical overlap that has been one focus of this chapter. Moreover, as M. L. Cameron demonstrated of *Bald's Leechbook*'s dependence on a wide variety of Late Antique medical collections including Oribasius' *Synopsis* and *Euporistes*, Alexander of Tralles' *Practica Alexandri*, Marcellus' *De medicamentis*, Galen and pseudo-Galen's *Ad Glauconem de methodo medendi*, *Liber tertius*, and *Passonarius Galeni*, distillations of Pliny the Elder's work to be found in the *Physica Plinii* and the *Medicina Plinii* alongside others, the parallel between *Bald's Leechbook* and Alfred's *Domboc* concerning the treatment of *liðseaw* may suggest use of yet another treatise by Alexander Tralles in the form of the *De podagra*. The library that enabled the construction of such a work must have been well-furnished with medical materials of both native and foreign extraction. Situating the Anglo-Saxon medical achievement within its history of development therefore stands as an important reminder that not all this wealth of learning need be attributed to Alfred. Nonetheless, the complex and comprehensive undertaking that *Bald's Leechbook* represents is one best-situated in an Alfredian milieu, which in turn is a suggestion affirmed on multiple fronts, including the additional lexical and thematic avenues I have advocated.

An important lesson to be learned from Malcolm Godden's questioning of the Alfredian project is whether there are any books 'most necessary to know.' Certainly, it is not a question easily answered by genre, nor by use of the king's voice as an imposition of royal authority. Yet, to the extent that *Bald's Leechbook* goes beyond its remit as a medical compendium to offer a highly organised, encyclopedic, and sophisticated translation of Latin

medical learning for the benefit of Anglo-Saxon practitioners whether clerical or lay, it at least demonstrates an ambition to collect important knowledge and render it easily accessible to its users. The fact such an enterprise is highly technical by virtue of its aims does not preclude it from incorporation into the Alfredian corpus. Rather, accumulating evidence highlights it as possibly one of the greatest intellectual achievements of Alfred's court.

Conclusion

This thesis has argued that delineating the Alfredian corpus by way of royal authorship does not adequately reflect the breadth of its intellectual diversity, and I have advanced evidence to promote greater intertextuality between the corpus' constituent works. Many Alfredian texts falling outside the scope of suspected royal authorship were important to the court's ambitions to better govern and educate the Anglo-Saxon populace, as well as to articulate its expressions of political power and royal authority. To the degree that the surviving sources can ever fully illuminate Alfred's aims as king, the writings left behind by his reign show a substantial cross-pollination of ideas and subjects. Among these are themes of law, lineage, and royal authority that can be found in both the court's famed translations of Latin literature as well as the documentary corpus of writings dealing with more practical concerns of governance.

The social and political context of Alfred's reign explored in Chapter 1 illustrated that Wessex was not a cultural monolith in the late ninth century. By building upon his father's militaristic triumphs and political alliances, Alfred was able to secure peace in his own time that enabled the recruitment of scholars to his court from areas including Wales, Mercia, and Francia. These scholars carried books with them to England, to supplement monastic inventories that may not have been entirely depleted by Viking depredation, allowing Wessex to amass a vast library of texts by the standards of that era that were used to engineer a project of educational renewal. Judging from the corpus of surviving works with links to this project, as well as the range of sources employed in their creation, it is clear that Alfredian educational reform included not only translations of Latin literature and philosophy, but also works of historical, legal, and medical interest compiled in equally comprehensive collections requiring the same intellectual resources. If the Alfredian corpus is no longer restricted to

those translations of Latin literature formerly believed to be authored by the king, the aforementioned works of 'Alfrediana' must broaden our understanding of the limits of the Alfredian project.

One work of essential importance to the project was Alfred's law code, or *Domboc*, which has survived in more medieval manuscripts than any other text of Alfredian origin. Chapter 2 has demonstrated that, while the *Domboc* has often been passed over by scholars with begrudging acknowledgment that the king may have had some hand in creating it, close study of the use of Alfred's voice in its prologue indicates this section was not a formulaic expression of legal promulgation and has close stylistic associations with other Alfredian translations. Moreover, the rest of the Mosaic prologue is an important recasting of its Latin Exodus source, attesting sophisticated efforts to reconcile its scriptural readings with other legal sources, particularly ecclesiastical laws from the penitentials. Finally, this chapter analysed the transmission of royal legal authority to shed light on how and why the *Domboc* may have been transmitted to aid in the education of Alfred's bishops and secular lords in their administration of the law.

Chapter 3 turned to the topic of literary models informing themes of just judgement and rulership, expressed not only in the *Domboc* but also in the prose psalms, the *Pastoral Care*, and Asser's *Vita Alfredi*, among others. This chapter argued the importance of Latin learning to these themes, channelled through Late Antique Byzantine writers such as Corippus, as well as Anglo-Latin poets such as Aldhelm. These inspirations were foundational to Alfred's philosophy of kingship, as well as his court's characterisation of royal authority, notably influencing the presentation of the Alfred-persona as a wise ruler or judge in the texts in which he appears. Analysis of the verse epilogue of the *Pastoral Care* additionally showed how, even in the corpus of literary translations, some of these influences from Latin learning have gone unnoticed in the critical discourse.

Literary inspirations were further explored among the documentary record of Alfred's reign in Chapter 4, which includes the *Anglo-Saxon Chronicle*, a collection of charters, and the king's royal will. The suggestion that these documents cannot be literary by virtue of their administrative function is a methodological oversight that imposes too modern a perception of genre onto their format. Charters such as S 217 or S 346 illustrate the extremes to which literary inspiration could be taken by the Latin scribes, while Alfred's will exhibits the same rhetorical structuring in the vernacular. While it would be wrong to suggest that these documents aspired to be literature only, they certainly benefitted from literate writing to express their claims of royal authority. Reading these in conjunction with the rest of the Alfredian corpus stands to improve our understanding of both these documents and the court that produced them.

Finally, in Chapter 5, the Alfredian connections of *Bald's Leechbook* were explored to consider how this medical text might inform our understanding of the intellectual horizons of Alfred's court. *Bald's Leechbook* represents a considerable achievement of medical learning, benefitting especially from sources of late Roman and Byzantine origin, expertly compiled and edited by a draftsman deeply familiar with the subject. Like so many other texts of the Alfredian corpus, the involvement of Alfred's person in a list of cures sent by Elias, Patriarch of Jerusalem, stimulated associations between this work and the Alfredian court. My analysis supports this association but does not rely upon it as the only evidence that *Bald's Leechbook* may be an Alfredian work. Rather, by comparing manuscript contexts, the employment of diction and linguistic style, as well as an overlap in medical knowledge pertaining to synovial fluid that is unique to the *Domboc* and *Bald's Leechbook*, I posit that the *Leechbook*'s connection to Alfred's court is not merely superficial. Whether the text was wholly compiled in Winchester under the king's authority is not known, but its circumstantial associations with Alfred's court at least demonstrates some other sources of Latin learning being translated and

transmitted during the king's reign. The usefulness of this text, particularly to monastic centres suffering from diminished clerical learning, is obvious.

The Alfredian authorship debates of the last decade have stimulated thoughtful discussions about the concept of authorial attribution and how it might be best applied to King Alfred. It may still be theorised that Alfred wrote some parts of the surviving texts attributed to him, provided input on their focus, or at least instigated their undertaking by means of royal commission. It is also possible that Alfred wrote nothing, or that textual impositions of his first-person voice can be attributed to the scholars of his educational renaissance seeking to venerate him as its prime mover. However, if the understanding of Alfredian authorship must change to include a definition of an Alfred-persona demarcating homogeneity, filiation, authentication, and shared discourse among his works,[1] then surely a reckoning of the Alfredian corpus can be considerably broadened beyond just those texts for which Alfred may have put quill to parchment.

The documentary corpus has delivered unto posterity some of the most literary images of king Alfred to survive. Asser's presentation of Alfred as a devout and learned Christian king, martially skilled and politically adroit, drew force from literary inspirations clearly additional to the king's life. His conception of Alfred as a helmsman, steering the ship of the state through storm-tossed seas, revelled in the authority of such an allusion—like Odysseus navigating the dangers of Scylla and Charybdis, Asser's 'whirlpools of the present life' generously flattered the king's role as *gubernator*.[2] Many more examples have been enumerated over the course of this thesis, each time demonstrating that the ninth-century authors of these generous appraisals did not shy away from fusing heroic myth with Alfredian

[1] 'Introduction', Discenza, Nicole Guenther and Paul E. Szarmach, ed., *A Companion to Alfred the Great*, Brill's Companions to the Christian Tradition 58 (Leiden: Brill, 2015), 2–3.
[2] And so, thusly aligned him with the subjects of similar praise offered by Cicero, Horace, and Carolingian writers such as Sedulius Scottus. *VA*, ch. 91, *K&L*, 101; Scharer, 'The Writing of History at King Alfred's Court', *Early Medieval Europe* 5.2 (1996), 177–206 at 201–3.

realities. It might therefore be questioned why it has been so rare for modern scholars to envision the same cross-pollination of ideas at the Alfredian court, and to apportion it space in their writings. This thesis has endeavoured to show how there is ample grounds for comparison between literary features of the documentary corpus and Alfredian translations of Latin literature.

As my research has shared in a re-evaluation of the Alfredian corpus already well under way by my time of writing, credit must be given to the work of scholars such as Malcolm Godden, Janet Bately, Daniel Anlezark, David Pratt, Susan Irvine, Nicole Guenther Discenza, Simon Keynes, Patrick O'Neill, Ben Snook, Robert Gallagher, Mary Richards, Patrick Wormald, Stefan Jurasinski, Francis Leneghan, and many others. This thesis has built upon their findings and benefitted mightily from them. My hope is that this study will encourage further efforts to read the Alfredian corpus in relation to its many intellectual inspirations rather than to discover a single royal mind. While works of law, medicine, and documentary administration may be seen by some as being less potent in their expression of literary ideas, excluding them from analysis all together overlooks the immense value they hold for our understanding of the development of Anglo-Saxon literary culture.

The miscellaneous subject matter of medieval texts sometimes confounds modern perceptions of genre, and it is here that we must remember the topically varied appetites of medieval readers. Asser's recollection of Alfred's eclectic taste was powerful indeed: just as the busy bee wanders far and wide across the field, stopping amid the flowers to discover what pleases it most, so Alfred paused among the pages of his books to assemble inspirations for his heart and mind. Inherent in the logic of this Aldhelmian metaphor is an understanding that the value of a meadow is in the variety of its flowers; to consider what this says of books elucidates the understanding of literacy at Alfred's court. Literary allusions were highly prized and found common expression in vernacular translations of Latin literature as well as

documentary writings with consonant themes. Evaluating these parallels in conjunction with one another provides the richest understanding of Alfred's court, and illuminates how widely themes such as law, lineage, and royal authority resonate across the Alfredian corpus.

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