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Kinship in Early Medieval England, AD 600-1050: Law, Land and Literature

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Abstract

This thesis provides the first sustained, modern re-interrogation of the old conceptual paradigms associated with kinship in early medieval England (c.600-1050). While previous studies on early medieval kinship have tended to focus chiefly on royal legislation, the present study takes a different approach. By bringing together a broad range of source types that are not usually considered in conjunction with one another, this thesis sheds new light on this long-neglected topic. In doing so, I answer several key research questions: how did kings interact with family groups, and did these interactions change over time? How were the perceived legal and social obligations of kinship, particularly in terms of feuds and inheritance, managed? How did ecclesiastical communities interact with secular families? And what did contemporaries think about the family - what did this concept mean to them?

Throughout the course of answering these questions, I argue that the concept of kinship in the minds of contemporaries was malleable and necessarily flexible in different circumstances, but that an enduring feature of kinship in this society was the centrality of the immediate family above any other relatives. I also explore the different strategies people used to 'manage' their relationships with their relatives, demonstrating the gendered nature of people's experience of marriage, the mutual obligations of the parent-child relationship, as well as the different inheritance strategies contemporaries adopted: the choice of which, I argue, was often dictated by a family's socio-economic status. The thesis also challenges the well-established trend in historiography that sees lordship and kinship as locked in a zero-sum game with one another, in which the rise of one resulted in the other's decline: instead, I argue for co-operation and interaction between the two, rather than opposition. Finally, the thesis demonstrates the different obligations that perceived kinship ties brought, as well as the important role of relatives as a practical and emotional support network, and the use of family ties as a key marker of social identity.

Table of Contents

Introduction	1
i. Historiography.	2
ii. Sources and Methodology.	19
iii. Chapter Outlines.	39
Chapter One. The Structure and Boundaries of Kinship.	42
i. Centrality of Immediate Kin.	44
ii. Broader Definitions of Kinship.	54
iii. Marriage Restrictions.	61
iv. Godparents and Godchildren.	64
Chapter Two. Managing Kinship: Marriage, Children, and Inheritance.	71
i. Experiences of Marriage.	72
ii. Parents and Children.	78
iii. Inheritance.	86
vi. Mismanaging Kinship.	104
Chapter Three. Kinship, Law, and Political Culture.	110
i. Feuds and Wergild Payments.	115
ii. Change and Co-operation.	125
iii. Cynewulf, Cyneheard, and the Reign of King Alfred.	129
Chapter Four. The Nature and Function of Kinship: Identity, Emotion, and Obligation.	138
i. Kinship and Social Identification.	139
ii. Emotional Connections and Support Networks.	145
iii. Obligations of Kinship.	149

Conclusion	164
i. Kinship, Biology, and Theology.	179
ii. Kinship, Archaeology, and DNA Testing.	174
iii. Future Research.	181
Bibliography	183

Figures

Figure 1.1. <i>Frequency that each type of recipient (and expression of concern for souls) appears in all extant wills.</i>	45
Figure 1.2. <i>Ælfgar's family tree at the time his will was created.</i>	48
Figure 2.1. <i>King Alfred's family tree when his will was created.</i>	87
Figure 2.2. <i>Æthelflæd's family tree when her will was created.</i>	90
Figure 2.3. <i>Ælfflæd's family tree when her will was created.</i>	91
Figure 2.4. <i>Æthelstan's family tree when his will was created.</i>	94
Figure 2.5. <i>Wulfgyth's family tree when her will was created.</i>	98
Figure 2.6. <i>Edwin's family tree when his will was created.</i>	100
Figure 2.7. <i>Ketel's family tree when his will was created.</i>	101

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Introduction

'All is troublesome in this earthly kingdom...

Here wealth is fleeting,

Here friendship is fleeting,

Here man is fleeting,

Here family is fleeting,

All the foundation of this earth becomes empty'.¹

This passage from the Old English poem known as *The Wanderer*, in a melancholic style typical of the genre, laments the transitory and difficult nature of life on earth, particularly when compared to the permanence of the heavens and the mercy of God. In his solemn reflection on the nature of human life, though, the speaker of the poem says something rather revealing through his description of the family, together with wealth and friendship, as one of core foundations of earthly human existence. Indeed, this is likely still a presentation of kinship that is readily recognisable to modern readers as well. The bond of kinship is, however one chooses to define it and however one experiences it, an omnipresent bond in society. People are almost always born into some kind of kinship, which creates a substantial set of practical, emotional, and even legal ties between individuals: bonds which were not, and are not, usually very easily severed. Even on rare occasions where one is not born into any kind of kinship, the lack of kinship in and of itself is often very impactful too, due to kinship's ubiquitous nature both now and in the past.

One's family is often the first and most reliable support network people rely on throughout their lives, and a consistent focus in daily life, very often forming the central core of the household. Kinship is not a static phenomenon, either: as will be seen, ties of kinship can be made and fostered throughout an individual's life through various social processes, perhaps most significantly through the act of marriage. The range of obligations and emotional ties often associated with kinship does not, of course, mean that being related to someone guarantees the

¹ *'Eall is earfoðlic eorþan rice... / Her bið feob læne, her bið freond læne / her bið mon læne, her bið mag læne / eal þis eorþan geseal idel weorþeð'. ll.106-10, The Wanderer, in G. P. Krapp and E. V.K. Dobbie (eds), The Anglo-Saxon Poetic Records III: The Exeter Book (London, 1936), p.137; translation my own.*

existence of a cordial or supportive relationship. As will also likely be familiar to many modern readers, the complexities created by bonds of kinship mean that relations with one's relatives can also be strained, and the people of early medieval England were certainly no exception to this.² Even in these cases, though, the individuals involved were often judged by wider society for their failure to fulfil obligations to their relatives, and so even where cordial relations had broken down, the effects of kinship ties were still able to be felt. As shown by the speaker in *The Wanderer*, kinship was a cornerstone of life in early medieval England, and a social connection experienced in some capacity by almost every layer of society.

Historiography

Germanist Scholarship and the Sippe

Hans Hummer has argued that the origins of modern kinship studies can be traced to the nineteenth century, an era that produced a number of foundational texts on the subject by scholars such as Henry Sumner Maine and Lewis Henry Morgan.³ Most influential for Germanist scholarship was the publication of Jacob Grimm's *Deutsche Rechtsaltertümer* in 1828, which outlined a system of kinship he saw as existing among Germanic-speaking populations. Grimm's image of 'Germanic' kinship was patrilineal and based firmly on the idea of a large and expansive family group, including nearest kin as well as distant cousins, called the *Sippe*. The concept of the *Sippe* centred on maintaining peace and friendship, the most intimate forms of which Grimm believed could only be found within the family. It was the *Sippe* around which Grimm believed 'Germanic' society was ordered, and Hummer argues that Grimm saw the *Sippe* and the kindred as being entirely synonymous.⁴

Reinhold Schmid adopted a similar approach in a specifically English context, in which he argued that the basis of early English society, like that of all other 'Germanic' societies, rested

² The terms 'English' and 'early medieval England', although not necessarily contemporary phrases, will be used throughout this thesis to broadly refer to the predominantly Old English-speaking peoples and regions of Britain from c.500-1100. These terms are not perfect, not least because neither 'England' nor its people were unified as part of one kingdom for much of this period, but were instead dominated by separate kingdoms until the early tenth century. However, despite this political fragmentation, these terms remain the most convenient, relatively neutral, and easily understood options to describe this region and its people during the Early Middle Ages, hence the decision to employ them here.

³ H. Hummer, *Visions of Kinship in Medieval Europe* (Oxford, 2018), p.11; These included works such as Henry Sumner Maine, *Ancient Law* (London, 1861); Johann Bachofen, *Das Mutterrecht* (Stuttgart, 1861); Lewis Henry Morgan, *Systems of Consanguinity and Affinity of the Human Family* (Washington, 1871).

⁴ J. Grimm, *Deutsche Rechtsaltertümer*, 3rd ed. (Göttingen, 1881), *passim*, but especially pp.467-8; Hummer, *Visions of Kinship*, p.37; Alexander Murray describes the *Sippe* simply as an 'agnatic lineage', see A. C. Murray, *Germanic Kinship Structure: Studies in Law and Society in Antiquity and the Early Middle Ages* (Toronto, 1983), p.16.

fundamentally on the common peace: peace which he (just like Grimm) saw as arising from the family.⁵ Schmid also took the idea of the *Sippe* one step further, by arguing that the so-called ‘state’ was simply an extension of these disparate family units, which had been expanded and joined together by those on the margins of the group drawing in their own relatives (especially maternal ones), resulting in an ever increasing expansion of the *Sippe* and its protection.⁶ These ideas continued to gain traction throughout the nineteenth century, as expressed by Konrad Maurer, who similarly concluded that before the formation of recognisable ‘states’, nomadic German polities rested firmly on the kindred, or *Geschlecht*, which was able to represent and protect individual members from ‘state’ actors.⁷ The use of these difference terms, such as *Sippe* or *Geschlecht*, seem to have been generally ill-defined and conceptually broad, although Murray notes that both could be defined in the most simple terms as ‘an agnatic lineage’ composed of a group of people who all trace ‘their descent in the male line from a common male ancestor’.⁸

The influence of these historiographical currents also extended into the early twentieth century. For example, 1913 saw the publication of an article by Paul Vinogradoff, who continued to argue that ‘primitive’ Germanic-speaking societies were based around kinship ties (as contrasted with ‘Roman civilisation’, which was based around political institutions), drawing on evidence from Roman writers such as Caesar and Tacitus to support this.⁹ Hummer has traced a deliberate movement away from some of the dominant trends of Germanist historiography in the aftermath of the Second World War, in part due to the Nazi party’s ‘enthusiastic promotion’ of some of its key themes, not least the idea of the *Sippe*.¹⁰ Felix Genzmer and Karl Kroeschell were early architects of this dismantling of the *Sippe* in the post-war period, but it would not be until the publication of Alexander C. Murray’s *Germanic Kinship Structure* in 1983, which consistently challenges much of the evidence used to support the idea of the *Sippe*, that the concept finally drifted out of fashion within the historiography on early medieval kinship.¹¹ New

⁵ R. Schmid, ‘Angelsächsisches Recht’, *Hermes* 32 (1829), pp.232-64; see also K. Schmid, ‘Zur Problematik von Familie, Sippe und Geschlecht, Haus und Dynastie beim mittelalterlichen Adel’, *Zeitschrift für die Geschichte des Oberrheins* 105 (1957), pp.1–62.

⁶ R. Schmid, ‘Angelsächsisches Recht’, p.236.

⁷ K. Maurer, ‘Über angelsächsische Rechtsverhältnisse mit besonderer Rücksicht auf: The Saxons in England, a history of the English commonwealth till the period of the Norman conquest, vol. I and II by John Mitchell Kemble’, *Kritische Übersicht der deutschen Gesetzgebung und Rechtswissenschaft* 1 (1853), pp.47-120.

⁸ Murray, *Germanic Kinship Structure*, p.16.

⁹ P. Vinogradoff, ‘Foundations of Society (Origins of Feudalism)’, in H.M. Gwatkin, J.P. Whitney (eds), *Cambridge Medieval History: Volume 2* (New York, 1913), pp.630-54.

¹⁰ Hummer, *Visions of Kinship*, pp.74-5.

¹¹ F. Genzmer, ‘Die Germanische Sippe als Rechtsgebilde’, *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Germanistische Abteilung* 67 (1950), pp.35-49; K. Kroeschell, ‘Die Sippe im germanischen Recht’, *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Germanistische Abteilung* 77 (1960), pp.1-25; A. C. Murray, *Germanic Kinship Structure: Studies in Law and Society in Antiquity and the Early Middle Ages* (Toronto, 1983); for discussion of this see Hummer, *Visions of Kinship*, pp.74-6.

trends began to emerge in the twentieth century instead, which saw a much-increased interest in kinship as expressed specifically in aristocratic families of the Middle Ages, as opposed to focusing on analysing wider bonds of kinship (particularly in terms of ‘clans’, ‘tribes’, or the *Sippe*, as had been common before this shift) within the context of understanding the process of state-formation. Indeed, this interest in royal and aristocratic kinship is still recognisable in present-day scholarship, as discussed below.¹²

Historiography on kinship in early medieval England

Given the importance of kinship as a social phenomenon both in our own society and to contemporaries in early medieval England, one would expect this topic to be very well-trodden ground in modern historiography. However, this is, perhaps surprisingly, not the case. In 1913, Dame Bertha Phillpotts published her *Kindred and Clan in the Middle Ages and After: A Study in the Sociology of the Teutonic Races*, which devoted thirty-five pages to kinship in England. She reflected on the use of the term *mag* (kinsman or relative) in the law codes, and the fact that the structure and boundaries of what this term referred to are never specified. Due to the emphasis commonly placed on legal evidence in studies of early medieval kinship, she suggested that the presence of this term in the laws alone is not particularly strong evidence for kinship solidarity among more distant relatives, and she also noted that any solidarity between members of the wider kin group ‘died out very soon after the Norman Conquest’: an argument which will be revisited in what follows.¹³

Forty years later, Sir Frank Stenton, in his famous and influential survey of England during the early medieval period, devoted little more than two and a half pages to discussing the topic of kinship, despite the keen interest in the subject taken by his nineteenth-century predecessors.¹⁴ Given the brevity of this treatment, Stenton did not have much to say on the matter, outside noting facts about the wergild system and some of the obligations of kin with respect to the feud and the swearing of oaths. However, one significant argument Stenton made was that in the extant legal texts we can find evidence of kings attempting to encroach upon the rights of the family, even as early as the seventh century: in fact he entitled this section of his

¹² Hummer, *Visions of Kinship*, pp.67-79; for example, see C. Bouchard, *Those of my Blood: Constructing Noble Families in Medieval Francia* (Philadelphia, 2001).

¹³ B. S. Phillpotts, *Kindred and Clan in the Middle Ages and After: A Study in the Sociology of the Teutonic Races* (Cambridge, 1913), pp.240-3.

¹⁴ F. M. Stenton, *Anglo-Saxon England* (Oxford, 1955), pp.311-4.

book the 'declining influence of kinship'.¹⁵ The lack of space given to kinship in his book thus partially reflected the lack of sources he perceived on the topic, but it also reflected his more general belief that during the Early Middle Ages, kinship was declining in influence and importance in England, having been suppressed by the power of kings.

This brief consideration of kinship by Stenton was followed up in the 1950s by two important essays on early medieval English kinship by Lorraine Lancaster, both of which covered the period between the seventh century and the eleventh century: given their significance, and the fact that these essays are still cited today, it is necessary to review these works in some detail. In the first of these two essays, Lancaster focused her analysis on the structure of kinship and on linguistic terminology. In terms of the former, she argued that kinship in early medieval England operated on a bilateral basis (in contrast to Grimm's solely patrilineal vision), whereby descent and affiliation were traced through both the father and the mother's side of the family (although she argued in her second article that there was a clear emphasis on the paternal side). Kinship relationships did not exist under a wholly patrilineal model, but rather within an ego-centric one, meaning that everyone's relationships to one another, even within the same family group, were entirely unique to them.

Lancaster also noted that we cannot simply assume that Continental evidence (particularly from other Germanic-speaking regions) is automatically relevant for telling us about kinship in an early English context: speaking related languages does not in and of itself guarantee the existence of other shared social and cultural norms. Additionally, despite her interest in the subject, Lancaster believed that 'the paucity and obscurity of information is a strong deterrent' to anyone devoting a sustained study to early medieval English kinship, and that the nature of the evidence means that no 'thorough-going' investigation can be done.¹⁶ The second main theme of Lancaster's first essay is the Old English linguistic evidence, which Lancaster argued reveals a number of important points. First, that, despite the plethora of potential words which can be translated to 'kin' or 'family', there were no clearly defined or delineated boundaries implied by these words. Second, she argues that the dearth of specific Old English kinship words, especially for relatives outside the immediate family (e.g. cousins), shows that it was not regularly necessary for people to distinguish between these kinds of relatives: this is in contrast with lineal ascendants who could potentially be traced back to *sixta fæder* or perhaps further. This could suggest that, at least in some ways, ancestors and 'vertical' kinship was often more relevant to

¹⁵ F. M. Stenton, *Anglo-Saxon England* (Oxford, 1955), pp.311-4.

¹⁶ L. Lancaster, 'Kinship in Anglo-Saxon England I', *The British Journal of Sociology* 9 (3) (1958), pp.230-2.

people than 'horizontal' kinship. Finally, she notes that there are clear linguistic differences in kinship terms according to gender, so, for example, there are different Old English words for 'father's brother' (*fædera*) and 'father's sister' (*fæðe/fæðu*), even though they occupy the same genealogical position, therefore implying that gender could also have been a factor which affected kinship relationships, given the need for this kind of linguistic distinction between the two.¹⁷

Lancaster's second essay focused substantially on the subject of inheritance and on the evidence of extant wills, in which she discusses the English tradition of dividing land and wealth between a variety of different heirs: a system known as *gavelkind*.¹⁸ She also argues that this system, combined with bilateral kinship, made inheritance patterns 'extremely complicated' at times: while this may be true, part of the aim of chapters 1 and 2 of this thesis is to provide some clarity and insight into practices which may on the surface appear complicated and difficult to interpret.¹⁹ She highlighted some important trends that appear in wills, for example that many of them leave land to religious communities, that many of the women who made extant wills appear to have been widows, and that women seem to have had less freedom to dispose of land in their possession upon their death. Indeed, as will be explored in more detail in chapters 1 and 2, this latter point is an issue which has subsequently received much historiographical attention, particularly in the work of Julia Crick and Pauline Stafford, who both provided further evidence of the difficult and contentious nature of women's landholding during this period. This was especially the case when it came to widows, and, as will be seen, women often inherited land with reversion clauses to religious communities attached, which, while restricting their freedom to leave this land to whomever they wished in their own wills, meant that the relevant religious community had a vested interest in protecting landholding women from other claimants to the land: protection that they otherwise would not have had.²⁰

Lancaster also noted, and again this is an issue that will be reconsidered in chapters 1 and 2, that there was a wide range of kin who could inherit: inheritance was not something, in Lancaster's eyes, which was confined to the immediate family. Linked to this, she was not able to identify any notable preference in the wills either for leaving land to sons over daughters, or to

¹⁷ L. Lancaster, 'Kinship in Anglo-Saxon England I', *The British Journal of Sociology* 9 (3) (1958), pp.235.

¹⁸ The Oxford English Dictionary defines *gavelkind* as 'the custom of dividing a deceased man's property equally among his sons', though in Lancaster's case she is clearly arguing for a much wider range of potential heirs. See 'Gavelkind', *Oxford English Dictionary Online*, <https://www.oed.com/sheffield.idm.oclc.org/view/Entry/77175?redirectedFrom=gavelkind#eid> [accessed 20/12/2021].

¹⁹ L. Lancaster, 'Kinship in Anglo-Saxon Society: II', *The British Journal of Sociology* 9 (4) (1958), p.360.

²⁰ J. Crick, 'Men, Women and Widows: Widowhood in Pre-Conquest England', in Cavallo, S., Warner, L. (eds), *Widowhood in Medieval and Early Modern Europe* (Abingdon, 1999), pp.24-36; J. Crick, 'Women, Posthumous Benefaction and Family Strategy in Pre-Conquest England', *Journal of British Studies*, 38 (4) (1999), pp.399-422; P. Stafford, 'Women and the Norman Conquest', *Transactions of the Royal Historical Society* 4 (1994), pp.221-49.

elder over younger sons. Moving away from issues of inheritance, Lancaster also drew attention to the different obligations of kinship, most especially wergild payments and the feud, which she argues kings in the later centuries of this period attempted to curb. While acknowledging that we cannot see a clear narrative of ‘disintegration’ in the function and structure of kinship over this period, at the same time Lancaster quite definitively argued that kinship did decline in importance over the period, just not necessarily in a regular, linear way. In addition to this, she also concluded that the circle of effective kin may have been smaller than previous models suggested, and that, although there was a bilateral system in place, we can still see a clear patrilineal emphasis.²¹

These conclusions of Lancaster’s explain why her work continues to be cited today: while not delving into much detail, she still recognised that kin-groups in England may not have been quite as large as older scholarship informed by ideas of the *Sippe* argued, and although she appeared generally pessimistic about the importance of maternal kin, she nevertheless demonstrated that kinship in England was not entirely patrilineal, instead operating bilaterally. While Lancaster’s work thus represented progress in the study of kinship, she was ultimately still wedded to the problematic idea, promoted by Stenton (and later Loyn, see below) in an English context, that over time the importance of kinship within society declined, and that English kinship was always inherently ‘weaker’ than in neighbouring regions. This is an argument that will be interrogated in chapter 3.

Fourteen years after Lancaster’s two essays first appeared, Thomas Charles-Edwards published an important article which took a slightly different approach to Lancaster. Rather than explore kinship generally, Charles-Edwards focused his analysis on the origins of the hide, the system of land-division in England, and its association with kinship and status. Charles-Edwards’ background in Celtic kinship and society informed his approach here, and comparisons with Ireland and Wales feature prominently throughout his article. His central thesis was that the unit of the hide, which was at least as old as the seventh century, was unlikely to be of royal creation, or a legacy of the Roman Empire. Instead, he argued that the hide was the unit of land required by one free family (not including distant relatives) to support themselves, and that this was then used to create the system of assessing taxes, rents and services owed.

As such, although Lancaster was not incorrect to say that there were no territorial ‘clans’ in early medieval England, in which land was owned by the family as a collective, Charles-Edwards demonstrated that there was still an important connection between kinship ties and the

²¹ Lancaster, ‘Kinship in Anglo-Saxon Society: II’, pp. 359-377

development of landholding systems. Like Lancaster, Charles-Edwards also made comparisons to England's neighbours, except that, while Lancaster pointed to differences compared with regions like Wales and Scandinavia, Charles-Edwards pointed to similarities between England and its Continental neighbours, at least in terms of the laws of inheritance and the division of land among relatives.²² Interestingly, Charles-Edwards also notes the potential for kindreds to be politically powerful entities, which would seem to place his view of the importance of kinship within early medieval English society slightly at odds with Lancaster (and especially Loyn, see below) who argued for kinship's diminishing power and place.²³

Two years later, another foundational work on kinship in early medieval England was published in the form of an article by Henry Loyn.²⁴ Loyn's work has, along with Lancaster, become a mainstay of reference lists on matters relating to kinship, and he advances and develops some of the key points which appear in Lancaster's work. Loyn begins by re-iterating Lancaster's comparison to England's neighbours, specifically Wales and Norway, noting that kinship laws in those regions, which provide significant amounts of detail on issues such as wergild/blood prices and on the extended family, together with linguistic evidence, were in 'complete contrast' to the way kinship appears to have worked in earlier medieval England.²⁵ Although Loyn draws on Welsh and Norwegian evidence from the twelfth and thirteenth centuries, which he recognises is problematic when comparing to English evidence from earlier centuries, he then argues that these variations nevertheless point to differences in the social and institutional development of England compared with some of its neighbours.²⁶

The most important element to Loyn's work on kinship centred on the way he imagined the relationship between kinship and lordship. Following Lancaster and others, he too saw an enfeebled kin-group in England in comparison to its neighbours, arguing that we can see a material decline in the family's significance over time, and identified the general lack of evidence for the role of extended relatives compared with other regions such as Wales and Scandinavia. Where Loyn diverged from Lancaster, however, was in his argument that this decline in the importance of the family was connected to a simultaneous rise in the importance of lordship. This is an important and enduring argument which is outlined in more detail below. He also argued that charter evidence does not show the existence of 'clans' who controlled territory as a

²² T. Charles-Edwards, 'Kinship, Status and the Origins of the Hide', *Past & Present* 56 (1972), pp. 3-33.

²³ *Ibid.*, p. 31; L. Lancaster, 'Kinship in Anglo-Saxon England I', *The British Journal of Sociology* 9 (3) (1958), pp.230-50; L. Lancaster, 'Kinship in Anglo-Saxon Society: II', *The British Journal of Sociology* 9 (4) (1958), pp. 359-377; H.R. Loyn, 'Kinship in Anglo-Saxon England', *Anglo-Saxon England* 3 (1974), pp.197-209.

²⁴ Loyn, 'Kinship in Anglo-Saxon England', pp.197-209.

²⁵ *Ibid.*, p.198.

²⁶ *Ibid.*, p.198.

group – instead landholding was always on an individual basis. While Loyn did acknowledge that kinship continued to play a significant role in people’s social lives across the early medieval period, he soon returned to emphasising kinship’s loss of status at the hands of secular lords and kings: ‘kinship in action trimmed the power of the kindred’ neatly sums up this central part of his article.²⁷

At this point it is also important to briefly acknowledge the influence of anthropological approaches to kinship on works written during this period between the 1950s and 1970s, which may in part help to explain the approach of historians working during this era to the subject of kinship. Specifically, the work of social anthropologists (particularly the ‘Manchester School’) such as Max Gluckman in the 1950s, and Jack Goody in the 1970s, in addition to structuralist anthropologists, mostly notably the work of Claude Lévi-Strauss in the late 1940s, all informed the thinking of historians during this time.²⁸ This is a topic that will be explored in more detail in Chapter 3, and although it is not the purpose of this thesis to delve into anthropology, these works had an important influence on much of the foundational scholarship on the topic of kinship in early medieval England.²⁹ More specifically, the very topics which have dominated historiographical debates about kinship (and which will be elaborated on in later sections of this thesis) can be traced back to the interests of anthropologists of this era. Most notably, this can be seen in the prominence given both to the feud and to issues connected to state formation and statehood in work on kinship: as will be seen, both of these issues have been two of the main lenses through which much historiographical work on kinship has been conducted since the mid-twentieth century. The effect of this, combined with an emphasis placed on analysing sources with higher survival rates such as law codes, has been that historiographical approaches to kinship have often tended to revolve around discussions of a relatively small set of key issues.

In the early 1980s J.C. Holt then published a series of articles on kinship and the Norman Conquest.³⁰ His essays demonstrate many of the important and enduring arguments around kinship and the Norman Conquest. For example, while he acknowledges that there were some continuities, Holt generally saw post-Conquest changes with regards to kinship as

²⁷ *Ibid.*, pp.197-209.

²⁸ M. Gluckman, ‘The Peace in the Feud’, *Past & Present* 8 (1955), pp.1-14; M. Gluckman, ‘The Peace in the Feud’, in Gluckman, *Custom and Conflict in Africa* (Oxford, 1955), pp.1-26; J. Goody, *The Character of Kinship* (Cambridge, 1974); C. Lévi-Strauss, *The Elementary Structures of Kinship* (Boston, 1971); see also J. Goody, *The Development of Family and Marriage in Europe* (Cambridge, 1983).

²⁹ For more recent work on kinship from an anthropological perspective, see J. Carsten (ed.), *Cultures of Relatedness: New Approaches to the Study of Kinship* (Cambridge, 2008); J. Carsten, *After Kinship* (Cambridge, 2003); M. Godelier, *The Metamorphoses of Kinship* (London, 2012).

³⁰ J.C. Holt, ‘Feudal Society and the Family in Early Medieval England: I. The Revolution of 1066’, *Transactions of the Royal Historical Society* 32 (1981), pp.193-212.

significant, rapid, and, as indicated by the title of his first article, revolutionary.³¹ These changes included a change in inheritance practices (away from partible inheritance and towards primogeniture), a shift in the structure of kinship, away from broad kin groups towards the narrower and more focused ‘lineage’, and also changes in naming practices with the introduction of family surnames.³² Indeed, as we have already seen, this idea of change and a narrowing of the family group had previously been suggested by Phillpotts.³³ Holt also re-iterates the narrative outlined in particular by Stenton and Loyn that over time the responsibilities of the kin were transferred to lords and kings. In fact, he notes that ‘the relationship of kinship to lordship... are two of the set pieces of the social and constitutional history of the period’, which is the lens through which kinship during the Early Middle Ages has traditionally been viewed by scholars.³⁴

Since the late 1990s the publications produced exploring kinship in early medieval England consist of a book chapter by Charles-Edwards which examines kinship especially in a royal context, arguing that there was an integral connection between a royal family and the region they ruled (which endured even in conquered sub-kingdoms), and an article by Andrew Wareham in which he argues the ‘transformation’ of kinship around the eleventh century can be explained by aristocratic engagement with monastic programmes.³⁵

The most significant work on kinship in early medieval England over the past twenty-five years has, however, been undertaken by Pauline Stafford. As well as writing in-depth studies of different family relationships (such as fathers and daughters, and mothers and sons) in the tenth and eleventh centuries, one of her most significant contributions for the present study is her argument that the idea kinship ever formed the whole basis of society (as posited by the theory of the *Sippe*) is problematic.³⁶ This therefore challenges much of the Germanist scholarship on

³¹ Holt talks of the ‘revolution of 1066’, see Holt, ‘Feudal Society and the Family in Early Medieval England: I’ pp.193-212.

³² Holt, ‘Feudal Society and the Family in Early Medieval England: I’, pp.193-212. More recently, Hans-Werner Goetz has dismissed the idea of the ‘agnatisation’ of Western kinship groups after the year 1000, see H-W. Goetz, ‘“Verwandtschaft” um 1000: ein solidarisches Netzwerk?’, in S. Patzold, K. Ubl (eds), *Verwandtschaft, Name und soziale Ordnung (300-1000)* (Berlin, 2014), pp.289-302. On naming practices, see J. A. Chetwood, ‘Re-evaluating English Personal Naming on the Eve of the Conquest’, *Early Medieval Europe* 26 (4) (2018), pp.518-47. See also J. A. Chetwood, ‘Tom, Dick and Leofric: The Transformation of English Personal Naming, c.800-c.1300’ (PhD Dissertation, University of Sheffield, 2016).

³³ Phillpotts, *Kindred and Clan*, p.240.

³⁴ J.C. Holt, ‘Feudal Society and the Family in Early Medieval England: I. The Revolution of 1066’, *Transactions of the Royal Historical Society* 32 (1981), p.194.

³⁵ T. Charles-Edwards, ‘Anglo-Saxon Kinship Revisited’, in J. Hines, ed., *The Anglo-Saxons from the Migration Period to the Eighth Century* (Woodbridge, 2003), pp. 171-210; A. Wareham, ‘The Transformation of Kinship and the Family in Late Anglo-Saxon England’, *Early Medieval Europe* 10 (3) (2001), pp.375-99.

³⁶ P. Stafford, ‘La Mutation Familiale: A Suitable Case for Caution’, in J. M. Hill and M. Swan (eds), *Community, The Family and The Saint: Patterns of Power in Early Medieval Europe* (Turnhout, 1998), pp. 103-23; P. Stafford, ‘King and Kin, Lord and Community: England in the Tenth and Eleventh Centuries’, in P. Stafford, *Gender, Family and the Legitimation of Power: England from the Ninth to Early Twelfth Century* (Aldershot, 2006), pp.1-33; the idea that early

kinship which has been discussed above, and, as seen below, is one of the points that will be developed further in this thesis. However, many of these aforementioned studies explore specific types of kinship, such as royal or aristocratic kinship, or relationships between specific types of relatives. The purpose of the present study is to go beyond this, by exploring kinship as a broader social phenomenon, and to understand kinship as it was experienced by wider society, not just between certain relatives or within certain sections of royalty or the aristocracy.

Since Lancaster's two essays on the subject, there has not been a full and sustained consideration of kinship as a wider social phenomenon in early medieval English society: while there has been a steady number of publications over the last century in the form of book chapters and articles, perhaps surprisingly no book-length study of this important social bond in an English context has been undertaken. Joseph Lynch's *Christianizing Kinship* is perhaps the one exception to this, but the topic is explored from a purely theological angle, and is only concerned with charting the experience of spiritual kinship, in particular godparenthood.³⁷ As will be seen in chapter one, while sharing some similarities, spiritual kinship in the form of godparents and godchildren and the kind of kinship under consideration here (primarily people related by blood or through social processes like marriage), were distinctly different phenomena, at least in an English context. As such, Lynch's work and the present study explore different, although related, social bonds.

An explanation for this lack of a full-length examination of kinship in early medieval England is perhaps revealed by the pessimistic words of Stenton, who claimed that questions about the role and influence of kinship in early medieval English society were 'difficult, and, indeed, unanswerable'.³⁸ This comment seems to have stemmed from the relative dearth of extant evidence which specifically deals with issues of kinship. These kinds of perceptions, that much about kinship in early medieval England is unknowable, may have therefore discouraged scholars from pursuing research into this topic outside of the narrower scope of articles and book chapters. Another potential reason may also be the ubiquitous nature of kinship in our

medieval society was based solely around kin has also been challenged by Daniela Fruscione, see D. Fruscione, 'Zur Familie im 7. Jahrhundert im Spannungsfeld von verfassungsgeschichtlicher Konstruktion und keltischen Quellen', in S. Patzold, K. Ubl (eds), *Verwandtschaft, Name und soziale Ordnung (300-1000)* (Berlin, 2014), pp.195-222; Stafford has written more extensively on individual family relationships, for example see P. Stafford, 'Fathers and Daughters: The Case of Æthelred II', in R. Naismith, D. Woodman (eds), *Writing, Kingship and Power in Anglo-Saxon England*, pp.139-61; P. Stafford, 'Sons and Mothers: Family Politics in the Early Middle Ages', in D. Baker (ed.), *Medieval Women: Dedicated and presented to Prof. Rosalind M. T. Hill on the occasion of her seventieth birthday* (Oxford, 1978), pp.79-100; P. Stafford, 'Review article: Parents and Children in the Early Middle Ages', *Early Medieval Europe* 10 (2) (2001), pp.257-71.

³⁷ J.H. Lynch, *Christianizing Kinship: Ritual Sponsorship in Anglo-Saxon England* (Ithaca, 1998).

³⁸ Stenton, *Anglo-Saxon England*, p.311.

own society. As Henry Loyn noted, ‘what is known by all is explained by none’.³⁹ Many may feel that the role and importance of kinship, both to ourselves and to early medieval contemporaries, is simply obvious, and does not require significant scholarly examination as the conclusions can already be predicted. However, as this thesis will show, it would be a mistake to assume that modern and medieval kinship are the same phenomenon, and further studies into the latter are therefore both important and necessary.

Historiography on kinship outside of England

Outside of England, kinship also took on a central role in some of the grand narratives of this period, particularly on the Continent. As will be discussed in Chapter 3, Marc Bloch, to serve as a prominent example, argued that the decline of the family and the inability of the kindred to protect its members was one of the factors that created the space for the feudal revolution, and Georges Duby, to cite another, also linked the suppression and later resurgence in the importance of the family with the rise and fall of the Carolingian Empire.⁴⁰ As outlined in more detail below, this integral historiographical connection between kinship and political and economic change is something also reflected in scholarship dealing with kinship in England. Bloch’s conceptualisation of kinship and politics, first published in 1939 in his book *Feudal Society*, undoubtedly influenced the approach of both Stenton and other twentieth-century scholars to these issues. Indeed, in his survey of the period Stenton cited one of Bloch’s essays on the topic of lordship (viewed through a specific framework), in which Bloch argued that ‘the powers of the chief [lord]...affected a man’s whole life and acted concurrently with, or even in place of, the power of the state and the family’: sentiments which are clearly echoed in Stenton’s framing of the relevant section of his book as ‘the declining influence of kinship’.⁴¹ More recently, French historiography on kinship has in some ways moved beyond these older models which examined (largely patrilineal) kinship in terms of political culture, for example through a greater recognition of the role of spiritual kinship, work which asserts the importance of

³⁹ Loyn, ‘Kinship in Anglo-Saxon England’, p.198.

⁴⁰ G. Duby, *La société aux XIe et XIIe siècles dans la région mâconnaise*, 2nd ed. (Paris, 1971), p.122; see also G. Duby, J. Le Goff (eds), *Famille et parenté dans l’Occident médiéval* (Rome, 1977); and G. Duby, *The Chivalrous Society* (Berkeley, 1981); M. Bloch, *Feudal Society* (trans L.A. Manyon) (London, 1961), p.443; see also H. Hummer, *Visions of Kinship in Medieval Europe* (New York, 2018), pp.64-5.

⁴¹ M. Bloch, ‘The Rise of Dependent Cultivation and Seigneurial Institutions’, in M. M. Postan (ed.), *The Cambridge Economic History of Europe from the Decline of the Roman Empire: Vol. 1, Agrarian Life in the Middle Ages* (Cambridge, 1941), p.236; Stenton, *Anglo-Saxon England*, pp.311-4, 710.

matrilineal kin and the capacity for daughters to inherit even within these patriarchal systems, and a recognition of the contribution anthropology can still make to historical kinship studies.⁴²

Nevertheless, (and as will be seen in more detail below) the influence of Continental models such as those proposed by Bloch, Duby, and others, on the scholarly image of kinship and its historical place and trajectory during the Early Middle Ages that has emerged with reference to England is clear. The fact that the accepted narrative of kinship across most of Western Europe during this period is tied so closely to broader research questions concerning politics, economics, and the notion of the feudal revolution means that understanding early medieval kinship is actually integral to understanding the wider development of political culture during this period: a poor or outdated understanding of one impoverishes our understanding of the other.⁴³ This also means that the outcomes of this thesis will not just be relevant to scholars interested in social history, but its conclusions will also hold a wider relevance across disciplines, for example for scholars interested in literature, anthropology, and those working on legal and constitutional history.

More recently than Bloch and Duby, other important works exploring the issue of medieval kinship have been published. For example the work of Gerd Althoff, which mostly covers Continental kinship in the Early Middle Ages within a consideration of broader political and social bonds, and a recent 2019 publication by Nathan Leidholm which examines aristocratic Byzantine kinship from the tenth to thirteenth centuries.⁴⁴ Another important study focusing on insular rather than Continental kinship came in the form of Thomas Charles-Edwards' *Early Irish and Welsh Kinship*: a comparative study of kinship in these two related societies, which analyses kinship's structure and place in Ireland and Wales respectively.⁴⁵ Charles-Edward's conclusion is particularly relevant here: he argues that 'lordship might help to buttress the authority of the head of an Irish lineage', and that this relationship of mutual support marked a difference with England and Francia, where he saw kinship and lordship being balanced against, rather than reinforcing, one another.⁴⁶ He explains this difference by noting the relatively weak nature of

⁴² For an overview of these developments, see A. Guerreau-Jalabert, R. Le Jan, J. Morsel, 'De l'histoire de la famille à l'anthropologie de la parenté', in O. Gerhard Oexle, J. Schmitt (eds), *Les tendances actuelles de l'histoire du Moyen-Age en France et en Allemagne* (Paris 2002), pp.433-46; for a general European overview of more recent work within medieval kinship studies, see B. Jussen, "Perspektiven der Verwandtschaftsforschung fünfundzwanzig Jahre nach Jack Goodys 'Entwicklung von Ehe und Familie in Europa'", *Vorträge und Forschungen* 71 (2009), pp.275-324.

⁴³ On the 'feudal revolution', see C. West, *Reframing the Feudal Revolution: Political and Social Transformation between Marne and Moselle, c.800-1100* (Cambridge, 2013).

⁴⁴ G. Althoff, *Family, Friends and Followers: Political and Social Bonds in Early Medieval Europe* (Cambridge, 2004); N. Leidholm, *Elite Byzantine Kinship, ca. 950-1204: Blood, Reputation and the Genos* (York, 2019).

⁴⁵ T. Charles-Edwards, *Early Irish and Welsh Kinship* (Oxford, 1993).

⁴⁶ *Ibid.*, p.471.

kinship in Ireland compared with England and Francia, thus echoing Loyn's earlier narrative of kinship in England being suppressed by the rising power of lords and kings.⁴⁷

Finally, although his work does not take into consideration evidence from England, Hans Hummer's recent book *Visions of Kinship in Medieval Europe* proposes a new model for thinking about medieval kinship, one that is divorced from thinking of kinship as a biological phenomenon and that instead embraces 'kinship' as a bond created only through social processes. Although this book succeeds in inviting historians to revisit basic assumptions about medieval kinship, Hummer's work does also contain some provocative statements, notably his claim that 'kinship did not exist in medieval Europe'.⁴⁸ Some of the ideas expressed in his work therefore require careful reflection, and given the large scope of the two aforementioned arguments, this is something that will be reconsidered in the conclusion to the thesis. Despite the publication of works mostly examining Continental (or at least, non-English) kinship over the past two or three decades, and the important shifts in historiographical thinking on this topic that are starting to occur, any comparable re-evaluations of kinship in an early English context have failed to materialise. As a result, this is a subject that is ripe for reappraisal, and this is where the present work steps in. As indicated above, this thesis will take a different approach to previous studies, by examining a broad range of different contemporary experiences and perceptions of kinship, as well as using a wide array of sources not usually considered together in order to achieve this.

Kinship and Archaeology

It is important at this juncture to briefly acknowledge that kinship has also become a topic of increasing interest to archaeologists.⁴⁹ Scientific advances in recent years have allowed archaeologists to extract genetic samples from excavated human remains and to conduct DNA testing on them, in the hopes that this information will illuminate the kinship ties of those found in cemeteries and group burials. A classic example of this can be found in a 2011 publication by Heinrich Härke, in which he identifies, using evidence of shared genetics and skeletal traits, the practice of 'Germanic' kin groups being buried together, and he argues using this kind of

⁴⁷ *Ibid.*, p.471.

⁴⁸ H. Hummer, *Visions of Kinship in Medieval Europe* (Oxford, 2018), p.3.

⁴⁹ For example, see D. Sayer, *Early Anglo-Saxon Cemeteries: Kinship, Community and Identity* (Manchester, 2020); D. Hadley, 'Negotiating Gender, Family and Status in Anglo-Saxon Burials, c.600-950', in L. Brubaker, J. M. H. Smith (eds), *Gender in the Early Medieval World: East and West, 300-900* (Cambridge, 2004), pp.301-23; for a study that combines historical and archaeological approaches to kinship, see H. Härke, 'Early Anglo-Saxon Social Structure', in J. Hines (ed.), *The Anglo-Saxons from the Migration Period to the Eighth Century* (Woodbridge, 1997), pp.125-170.

evidence that there was no intermarriage between Germanic-speaking migrants and the native British population.⁵⁰ This kind of approach has not just been confined to English excavations either, for example studies published by Amorim *et al* and O’Sullivan *et al* similarly use genomic evidence to identify family groups in barbarian burials across Europe.⁵¹ Very recently, however, Joanna Brück has cautioned archaeologists against relying on genetic evidence to tell us about kinship ties, closely following Hummer’s approach in highlighting the role of social processes, as opposed to biology, in forming ties of kinship, which cannot be measured using DNA evidence.⁵² The issue of understanding kinship in the Middle Ages is thus becoming topical once again, making the present study a timely contribution. The issues raised by these works are important debates, and again they will be revisited in the concluding chapter in light of the evidence considered throughout the thesis.

The Traditional Narrative of Kinship in Early Medieval England

According to traditional, well-established narratives, the story of kinship in early medieval England can be traced back into antiquity to the Germanic-speaking regions on the peripheries of the Roman Empire. It is here that, as explored above, older scholarship imagined the existence of the *Sippe*, a large kin-based social group that fulfilled many of the legal, political, economic, and social functions that in later periods would become the responsibilities of lords and kings.⁵³ Indeed, as we have seen, it was supposed that in barbarian lands kinship in the form of the *Sippe* acted as the main basis of society, as opposed to the more ‘state-centric’ nature of Roman society.⁵⁴ Much of the still-foundational work on early medieval English kinship, as identified above, was published before the writing of Alexander Murray’s important book in 1983 which challenged this conceptualisation. As such, many of these works, which are still cited today, were informed by these now outdated ideas, as will be explored in more detail in Chapter 3. Indeed, Bertha Phillpotts, in her aforementioned 1913 book on medieval kinship in Germanic-speaking lands (which is cited by Lancaster in her articles), is entitled *Kindred and Clan in the Middle*

⁵⁰ H. Härke, ‘Anglo-Saxon Immigration and Ethnogenesis’, *Medieval Archaeology* 55 (1) (2011), pp.1-28.

⁵¹ C.E.G. Amorim et al, ‘Understanding 6th-century Barbarian Social Organization and Migration through Paleogenomics’, *Nature Communications* 9 (1) (2018), pp.1-11; N. O’Sullivan et al, ‘Ancient Genome-wide Analyses Infer Kinship Structure in an Early Alemannic Graveyard’, *Science Advances* 4 (9) (2018), pp.1-8.

⁵² J. Brück, ‘Ancient DNA, Kinship and Relational Identities in Bronze Age Britain’, *Antiquity* 95 (379) (2021), pp.228-37.

⁵³ A. C. Murray, *Germanic Kinship Structure: Studies in Law and Society in Antiquity and the Early Middle Ages* (Toronto, 1983).

⁵⁴ *Ibid.*; see also H. Hummer, *Visions of Kinship in Medieval Europe* (Oxford, 2018), pp.35-56.

Ages and After: A Study in the Sociology of the Teutonic Races.⁵⁵ The use of the term ‘clan’ here inevitably conjures up an image of a society populated by large, sprawling, kin-groups to which people owed their allegiance, which very closely matches the idea of the *Sippe* outlined above, though Phillpotts herself does use that term. It is within this context of sprawling ‘Germanic’ kindreds, as the traditional narrative goes, that the Angles, Saxons, and other migrating peoples, first arrived in Britain from the fifth century onwards.⁵⁶

As argued by Lancaster and particularly by Loyn, however, relatively quickly territorial lords were able to acquire a uniquely strong position in England *vis-à-vis* neighbouring regions due to England’s supposedly fertile landscape and wealth, which directly challenged the importance and the function of the kindred.⁵⁷ This led Loyn to argue, quite strikingly, that ‘the formal institutional life of the kin was atrophied, if not stifled at birth, by the strength of territorial lordship and Christian kingship’.⁵⁸ Interestingly, Loyn was convinced that, given enough time without lordly oppression, kinship in England would have developed into what he perceived as the ‘tribal’ societies of nearby Wales, Ireland and Scandinavia, assuming (perhaps again informed in part by the idea of the *Sippe*) that this was the natural way for kinship to evolve in the Early Middle Ages.⁵⁹ As such, the pivotal societal role supposedly played by the *Sippe* on the Continent in antiquity, and in neighbouring Celtic- and Norse- speaking regions, failed to take root as comprehensively in England in the centuries following the alleged migration period.

This was not the end of the story, either. In fact, Loyn argues that it is ‘generally accepted’ that the dominant trend of early medieval English society is that of secular kings and lords increasing their powers and importance at the expense of the kindred.⁶⁰ Lancaster also had previously hinted at this idea, suggesting that kinship in England was ‘not so important as in primitive societies’.⁶¹ Despite the pejorative tone, this is an interesting comment, as it suggests that at least for Lancaster, if not for Loyn and others as well, the perceived development of lordship in the place of kinship was bound up with broader (problematic) notions of historical

⁵⁵ B. S. Phillpotts, *Kindred and Clan in the Middle Ages and After: A Study in the Sociology of the Teutonic Races* (Cambridge, 1913).

⁵⁶ The term ‘Germanic’ here is used cautiously and in inverted commas to indicate the potentially problematic nature of using this term. On this, see M. Friedrich, J. M. Harland (eds), *Interrogating the ‘Germanic’: A Category and its Use in Late Antiquity and the Early Middle Ages* (Berlin, 2020); J. M. Harland, ‘Memories of Migration? The “Anglo-Saxon” Burial Costume of the Fifth Century AD’, *Antiquity* 93 (370) (2019), pp.954-69. This is also not necessarily to accept the historicity of the *adventus Saxonum* narrative, for a counterargument to the idea of migration see S. Oosthuizen, *The Emergence of the English* (Leeds, 2019).

⁵⁷ Loyn, ‘Kinship in Anglo-Saxon Society’, p.207.

⁵⁸ Loyn, ‘Kinship in Anglo-Saxon Society’, p.209.

⁵⁹ *Ibid.*, p.207.

⁶⁰ *Ibid.*, p.199; Holt also supports this interpretation, see Holt, ‘Feudal Society and the Family in Early Medieval England I’, p.194.

⁶¹ Lancaster, ‘Kinship in Anglo-Saxon Society I’, p.230.

‘progress’ and the process of ‘civilisation’. Indeed, this echoes the kind of arguments made by Maurer and Vinogradoff discussed above. This narrative therefore established a simple, black-and-white dichotomy: kin-based societies are presented as ‘primitive’, whereas polities based around secular government, such as the Roman Empire (and, as these historians argue, England), are presented as more civilised.

The established paradigm of English kinship is thus reminiscent of the narratives established by Bloch and Duby on the Continent. The relationship between kinship and lordship is presented as a zero-sum game: as lords and kings increased their power and importance over time, and political culture became ever more centralised, the role and significance of kinship decreased as a direct result of this. The two are presented as being locked into a relationship where any change in the condition of one had the opposite effect on the other: one’s rise was always accompanied by the other’s fall. In this narrative the kindred’s rights and functions were thus gradually stripped away by secular rulers over time, resulting in a much-diminished role within society for the kindred in England. Given the similarities in their depictions of the relationship between kinship and lordship, it is difficult not to see the work of Bloch in particular, together with aforementioned anthropological works and scholarship on the *Sippe*, as having influenced the interpretive framework these historians of early medieval English kinship were working within.

More recent scholarship on the Continent has challenged this narrative through an aristocratic lens, arguing that the relationship between kings and aristocratic families was much more complicated than this relatively simplistic narrative, especially since the king was often dependent on the support of the aristocracy in order to govern effectively and to shore up his position.⁶² Similar work has not, however, been as forthcoming within historiography on England, and in addition these approaches focus largely on the relationship between kings and the aristocracy.⁶³ The older narratives described above do not just pertain to the relationship between kings and the aristocracy, but the relationship between kings, lords, and kin groups

⁶² For example see S. Airlie, ‘The Aristocracy’, in R. McKitterick (ed.), *The New Cambridge Medieval History, Volume 2, c.700-900* (Cambridge, 1995), pp.431-50; S. Airlie, ‘The Palace of Memory: the Carolingian Court as Political Centre’, in S. Rees Jones, R. Marks and A.J. Minnis (eds), *Courts and Regions in Medieval Europe* (York, 2000), pp.1-20; S. Airlie, ‘The aristocracy in the service of the state in the Carolingian period’, in Pohl, W., Airlie, S.R. and Reimitz, H. (eds), *Staat im Frühen Mittelalter* (Vienna, 2006), pp. 93-111.

⁶³ This is not to say that the relationship between the king and powerful aristocratic families has not been explored in an English context, for example see M. E. Blanchard, ‘A New Perspective on Family Strategy in Tenth- and Eleventh-Century England: Ealdorman Status and the Church’, *Historical Research* 92 (256) (2019), pp.244-66; On royal assemblies, one of the main ways through which kings and nobles interacted with one another, see also L. Roach, *Kingship and Consent in Anglo-Saxon England, 871-978: Assemblies and the State in the Early Middle Ages* (Cambridge, 2013).

more broadly. As such, efforts to inject nuance into the relationship between kings and aristocratic families only go so far towards dismantling this view. The present study therefore seeks to take a more holistic approach, re-evaluating kinship (and its engagement with kingship) in a way that is not just focused on a relatively small, elite group within society.

The end of the established narrative of kinship in early medieval England, perhaps predictably, is to be found in the Norman Conquest. Holt characterises the changes that resulted in kinship from this event as the ‘revolution of 1066’, arguing that we can see a significant change from a pre-Conquest society with big, sprawling kinship groups practising partible inheritance among many different heirs, into a post-Conquest society dominated by primogeniture and a much narrower image of the family. This, he argues, brought England much more closely in line with the changes that had already been happening on the Continent, and especially in Normandy, before the Conquest.⁶⁴

This narrative of kinship in early medieval England was thus established under the influence of both anthropological approaches to the subject and models based largely on Continental evidence, which were then translated into an English context and then positioned in contrast to England’s supposedly ‘primitive’, clan-based neighbours. Due to the relatively scarce nature of publications on this important topic, the picture painted by much of the extant English evidence itself has (with the exception of a chapter by Pauline Stafford in which she challenges the notion that kinship was ever the sole basis of society) remained shrouded and overlooked.⁶⁵ As no thorough and sustained modern examination of early medieval English kinship has hitherto been conducted, no previous study has been able to incorporate and engage with the range of material required to obtain a full picture of the role and place of the family within early medieval English society, and as a result the simple and outdated narrative outlined above has to this day remained mostly uncontested and intact. This is a significant problem. Not only is kinship a central and consistent aspect of the human experience of life, as demonstrated by the speaker’s words in *The Wanderer* quoted at the beginning, it has also become entwined with some of the defining trends in historiography on the Early Middle Ages, such as the rise of lordship and kings, the development and centralisation of political authority, and the political and economic changes linked to the so-called feudal revolution. The present study is therefore both timely and necessary, and while providing a re-evaluation of early medieval English kinship, it

⁶⁴ Holt, ‘Feudal Society and the Family’, pp.193-212.

⁶⁵ Stafford, ‘King and Kin, Lord and Community’, pp.1-33.

also speaks to a wider range of important issues related to the study of the early medieval world as well.

As indicated above, the purpose of this thesis is therefore to provide a sustained re-interrogation of the surviving English evidence, with a view to challenging significant aspects of the prevailing narrative associated with kinship in early medieval England which have been outlined above. It will consider a range of different source material (discussed in detail below) in an attempt to counter-act some of the challenges of studying early English kinship first identified by Stenton and Lancaster, as well as providing a new interpretation of the legal evidence in particular, which poses a significant challenge to received wisdom about the trajectory and evolution of kinship in early medieval England.

The thesis will therefore explore the following key research questions: how were kin groups defined by contemporaries in early medieval England? How did kings interact with family groups, and did these interactions change over time? How were the perceived legal and social obligations of kinship, particularly in terms of feuds and inheritance, managed? How did ecclesiastical communities interact with secular families? And what did contemporaries think about the family - what did this concept mean to them? Answering these research questions will mean the thesis covers a number of important areas, such as how contemporaries actually conceptualised the bond of kinship and envisioned its structure, the management of internal family dynamics, the position of the family within wider society, and finally the function and meaning contemporaries attributed to kinship, moving away from the legal evidence and focusing on kinship's emotional value: a subject that has not traditionally been served particularly well by older scholarship on this topic. This approach, of including a wider source base and asking questions which speak to different aspects of kinship, will hopefully therefore result in a more holistic understanding of kinship in early medieval England than previous studies have been able to obtain.

Sources and Methodology

Before discussing the sources that will be employed throughout the thesis, it is first necessary to briefly review the timeframe under consideration in this study: which is c.600 to c.1050. This means that the thesis covers a significant amount of time, spanning up to five centuries. Settling on this long time span was, however, necessary primarily due to the nature of source survival rates. While the tenth and eleventh centuries are relatively richly documented by an array of

textual evidence, the seventh, eighth, and first half of the ninth centuries are by comparison very poorly served, meaning that no sustained study could be focused just on those earlier centuries. Furthermore, as demonstrated above, key elements of some of the prevailing narratives about kinship in early medieval England pertain to issues of change over (varying degrees of) time. To be able to engage effectively with these debates, it was thus necessary to consider evidence from across a wider period of time. The beginning of the seventh century was chosen for largely pragmatic reasons: it is around this time, with the advent of the conversion mission and the writing down of secular laws, that we first have surviving textual sources to work with.

The end date of the mid-eleventh century is, however, slightly more complicated. On the one hand, ending the thesis around the time of the Norman Conquest implies that the Conquest marked a substantial break or interruption in English history, after which society changed significantly from before: changes brought by the Conquest are thus implicitly privileged over any continuities. On the other hand, similar objections can be raised about any attempt at periodisation, and in many ways the mid-eleventh century is the most logical date at which to bring the present study to a close. As already discussed, the nature of kinship *did* change in the wake of the Conquest: while we can argue about the extent and the framing of these changes, at least some of the differences, as noted above, are readily identifiable. These changes were also accompanied by changes in the available source material, as well as broader political changes within England too. Ultimately, then, while there is a case to be made for extending a study of kinship past the Conquest, this does not fall within the remit of the current study and its research questions, and thus, given the above discussions, the mid-eleventh century is the most natural end point for this thesis.

It is also worth briefly discussing the use of the terms ‘family’ and ‘kinship’ here. Often when the term ‘family’ (and sometimes kin) is used or explored in historiography, it is done in reference not to the wider social bond, but instead to specific families, and very often royal or aristocratic ones.⁶⁶ This is in contrast to the present study, which is a precise exploration of the broader social phenomena of kinship: it is not bound by studies of specific families, but is instead focused on understanding contemporary perceptions and experiences of the bond of kinship within wider society. Having said that, the terms ‘family’ and ‘kinship’ will be used

⁶⁶ For example, see B. Rosenwein, ‘The Family Politics of Berengar I, King of Italy 888-924’, *Speculum* 71 (1996), pp.247-89; C. Bouchard, ‘The Structure of a Twelfth Century French Family: The Lords of Seignelay’, *Viator* 10 (1979), pp.39-56; P. Stafford, ‘Kinship and Women in the World of Maldon’, in P. Stafford (ed.), *Gender, Family and the Legitimation of Power: England from the Ninth to Early Twelfth Century* (Aldershot, 2006), pp.225-35; the exploration of the family through specific case studies can also be seen in A. Wareham, *Lords and Communities in Early Medieval East Anglia* (Woodbridge, 2005).

interchangeably throughout this thesis. This is because, although the word ‘kinship’ may sound slightly antiquated to the modern ear, there is little conceptual difference for most people between the two. Furthermore, as will be explored in more detail in the chapters that follow, a person’s precise definition of their family, or their kin, varies. While one person might interpret the word ‘family’ as referring to a small group of close relatives (while kinship suggests a wider circle of relatives), others would describe even distant relations as part of their family. This variation in usage and interpretation of these terms even in our own society means that any attempt to precisely define these terms and establish a conceptual difference would be arbitrary and, ultimately, meaningless.

Furthermore, it is also worth noting that contemporaries, at least in the vernacular, also used different words to describe this concept interchangeably. For example, the most commonly used Old English word used to refer to kin was *mæg* or some variation on this word.⁶⁷ The word *cynn* (meaning ‘kind’, and the root of the Modern English word ‘kin’), is also used occasionally, but as far as can be seen it is always used in the same context as *mæg*, and the two appear to have been interchangeable.⁶⁸ Given that, at least in a legal capacity, *cynn* only begins to appear in the laws of Æthelred and Cnut, and even then only infrequently, it could be the case that this was a newer term being introduced in the late tenth and eleventh centuries which slowly replaced the word *mæg*: in any case, there is no perceptible difference in contemporary usage between the two.⁶⁹ As such, the decision to use the terms ‘family’ and ‘kinship’ interchangeably in this thesis also mirrors the contemporary practice of using kinship words interchangeably in the extant source material.

As indicated above, the thesis will draw on a range of legal, ecclesiastical, and poetic sources in an attempt to construct a more complete image of kinship in early medieval England. This includes secular law codes, charter evidence in the form of wills, Old English poetry (mostly focused on battle poetry and the genre of elegies), and the corpus of Old English penitentials. The use of these will be discussed individually below, but before this it is important to briefly consider the issue of language: namely, that the main sources for this thesis are written in Old English, rather than Latin. While this thesis focuses on Old English material, it is important to note that Latin sources have certainly not been excluded from this study: for example, Asser’s

⁶⁷ Entry for ‘mæg’, in *Bosworth Toller’s Anglo-Saxon Dictionary Online*, <https://bosworthtoller.com/22035> [accessed 18/11/2021].

⁶⁸ Entry for ‘cynn’, in *Bosworth Toller’s Anglo-Saxon Dictionary Online*, <https://bosworthtoller.com/7159> [accessed 18/11/2021].

⁶⁹ For a discussion of kinship terminology in the Early Middle Ages more broadly, see D. A. Bullough, ‘Early Medieval Social Groupings: The Terminology of Kinship’, *Past & Present* 45 (1969), pp.3-18.

Life of King Alfred, Bede's *Ecclesiastical History*, Pope Gregory's *Libellus Responsorum* and Boniface's letters have all been subjected to analysis. In the case of the penitentials, of which Latin versions are also considered, the justification for focusing on the Old English versions will be outlined below. These main Old English sources were not initially selected based on language, but instead were selected for consideration primarily because they are the sources which most frequently include information relating to kinship, and so were the logical choices to focus on in this thesis. This therefore raises the question of why sources which relate most strongly to the theme of kinship were mostly written in, or have come down to us in, Old English as opposed to Latin.⁷⁰

Kinship was a central part of people's daily lives, and therefore much of the information contained particularly within the legal sources pertains to issues such as inheritance, land boundaries, and regulations around things such as wergild payments and the feud. Susan Kelly has argued that Old English, unlike Latin, was a language prevalent in both secular and clerical society, and given that these are all issues that as many people as possible would need to understand, the use of vernacular rather than Latin was the logical choice for these kinds of sources from a purely practical standpoint.⁷¹ King Alfred, in his preface to his translation of Pope Gregory's *Pastoral Care*, was famously pessimistic about the Latinity of (at least southern) England by the ninth century, further underscoring the importance of using the vernacular in documents which helped govern and regulate important aspects of people's daily lives, and in making sure they were readily readable and understandable by as broad a range of people as possible.⁷² In addition, it is worth noting that Edward Roberts and Francesca Tinti have argued that ease of communication was not the only reason for the use of vernacular in texts: such practices could be a conscious and meaningful decision, bound up with broader ideas about territorial control and identity.⁷³ It is not, therefore, a coincidence that many of the sources which speak to the subject of kinship were written in the vernacular rather than Latin.

⁷⁰ A very recent publication by Ingrid Ivarsen should be highlighted here, in which she suggests that the earliest extant English law codes could have originally been composed in Latin rather than the Old English they have come down to us in. See I. Ivarsen, 'A Vernacular Genre? Latin and the Early English Laws', *Journal of Medieval History* 47 (4-5) (2021), pp.491-508.

Even if this argument is to be accepted, though, it is still significant that these laws were later translated and preserved in Old English, rather than Latin.

⁷¹ S. Kelly, 'Anglo-Saxon Lay Society and the Written Word', in McKitterick (ed.), *The Uses of Literacy in Early Medieval Europe* (Cambridge, 1990), pp.56-57, 59.

⁷² H. Sweet, *The Anglo-Saxon Version of Gregory's Pastoral, from the Hatton MS. and the Cotton MSS* (Oxford, 1871), pp.1-2.

⁷³ E. Roberts and F. Tinti, 'Signalling Language Choice in Anglo-Saxon and Frankish Charters, c.700-c.900', in R. Gallagher, E. Roberts, F. Tinti (eds), *The Languages of Early Medieval Charters* (Leiden, 2020), pp.188-229; see also R. Gallagher, F. Tinti, 'Latin, Old English and Documentary Practice at Worcester from Wærferth to Oswald', *Anglo-Saxon England* 46 (2017), pp.271-325; see also F. Tinti, 'Writing Latin and Old English in Tenth-Century England: Patterns, Formulae and Language Choice in the Leases of Oswald of Worcester', in R. Naismith, D. A. Woodman (eds), *Writing, Kingship and Power in Anglo-Saxon England* (Cambridge, 2018), pp.303-27.

Furthermore, as will be discussed in more detail in the context of penitentials, Stefan Jurasinski has argued that in some cases texts written in Old English allow us access to uniquely English conditions and traditions, which may be lost in Latin sources that originated from the Latin-speaking world more widely.⁷⁴ This is not at all to say that Latin sources cannot tell us about English conditions: indeed, Latin was the main written language in England up until the middle of the ninth century, and even after this many Latin texts continued to be produced in addition to Old English texts. It is merely to say that texts originally produced in England itself, which were increasingly (though not solely) in Old English from the late ninth century onwards, are often better placed to tell us about distinctly English traditions than texts which were originally compiled in Latin on the Continent and which were circulating in England, but were not originally composed there. Again, this makes using Old English sources (in some cases) beneficial when attempting to understand a specifically English context. The frequency with which Old English sources are found in this thesis is perhaps therefore reflective of how the use of language could vary according to the purpose and objectives of different texts in early medieval society, and that in the case of issues relating to kinship, Old English was often (though not always) seen as the more relevant language to use for those purposes.

Law codes

Having considered the broader issue of language in the extant source material, it is now necessary to consider some of the more specific issues surrounding the different source types used throughout this thesis, beginning with secular law codes.⁷⁵ Law codes were issued by kings from across the entire period under study in this thesis, starting with a code issued in the name of King Æthelberht of Kent in the early seventh century, and ending with the issuing of *II Cnut* in the early-to-mid-eleventh century. There is some geographical variation in these early laws, with three codes from Kent (the others issued under Hlothere and Eadric and Wiltred) and two codes from Wessex, issued under Ine and Alfred. The laws after Alfred, understandably, cease to relate to specific regions and are instead applied to the whole kingdom of England (though some later codes do acknowledge differences between English and Scandinavian-controlled areas).

⁷⁴ S. Jurasinski, *The Old English Penitentials and Anglo-Saxon Law* (Cambridge, 2015), pp.25-8, 33-4.

⁷⁵ For more on early medieval law codes and legal culture, see T. Lambert, *Law and Order in Anglo-Saxon England* (Oxford, 2017); J. Hudson, *The Oxford History of the Laws of England, Volume 2: 871-1216* (Oxford, 2012); F. Pollock, F. W. Maitland, *The History of English Law Before the Time of Edward I*, 2 vols (Cambridge, 1898); P. Wormald, *The Making of English Law: King Alfred to the Twelfth Century* (Oxford, 2000); L. Oliver, *The Beginnings of English Law* (Toronto, 2002); A. Rio (ed.), *Law, Custom and Justice in Late Antiquity and the Early Middle Ages: Proceedings of the 2008 Byzantine Colloquium* (London, 2011); S. Jurasinski, L. Oliver, A. Rabin (eds), *English Law Before Magna Carta: Felix Liebermann and Die Gesetze der Angelsachsen* (Leiden, 2010).

These laws relate to kinship in a number of ways, most frequently in terms of regulating feuds between different family groups, and outlining wergild payments owed to the family of a murder victim. However, less frequently the laws also refer to other issues relevant to kinship, for example rules pertaining to arranging marriages and inheritance practices. This means that this corpus of texts are essential for a study of kinship: not just because of their subject matter, but also because they are some of the only sources which survive from across the entire period covered by this thesis, meaning that it is possible to use these texts to detect any changes over time.

Tom Lambert demonstrated that conventional wisdom has been generally pessimistic about the value of using law codes as historical evidence, given that they were created by English elites and may therefore present society as it should operate in theory, rather than how it operated in practice.⁷⁶ However, Lambert suggests that this is ‘short-sighted’, and points to the fact that literary texts are still used as historical sources even though it is widely accepted that the events they describe did not actually take place, and so there are no grounds to dismiss law codes even if one believes they did not represent actual practice. Just because the law codes may potentially represent an elite ideal rather than a reality does not mean that their importance or usefulness as historical sources should be reduced: these texts still tell us something about the society in which they were made.⁷⁷

There is also evidence that the law codes were not wholly prescriptive. For example, in Alfred’s law code we find clauses that lay out the legal procedures for when a man is bitten by a dog under various circumstances, and for when a man accidentally kills another by allowing a tree to fall on him while both are performing common work.⁷⁸ To this we could also add the clauses in Ine’s law code that deal with disputes over a stolen slave when the original owner was dead, or the clauses in *II Athelstan* that lay out the different situations that may arise when dealing with a thief.⁷⁹ These specific situations presumably must have been incorporated into the main texts following rulings on these cases.⁸⁰ Jurasinski has also suggested that the operation of earlier

⁷⁶ For an overview of this see Lambert, *Law and Order*, pp.12-3; for an example of scholarly pessimism about the connection between legal rules and people’s everyday lives, see C. Wickham, *Framing the Early Middle Ages* (Oxford, 2006), p.830; for the more general difficulty in interpreting early medieval laws, see Wormald, *The Making of English Law*, p.3

⁷⁷ Lambert, *Law and Order*, pp.12-15; Thomas Charles-Edwards has also advocated for the potential utility of analysing legal text, see T. Charles-Edwards, *Early Irish and Welsh Kinship* (Oxford, 1993), pp.3-20.

⁷⁸ ‘Alfred’, c.23, 23.1, 23.2, in F. Liebermann, *Die Gesetze der Angelsachsen* (Halle, 1903), pp.62-3; ‘Alfred’, c.13, in Liebermann, *Die Gesetze*, pp.56-7.

⁷⁹ ‘Ine’, c.53, 53.1 in Liebermann, *Die Gesetze*, pp.112-3; ‘II Athelstan’, c.1.1-1.5. in Liebermann, *Die Gesetze*, pp.150-1.

⁸⁰ For a discussion of the whether early medieval laws were prescriptive or descriptive, see Lambert, *Law and Order*, pp.14-5; see also P. Wormald, *Lex Scripta and Verbum Regis: Legislation and Germanic Kingship from Euric to*

English law in particular was not primarily driven by royal initiative, pointing out as an example that King Alfred only became involved in the Fonthill estate dispute after being petitioned by an ealdorman.⁸¹ Although dispute settlement and the promulgation of laws were two separate issues, it does speak to what seems to have been the generally reactive, rather than proactive, nature of royal activity in these areas. The law codes, then, should not just be seen as a royal representation of how society should operate in theory. Although one must be careful when interpreting them, the law codes could reflect real cases and situations, showing the outcome of the law in action, and as such it would be wrong to dismiss their value as historical sources.

Wills

When attempting to gain insights into kinship in early medieval England, family inheritance, and the creation of wills in particular, would seem a natural place to look. Indeed, wills are some of the only sources that can directly show us how individuals themselves perceived their relationship to their relatives, given that they were drawn up under the individual's close direction, which royal laws, poetry and penitentials all were not. They can show us who the soon-to-be deceased considered closest to them, who they considered to be part of their family, how extended they considered their family to be, and they can also provide glimpses of personal relationships that are often so lacking from our sources more generally. Indeed, Constance Bouchard and Karl Ubl have suggested that there has been too much focus on law codes as evidence when studying kinship ties, whereas sources such as charters (that have been less considered) are actually more useful for understanding how contemporaries themselves perceived their own relationships: this makes wills an ideal source for deepening our understanding of kinship.⁸² There is reason to doubt the ability of wills to provide us with a full picture of family relationships, which will be discussed below, but they nevertheless constitute an integral corpus of material for understanding the early medieval family.

Linda Tollerton, in her significant assessment of will-making in early medieval England, has identified sixty-eight surviving vernacular wills and seven extant Latin wills (meaning a total of seventy-five), the majority of which are only preserved in disparate copies from the twelfth to fourteenth centuries.⁸³ This presents a methodological problem in that, as wills were both created

Cnut', in P. Sawyer, I. Wood (eds), *Early Medieval Kingship* (Leeds, 1977), pp.105-38; for a more pessimistic view of the extent to which studying rules and laws can be useful for historians, see Wickham, *Framing*, p.830.

⁸¹ S. Jurasinski, *The Old English Penitentials and Anglo-Saxon Law* (Cambridge, 2015), p.6.

⁸² C. Bouchard, 'Conclusion: The Future of Kinship Studies', in Patzold and Ubl, *Verwandschaft, Name und soziale Ordnung*, p.304; K. Ubl, 'Zur Einführung: Verwandschaft als Ressource sozialer Integration im frühen Mittelalter', in Patzold and Ubl, *Verwandschaft, Name und soziale Ordnung*, pp.1-27.

⁸³ L. Tollerton, *Wills and Will-Making in Anglo-Saxon England* (York, 2011), pp.1, 11, 285-8.

and preserved by religious communities, those copying and recopying the texts may have omitted sections or summarised complex arrangements if they were not relevant to that specific community's interests.⁸⁴ This means that even of the wills that have survived, we may have lost precious details. The centrality of religious communities in the production and preservation of wills presents a further problem: in the surviving corpus, religious communities appear as beneficiaries of wills in almost all cases, which would seem to indicate that bequeathing land to these communities was a standard practice, one that the kindred would have expected and accepted as it was so common. However, is this really the case, or does this phenomenon exist simply because religious communities were only concerned with preserving the wills in which they were beneficiaries, and therefore wills not bequeathing land or other forms of wealth to these communities have been lost? This is a difficult question to answer, but it does demonstrate the importance of always keeping the creation, transmission and preservation of our sources in mind when analysing them. This is not to say religious communities did not play an important role in family inheritance practices, or that it was not a common destination for property after death, but it is worth entertaining the possibility that bequests to the religious communities may not have been quite as frequent as the surviving corpus of wills suggests.

A further problem in using wills to understand kinship is that we often have no way of knowing the size and value of each estate, which poses challenges for assessing which beneficiaries the creator of the will may have favoured. However, although it is certainly possible that one particularly wealthy estate could have been worth more than two or three poorer ones, in general the number of estates being bequeathed to individuals can still be taken as a reasonably good guide as to whom the creator of the will is likely to have favoured, especially in cases where the disparities in numbers between different beneficiaries are fairly large. As such, we can still gain a fairly strong insight into who the creator of the will intended to benefit most from their will.

In addition, as recent scholarship has established, wills did not dispose of all a person's land – instead they were primarily concerned with bequeathing the deceased's bookland, which is land they had been granted during their life via charter.⁸⁵ This was opposed to folkland, which, as Wormald has highlighted, referred to all other land that was *not* bookland.⁸⁶ The majority of

⁸⁴ K. A. Lowe, 'The Nature and Effect of the Anglo-Saxon Vernacular Will', *The Journal of Legal History* 19 (1) (1998), pp.23-61.

⁸⁵ For recent scholarship that has established and explored this issue, see J. Mumby, 'The Descent of Family Land in Later Anglo-Saxon England', *Historical Research*, 84 (225) (2011), pp.399-402; Lowe, 'Nature and Effect', pp.38-9; P. Wormald, 'On þa wæpnedhealfe: Kingship and Royal Property from Æthelwulf to Edward the Elder', in N. Higham, D. H. Hill (eds), *Edward the Elder, 899-924* (Abingdon, 2001), pp.265-8.

⁸⁶ Wormald, 'On þa wæpnedhealfe', p.267.

folkland was thus most likely composed of land inherited from the kindred, through vague and mostly unwritten ‘customary inheritance practices’, of which we know almost nothing. It also seems that folkland was strictly inalienable from the kindred, whereas bookland could be bequeathed more freely to those outside the kindred, most significantly to servants, friends and religious communities.⁸⁷ This flexibility and lack of certainty over who would inherit bookland after the owner’s death therefore necessitated the writing of wills. However, it seems that by the late ninth century, there were attempts to restrict the ability to leave bookland freely as well: King Alfred’s law code states that bookland inherited from a relative on condition that it remain in the family could not then be alienated at a later date.⁸⁸

It would seem, then, that perhaps the majority of land a person left behind after death was not bequeathed through the creation of a will, which was largely reserved for bookland. Instead, it was bequeathed through deeply established and widely accepted family inheritance practices that we know almost nothing about, likely because there was no need to write something down that was so universally understood. For our own purpose of trying to understand family inheritance practices, though, this is not particularly helpful. Thankfully, we are at least able to speculate about how this system may have worked, based on the limited evidence available. For example, both from the will evidence that will be considered below in this chapter regarding bookland, and clause 70.1 in *II Cnut*, we can see that the division of the majority of the deceased’s property within the immediate family (spouses, children, and siblings) seems to have been the norm.⁸⁹

We cannot be sure precisely what the standard practice of division among family members was, given that we do not have a complete record of any person’s bequests. This has been an area of speculation in the historiography, for example Charles-Edwards has imagined a set of customary rules in which the eldest son would have inherited the most significant part of the deceased’s lands, with subsequent sons inheriting lesser amounts of land corresponding to their age, and then any daughters would follow after that.⁹⁰ More recently, Julie Mumby has suggested that this practice of partible inheritance among sons was also ‘enormously variable’ and complex, with no hard and fast rules, and was flexible enough that it could be adapted for

⁸⁷ For more on bookland specifically, see G. Kennedy, ‘Disputes about Bocland: the Forum for their Adjudication’, *Anglo-Saxon England* 14 (1985), pp.175–95; S. Reynolds, ‘Bookland, Folkland and Fiefs’, *Anglo-Norman Studies* 14 (1992), pp.211–27; D. Roffe, ‘From Thegnage to Barony: Sake and Soke, Title and Tenants in Chief’, *Anglo-Norman Studies* 12 (1990), pp.157–76.

⁸⁸ Alfred, 41, in F. Liebermann, *Die Gesetze*, p.74.

⁸⁹ *II Cnut*, 70.1, in Liebermann, *Die Gesetze*, p.365.

⁹⁰ Charles-Edwards, ‘Kinship, Status and the Origins of the Hide’, p.8.

specific family needs.⁹¹ It should be reiterated, therefore, that we have almost no way of knowing exactly how these customary practices for passing on folkland worked, and it is not even clear if there was a generally recognised method of dividing property at all.

One of the few references to these practices comes from Cnut's law code, which states that the property of a deceased man (who made no prior declarations about his preference for the division of his property), is to be divided *rihte wife 7 cildum 7 nehmagum, ælcum be þære mæðe, þe him to gebyrige* (rightly among his wife, children and close kinsmen, each according to that which is appropriate to him).⁹² The phrase *ælcum be þære mæðe, þe him to gebyrige* here could refer to these customary rules of property division, and given the lack of further elaboration, it could mean that the law takes it for granted that it would be known roughly what would be 'appropriate' for each family member to inherit. Alternatively, this law could be deliberately vague to allow families greater flexibility in the division of property – indeed, kings may not have even felt that it was within their remit to prescribe more specific guidelines for family inheritance, and so Cnut refrained from doing so. It does however suggest that division of property specifically not mentioned in a will among close family members after death was not at all unusual in early medieval England: in fact, Cnut's law is likely to have been codifying existing common practices.

When analysing early medieval English wills, it is essential to keep the existence of these customary practices, and the fact that wills largely only deal with bookland, in mind. To return briefly to the law codes, clause 70 in *II Cnut* states that the division of property described above is to be undertaken if the man dies *cnydeleas*.⁹³ Whitelock has translated this word as 'intestate', which in Modern English usage implies death before the creation of a will.⁹⁴ However, the Old English word *cnydeleas* can also be translated as 'speechless', which could suggest that oral declarations regarding preferred property arrangements after death were also used, and need not refer to the lack of a written will at all.⁹⁵ Indeed, Mumby has made an attractive argument that people regularly bequeathed property to heirs through public oral declarations at shire and hundred meetings, thus enlisting the local community as legal witnesses to their preferred arrangements.⁹⁶ This is a system that could easily have been used both in conjunction with and in

⁹¹ Mumby, 'The Descent of Family Land', pp.399-415.

⁹² II Cnut, 70.1, in Liebermann, *Die Gesetze*, p.365.; translation my own.

⁹³ II Cnut, 70, in Liebermann, *Die Gesetze*, p.365.

⁹⁴ II Cnut, 70, in D. Whitelock, *English Historical Documents I: c.500-1042* (London, 1955), p.428.

⁹⁵ Bosworth, Joseph, "cwyde-leás", in *An Anglo-Saxon Dictionary: Based on the Manuscript Collections of the Late Joseph Bosworth*, Thomas Northcote Toller (ed.) (Oxford, 1898), p.181, <https://bosworthtoller.com/7020> [accessed 26/11/2021]; see also the entry for 'cwydeleas' in the *Dictionary of Old English*, <https://www.doe.utoronto.ca/pages/index.html> [accessed 24/10/2021]

⁹⁶ Mumby, 'The Descent of Family Land', pp.414-5.

place of written wills. Once more, both Tollerton and Stephen White have highlighted the use of the *laudatio parentum* in Western Francia during this period, which involved the assembling of close family members who all confirmed and agreed to the donation of land by their relative to a religious community, most likely to avoid any later disputes.⁹⁷ While there are no surviving parallels to this in early medieval England, it further highlights that written wills were certainly not the only way in which people bequeathed property after their deaths in early medieval Western Europe. Especially in England, public oral declarations prior to death, as well as deep-rooted customary inheritance norms (particularly, we can imagine, when their death was unexpected) were also often used, even in the later centuries of this period, from which a relatively large number of written wills have survived.

If the wills do not tell us about land bequeathed via oral declarations or established customary inheritance rules, and the written wills that do exist largely deal only with bookland and not folkland, to what extent can they still be useful in understanding early medieval English kinship and family inheritance? As suggested above, wills can show us some, if not all, of the people they felt either personally close to or whom they felt obliged to leave land and other property to. As will be seen, the immediate family appears crucial in this, and this does have implications for how we conceptualise kinship in England. The wills also have a secondary purpose in occasionally providing us with rich and rare details of personal relationships, which is important for humanising the names appearing in our sources. There is a lot that the wills cannot tell us, but what they *can* tell us makes them more than worthy of further study.

Poetry

Although law codes and wills are essential sources for understanding the nature of kinship in early medieval England, because of their legal nature they only tell part of the story. The purpose of including poetic evidence is therefore to understand the personal and emotional aspect of family relationships which are largely absent in the laws and wills, to gain a more rounded picture of what kinship actually meant to people in early medieval England. To achieve this aim, the surviving corpus of Old English poetry holds a central place. While poets had to adhere to strong poetic traditions and conventions which guided poets' choices (and these varied by genre), unlike other sources considered in this thesis there were no real limits on the topics that

⁹⁷ Tollerton, 'Wills and Will-Making', pp.156-7; S. D. White, *Custom, Kinship and Gifts to Saints: The Laudatio Parentum in Western France, 1050-1150* (Chapel Hill, 2011).

could be covered in the poems or the feelings and emotions explored and expressed, and this is why they are valuable subjects of historical enquiry.⁹⁸

The thesis does not seek to analyse the entire corpus of poems, which would be too large an undertaking. Instead, it will focus on analysing two distinct genres of Old English poetry – the ‘elegies’ (focusing on *The Seafarer* and *The Wanderer*) and the ‘battle’ poems (consisting of the *Fight at Finnsburh*, the *Battle of Brunanburh* and the *Battle of Maldon*) – and in addition to these genres, due to its length and significance, the epic poem *Beowulf* will also be analysed. These poems have been selected because they are from genres that tend to discuss kinship most frequently, and therefore contain the most amount of useful details to analyse. There is a danger with this approach in that it may be tempting to over-emphasise the role and significance of kinship, given that the surviving poems that do not discuss the family (which actually form the majority of the corpus) are not being considered here. However, by remaining mindful of the wider context of the corpus as a whole in the discussions that follow, this danger will hopefully be avoided. The selection is not intended to be in any way representative of Old English poetry more widely – the focus here is on the details that can be extracted from the poems that do discuss kinship, and to consider what these details may mean for our understanding of kinship more broadly in early medieval England. It should also be noted that in light of this aim, the focus of the analysis throughout will be largely historical rather than literary.

In her important study of the history of emotions, Barbara Rosenwein has argued that ‘family feeling’ was very prevalent in early medieval Frankish writing, covering emotions ranging from love, grief and anger, but also loyalty, particularly in times of feud or war.⁹⁹ Familial relations provoked a wide spectrum of emotional responses, not just in Francia but in early medieval Europe more widely. This can clearly also be seen in Old English poetry, and this is a further reason why it is important to consider more than just one genre of poetry in this analysis, to try and capture the broadest possible range of these emotional responses within the space available.

On the historian’s ability to investigate kinship relationships through poetry, Spolsky has asked the following question: ‘Is it really fair to assume that evidence about relationships which we can glean from heroic poetry accurately mirrors relationships in the daily life of the audience?’

⁹⁸ For a general overview of Old English literature, see M. Godden, M. Lapidge (eds), *The Cambridge Companion to Old English Literature* (Cambridge, 1986); see also P. Pulsiano, E. Treharne (eds), *A Companion to Anglo-Saxon Literature* (Oxford, 2001); on the more technical side of Old English poetry, see D. Donoghue, *How the Anglo-Saxons Read their Poems* (Philadelphia, 2018). For more on these poetic traditions and conventions poets adhered to, see also E. Weiskott, *English Alliterative Verse: Poetic Tradition and Literary History* (Cambridge, 2016).

⁹⁹ B. Rosenwein, *Generations of Feeling: A History of Emotions, 600-1700* (Cambridge, 2016), pp.35-48.

Are we not more likely to be confronted in such a poem with evidence of a more sentimental and exaggerated ideal nature?¹⁰⁰ To some extent this is clearly correct, and is another risk with using poetry to understand relationships in the ‘real’ world. This thesis seeks to avoid some of these problems by drawing not just on heroic poems such as *Beowulf*, but also the elegies, which are much more personal and emotional poems, with less focus on the idealised and romanticised elements found in *Beowulf*. These poems instead appear more relatable, focusing on emotions that even a modern audience can readily identify with, such as loss, grief, separation from loved ones, and a desire for a sense of ‘belonging’. This is not to say that these poems are free from any exaggeration, but it is hoped that analysing these poems in conjunction with *Beowulf* and battle poetry helps to avoid an over-reliance on any ‘idealised’ image of kinship that may be present in the latter, as well as providing a different perspective. It should also be noted, however, that idealised or exaggerated presentations of kinship are not without value. On the contrary, even a romanticised image of kinship can still be revealing of social attitudes towards kinship, and is thus worth exploring.

Although the scholarship on Old English poetry is vast, previous work on the representation of kinship within these texts has been far more limited. There have been studies exploring the family in individual poems, such as Rolf Bremmer’s work on uncles and nephews in *Beowulf* and Francis Leneghan’s recent book on dynasties in the same text, and there have been some studies into the poems included in the *Anglo-Saxon Chronicle*, but no sustained examination of the family has yet been conducted across a broader range of poems – which is one of the aims of this thesis.¹⁰¹ Due to the relatively limited range of existing scholarship examining kinship in Old English poetry, a close focus on the texts themselves will be needed.

It is also necessary to briefly address the issue of dating the poems. Much ink has been spilled discussing the dating of *Beowulf* in particular, with proposed origin dates spanning from the seventh and eighth centuries to the early eleventh century (the date of the only extant manuscript), although a firm scholarly consensus has yet to be reached.¹⁰² The origin date of the other poems considered in this chapter, however, is not always much clearer. For example,

¹⁰⁰ E. Spolsky, ‘Old English Kinship Terms and *Beowulf*’, *Neuphilologische Mitteilungen* 78 (3) (1977), p.233.

¹⁰¹ R.H. Bremmer, ‘The Importance of Kinship: Uncle and Nephew in *Beowulf*’, *Amsterdamer Beiträge zur älteren Germanistik* 15 (1980), pp.21-38; F. Leneghan, *The Dynastic Drama of Beowulf* (Cambridge, 2020); for work on poetry in the *Anglo-Saxon Chronicle*, see T. Bredehoft, *Textual Histories: Readings in the Anglo-Saxon Chronicle* (Toronto, 2001); see also A. Jorgensen (ed.), *Reading the Anglo-Saxon Chronicle: Language, Literature, History* (Turnhout, 2010).

¹⁰² See for example D. Whitelock, *The Audience of Beowulf*, (Oxford, 1951); P. Poussa, ‘The Date of *Beowulf* Reconsidered: The Tenth Century?’, *Neuphilologische Mitteilungen* 82 (3) (1981), pp.276-88; A. L. Meaney, ‘Scyld Scefing and the Dating of *Beowulf*— again’, *Bulletin of the John Rylands Library* 71 (1) (1989), pp.7-40; C.R. Davis, ‘An Ethnic Dating of *Beowulf*’, *Anglo-Saxon England* 35 (2006), pp.111-29; L. Neidorf (ed.), *The Dating of Beowulf: A Reassessment* (Woodbridge, 2014).

although the Exeter Book, containing *The Wanderer* and *The Seafarer*, dates to the tenth century, the individual poems that form this collection may have been older. With regard to the battle poems considered in this chapter, the picture is fortunately slightly clearer due to the fact that they document real, datable battles after which the poems must have been written: *The Battle of Brunanburh* must have been written after 937, and *The Battle of Maldon* after 991. The new consensus around *The Battle of Brunanburh* is that it was written years after the battle for the *Anglo-Saxon Chronicle*, as opposed to immediately after the battle for use in Æthelstan's court.¹⁰³ The composition date of *The Battle of Maldon* has also been similarly disputed, with some scholars favouring a composition date close to 991, and others expressing caution around such a dating.¹⁰⁴

The dating of these poems is therefore difficult, often uncertain, and heavily contested. This creates a problem for examining change over time and for providing proper contextualisation for analysing these texts. On the former issue, this is almost impossible, and will therefore not be attempted – we simply cannot date these texts precisely enough to perform this kind of analysis. On the latter issue, there is more hope. It is generally the case that many of the poems were likely composed in the tenth and early eleventh centuries. It is also possible that *The Wanderer*, *The Seafarer* and *Beowulf* were composed from material much older than their extant manuscripts which date to that period. As such, my approach is to tentatively see these texts as mostly tenth and early eleventh century works, with many of them likely a culmination of older poems, stories, and traditions from preceding centuries. This is not necessarily ideal for historical contextualisation purposes, but it is unfortunately all that the evidence will allow.

Old English Penitentials

The extant corpus of Old English penitentials often stray into areas where the secular laws rarely venture, covering internal family dynamics such as rules around sex for married couples, the rights of parents and children, and consanguinity restrictions on marriage, among other examples. For this reason, they are ideal for studying kinship – these texts are able to offer insights and alternative perspectives that are not present in the other sources considered in this thesis. They are also important for understanding contemporary clerical perceptions of kinship, its function, and the ways it should be managed and regulated. Clerical voices are again rarely

¹⁰³ A. Jorgensen, 'Reading Emotion in *The Battle of Brunanburh*', *Neophilologus* 100 (4) (2016), pp.670-1.

¹⁰⁴ For support for an earlier dating of *The Battle of Maldon*, see E.B. Irving, 'The Heroic Style in "The Battle of Maldon"', *Studies in Philology* 58 (3) (1961), pp.457-67; L. Neidorf, 'II Æthelred and the Politics of the Battle of Maldon', *The Journal of English and German Philology* 111 (4) (2012), pp.451-73. For a voice of scepticism around an earlier dating, see G. Clark, 'The Battle of Maldon: A Heroic Poem', *Speculum* 43 (1) (1968), pp.52-71.

expressed as clearly in the other sources considered in the thesis (although their influence, given clerical domination of the production and preservation of manuscripts, is often lurking beneath the surface even of other ostensibly secular texts). In this way, they are essential in attempting to build a holistic picture of kinship in early medieval English society.

There are four main Old English penitential texts (plus an Old English introduction attached to some manuscripts) which have survived in manuscripts from between the late ninth and early eleventh centuries – namely the *Old English Handbook* (OEH), the *Old English Penitential* (OEP), the *Scriftboc* and the *Canons of Theodore*. The OEH survives in six manuscripts produced mainly at Worcester, but one also originates from Canterbury, and the handbook may have owed its original creation to Archbishop Wulfstan of York, thus likely making this one of the later extant vernacular penitentials.¹⁰⁵ The OEP, a tenth-century text, survives in four manuscripts, three which originate from Worcester and one which originates from Exeter.¹⁰⁶ The *Scriftboc* survives in three manuscripts (one from Exeter and two from Worcester), while the Old English *Canons of Theodore* can also be found in three manuscripts (two from Worcester and one likely from somewhere in the southeast of England, possibly Canterbury or Rochester).¹⁰⁷ As can be seen, the survival of these texts in multiple manuscripts and in copies created in different locations suggests they were in active use and had a fairly wide circulation in the tenth and eleventh centuries. It is also notable that Worcester in particular appears as a frequent centre of production for manuscripts containing these vernacular penitential texts, and this may at least partly be a consequence of Wulfstan of York (who was also Bishop of Worcester) and his role in the creation and proliferation of penitential texts and practices during his tenure as archbishop.¹⁰⁸

There were also other Latin penitentials circulating in England throughout the early medieval period which were originally composed on the Continent, from which many of these Old English texts appear to have been derived. For example, the *Paenitentiale Theodori* is the main source for the Old English *Canons of Theodore*. This Latin text, originally compiled in England in the early eighth century, is supposedly based on judgements made by Archbishop Theodore of Canterbury, which in turn appear to have been based on earlier Irish, Greek, and Roman penitential traditions.¹⁰⁹ This text was influential in both England and on the Continent, and

¹⁰⁵ R. Fowler, 'A Late Old English Handbook for the Use of a Confessor', *Anglia* 83 (1) (1965), pp.1-12.

¹⁰⁶ A. J. Frantzen, *The Literature of Penance in Anglo-Saxon England* (New Brunswick, 1983), pp.132-3.

¹⁰⁷ Jurasinski, *The Old English Penitentials and Anglo-Saxon Law*, pp.83-5; R.D. Fulk, S. Jurasinski (eds), *The Old English Canons of Theodore* (Oxford, 2012), pp.xiii-xxi.

¹⁰⁸ For more on the church of Worcester during this period, see F. Tinti, *Sustaining Belief: The Church of Worcester from c.870 to c.1100* (Abingdon, 2016); for an overview of the career and influence of Wulfstan of York, see M. Townend (ed.), *Wulfstan, Archbishop of York: The Proceedings of the Second Alcuin Conference* (Turnhout, 2004).

¹⁰⁹ Frantzen, *The Literature of Penance*, pp.63-4, 69.

copies were widely known and circulated.¹¹⁰ Another important Latin penitential circulating in Western Europe during this period was a Frankish penitential written by Halitgar of Cambrai sometime around the early ninth century, and it is from this text that many of the canons in the *Old English Penitential* are drawn.¹¹¹ In addition to these, there were other Latin penitential texts, most significantly for this period the *Paenitentiale Bedae* and the *Paenitentiale Ecgberhti*, which were eighth-century handbooks potentially produced in connection to Bede and Archbishop Ecgberht of York respectively, although the vernacular texts do not seem to use these texts as sources.

The above demonstrates that there was a rich penitential culture in the early medieval West, and in England this culture produced first Latin and then Old English editions of texts, all of which had long and complex traditions. However, although these Latin texts will be referred to when relevant, this thesis will focus its analysis mainly on the Old English texts as opposed to the Latin, for many of the reasons already highlighted by Stefan Jurasinski. Jurasinski has convincingly demonstrated that the Old English penitentials are often the more appropriate sources through which to access specifically English attitudes and approaches to the issues highlighted in these texts, as they were created and adapted in an English, rather than more general continental, context.¹¹² It is clear that the Old English penitentials are not merely translations of the Latin texts, but their English authors actually edited these texts, making changes to tariffs and adding in new information, so that they would better suit particular English needs and established practices.¹¹³ This is also important when one considers that there seems to have been some differences in penitential traditions between England and the Continent, for example around the use (or not) of public penance.¹¹⁴ Because of this, the Old English rather than Latin penitentials will be focused on here.

One issue with using the Old English penitentials as historical sources concerns their dating. As mentioned above, all of the Old English texts are preserved in manuscripts dating to the eleventh century, but it is highly likely that at least some of these penitentials are much older than this. For example, Jurasinski has argued that the varied style and concerns of each of the penitentials suggests they were not written at the same time, and has also argued persuasively that the Old English *Canons* and the *Scriftboc* may not owe their origins to the tenth-century monastic reform movement as often thought, but instead likely originated in an earlier Alfredian

¹¹⁰ *Ibid.*, pp.68-9.

¹¹¹ Jurasinski, *The Old English Penitentials and Anglo-Saxon Law*, p.39.

¹¹² Jurasinski, *The Old English Penitentials and Anglo-Saxon Law*, pp.25-8, 34.

¹¹³ Jurasinski, *The Old English Penitentials and Anglo-Saxon Law*, pp.25, 34, 44, 46-7; A. J. Frantzen, 'The Tradition of Penitentials in Anglo-Saxon England', *Anglo-Saxon England* 11 (1982), pp.40, 44, 54.

¹¹⁴ M.B. Bedingfield, 'Public Penance in Anglo-Saxon England', *Anglo-Saxon England* 31 (2002), pp.223-55; Jurasinski, *The Old English Penitentials and Anglo-Saxon Law*, p.28.

context.¹¹⁵ The *Old English Handbook*, on the other hand, may have had links to Wulfstan of York, and in which case its origin may lay much closer to its manuscript date.¹¹⁶ As such, the manuscript dates clearly allow the use of these texts for the study of the immediate pre-Conquest period, but we can also be fairly confident that at least some of these texts speak to late-ninth and tenth-century English society as well.

A final, but nevertheless important, problem with analysing the penitential evidence is that it is not entirely clear to what extent the penitentials reflect actual behaviours, or whether they instead merely represent clerical anxieties about certain behaviour that may not have had much basis in reality. There is indeed some evidence to support the latter claim. For example, all the extant Old English penitentials contain canons, sometimes at length, that prescribe penance for incest and that impose restrictions on people marrying relatives within a certain degree of consanguinity. Yet clerical references to kin marrying each other appear elsewhere, too. In Pope Gregory's reply to Augustine, the pope mentions that there were apparently many English people who, while pagans, entered into unions which violated the Church's marriage restrictions on the basis of consanguinity.¹¹⁷ A similar allegation is also levelled at the Mercians in a ninth-century papal letter to King Burgred, in which the pope blames the sins that had been allowed to flourish in Burgred's kingdom for the suffering of the Mercians at the hands of the vikings – and prominent among these alleged sins was that men were marrying women from their own kindred.¹¹⁸ It is also unclear to what extent either pope really knew that much about actual conditions on the ground in England when they sent these letters.¹¹⁹

As will be seen in Chapter 1, clerical restrictions on marriage on the basis on consanguinity were fairly broad, and so it is possible that, from a clerical perspective, violations of these restrictions (thus potentially being classified as 'incest') may have been more common

¹¹⁵ Jurasinski, *The Old English Penitentials and Anglo-Saxon Law*, pp.52, 54-84; Frantzen has also acknowledged a possible Alfredian context for the *Scriftboc*, see A. J. Frantzen, 'The Tradition of Penitentials in Anglo-Saxon England', *Anglo-Saxon England* 11 (1982), p.42.

¹¹⁶ C. Cubitt, 'Bishops, Priests and Penance in Late Saxon England', *Early Medieval Europe* 14 (1) (2006), p.54.

¹¹⁷ I. 27, *Bede's Ecclesiastical History of the English People*, ed. and trans. B. Colgrave and R.A.B. Mynors (London, 1969), pp.79-103; it should also be noted that there has been some controversy over the authenticity of Gregory's *Libellus Responsum*, although today most scholars agree that it is genuine. For an overview of the debate, see M. D. Elliot, 'Boniface, Incest, and the Earliest Version of Pope Gregory I's Libellus responsum (JE 1843)', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Kanonistische Abteilung* 100 (1) (2014), pp. 62-111.

¹¹⁸ E. Caspar (ed.), *Mon. Germ. Hist. Epist. Karol. Aevi*, v (1928), p.293; translated in D. Whitelock (ed. and trans), *English Historical Documents: Volume 1, c.500-1042* (London, 1955), pp.810-11.

¹¹⁹ Gregory the Great, for example, seems to have drawn much of his understanding of pre-Christian English practices from the Bible, rather than from knowledge of actual practices, see S.D. Church, 'Paganism in Conversion Age Anglo-Saxon England: The Evidence of Bede's *Ecclesiastical History* Reconsidered', *History* 93 (310) (2008), pp.162-180, and especially at pp.179-80.

than one would initially assume.¹²⁰ However, given the apparent regularity with which this charge appears in extant sources, it is also possible that this allegation of incest and ‘wrongful’ marriages was employed as a trope by ecclesiastical figures, which was designed to represent general sinful behaviours, particularly at times of political and/or religious strife, and thus may not have actually reflected real practices. The penitentials in at least some respects could, then, merely be extensions of these kinds of ecclesiastical anxieties regarding certain behaviours, revealing sins that existed largely in the minds of clerics rather than showing us evidence of real practices.

On the other hand, there are at least some reasons to be more confident about the everyday relevance of the Old English penitentials within early medieval English society. Penitential practices were strongly established in England during this time, both in religious practice and arguably also later in secular law-making.¹²¹ The Old English handbooks were thus designed to uphold and enforce these strong penitential morals and traditions, although the extent to which they were used by priests in local churches has been a matter of some debate.¹²² Katy Cubitt has highlighted that Ælfric at least believed that a penitential handbook was an essential item for a priest to possess.¹²³ In addition, Cubitt argues that the centuries from which the surviving Old English penitentials originated were characterised by an ‘active pastoral church which perceived penance to be central to its work’, and that it is very likely that ‘the assemblages of penitential and canonical texts...did have an impact on the local clergy.’¹²⁴ As such, even in situations where physical penitential handbooks were not being used directly (the production of which alone indicates their contemporary relevance), it is likely that the ideals expressed within these texts were still being diffused and enforced by local clergy through their administration of pastoral care. In this way, the penitentials may have actually been reasonably grounded in the day-to-day realities of providing pastoral care to local communities, and may even have shaped attitudes and behaviours in turn.¹²⁵

In light of the above discussions, the Old English penitentials must, therefore, be treated with caution. Given that each penitential appears in at least three different manuscripts,

¹²⁰ On early medieval incest legislation, see M. de Jong, ‘An Unsolved Riddle: Early Medieval Incest Legislation’, in I. Wood (ed.), *Franks and the Alamanni in the Merovingian Period: An Ethnographic Perspective* (Woodbridge, 1998), pp.107-40.

¹²¹ Cubitt, ‘Bishops, Priests and Penance in Late Saxon England’, pp.53, 63; for the influence of penance on secular law-making, see L. Roach, ‘Penance, Submission and Deditio: Religious Influences on Dispute Settlement in Later Anglo-Saxon England (871-1066)’, *Anglo-Saxon England* 41 (2012), pp.343-71.

¹²² For a brief summary of this debate, see Cubitt, ‘Bishops, Priests and Penance in Late Saxon England’, pp. 42-3.

¹²³ *Ibid.*, p.53.

¹²⁴ *Ibid.*, pp.63, 62.

¹²⁵ For more on pastoral care within the context of the Benedictine Reform, see F. Tinti, ‘Benedictine Reform and Pastoral Care in Anglo-Saxon England’, *Early Medieval Europe* 23 (2) (2015), pp.229-51.

suggesting they were being copied for wider use rather than just for the purposes of preservation, it does seem that these texts likely did have some practical relevance in early medieval English society. However, we must still be mindful that not all canons may have been included because they reflected common behaviours and attitudes, and that the issues the penitentials often emphasise very possibly did not represent issues that appeared regularly in the day-to-day administration of pastoral care, instead reflecting ecclesiastical anxieties. Despite these issues, the Old English penitentials still remain important and useful sources for studying kinship in early medieval England, but with the caveat that they reveal kinship through a specific ecclesiastical lens. Because of this, it is vital that evidence from the penitentials is contextualised with evidence from other sources, and that is precisely the approach that this thesis will take.

It is also important to note the sources that will not be the focus of analysis in this thesis. The first of these is hagiography. While there are a number of revealing accounts within saints' lives relating to kinship, there are a number of problems with this source base that make it less relevant to the present study compared with the sources discussed above. For example, while hagiography does speak to some elements of kinship, often it is spiritual kinship which is the focus, and this thesis is not designed to be a study of spiritual kinship. As will be explored later in the thesis, while spiritual kinship does bear some of the hallmarks of non-spiritual kinship, it also differs from non-spiritual kinship in a number of important ways, meaning that the content of saints' lives often hold less relevance for addressing the actual research questions of this thesis. Other sources, namely the law codes, wills, penitentials and poetry, have therefore been prioritised instead. In addition, medieval hagiography as a genre is vast, indeed one could write an entire thesis on just this alone. As such, it would not have been possible to do justice to the material or engage with it appropriately within the present study.¹²⁶

Although the thesis makes extensive use of wills, the remainder of the extant corpus of charters has also not been considered here. While some charters do recount land disputes (which sometimes show disputes between relatives), generally the wider corpus is less relevant for studying kinship than a more focused examination on just the extant wills, almost all of which have something to say about kinship in one way or another. Furthermore, including the very substantial number of charters which have survived from this period into the thesis would have, despite their usefulness, introduced additional challenges: it would again have been difficult to

¹²⁶ For a relatively recent study of hagiography in early medieval England, see L. Lazzari, P. Lendinara, C. Di Sciacca (eds), *Hagiography in Anglo-Saxon England: Adopting and Adapting Saints' Lives into Old English Prose* (Turnhout, 2014).

have included an analysis of all of these sources successfully within the scope of the thesis, together with all the other necessary source types that must be discussed in order to answer the identified research questions.¹²⁷ As such, the thesis will focus primarily on charters in the form of wills, rather than examining the wider corpus of charters as a whole.

Another source type not considered in extensive detail in the thesis is the surviving sets of royal genealogies, which document the various royal dynasties which existed in England across this period.¹²⁸ These texts have not been overlooked, and do feature at relevant moments throughout to provide supplementary evidence to the points being made. In addition, I have published elsewhere on these texts, particularly in the context of gender and maternal kinship.¹²⁹ However, as identified in Chapter 1, royal kinship, and royal dynasties, appear to have had some unique features that were not necessarily shared by the rest of non-royal society. Most importantly, competition for securing succession to the throne between different parts of the same royal dynasty could create a fierce (and sometimes deadly) sense of rivalry and competition between relatives that did not exist in the same way in non-royal family groups. There were also differences in how non-royal families and royal dynasties were defined: as will be seen, non-royal kinship in England was largely defined by people's relation to the self, or 'ego'. However, in royal dynasties, membership seems to have been defined by descent from a key progenitor, such as Cerdic and other founder-kings, as illustrated by the extant genealogies. While these texts can therefore provide us with valuable insights about kinship, especially when thinking about ideas of descent, heritability, family memory, and identity (as I have discussed in a forthcoming article) they are not necessarily the best sources to inform us about non-royal ideas and experiences of kinship. As a result, other sources which can better speak to a broader range of experiences have been prioritised.

Chapter Outlines

¹²⁷ The extant corpus of charters can be found in *The Electronic Sawyer*, see <https://esawyer.lib.cam.ac.uk/about/index.html> [accessed 20/12/2021]; see also A. J. Robertson (ed. and trans), *Anglo-Saxon Charters* (Cambridge, 1939).

¹²⁸ D.N. Dumville, 'The Anglian Collection of Royal Genealogies and Regnal Lists', *Anglo-Saxon England* 5 (1976), pp. 23–50; D.N. Dumville, 'The West Saxon Genealogical Regnal List: Manuscripts and Texts', *Anglia* 104 (1986), pp. 1–32; for more on these texts see also C.R. Davis, 'Cultural Assimilation in the Anglo-Saxon Royal Genealogies', *Anglo-Saxon England* 21 (1992), pp. 23–36; D. Cronan, 'Beowulf and the Containment of Scyld in the West Saxon Genealogy', in L. Neidorf (ed.), *The Dating of Beowulf: A Reassessment* (Woodbridge, 2014), pp. 112–37; E. John, 'The Point of Woden', in W. Filmer-Sankey, S.C. Hawkes, J. Campbell and D. Brown (eds), *Anglo-Saxon Studies in Archaeology and History* 5 (Oxford, 1992), pp. 127–34; K. Sisam, 'Anglo-Saxon Royal Genealogies', *Proceedings of the British Academy* 39 (1953), pp. 287–348.

¹²⁹ A. Traves, 'Genealogy and Royal Women in Asser's *Life of King Alfred*: Politics, Prestige and Maternal Kinship in Early Medieval England', *Early Medieval Europe* 30 (1) (2022), pp.101-124.

Before a substantial investigation into kinship can take place, one must first establish exactly how 'kinship' was defined by contemporaries, to set up the parameters of study. This is the purpose of Chapter 1, which reviews the extant evidence particularly in light of the older historiography discussed above on the *Sippe* and the notion of 'clans'. It considers a broad range of issues such as inheritance practices (using both quantitative and qualitative approaches), marriage restrictions and incest laws, noble and warrior kinship, wergild payments, and the place of godparents and godchildren. It attempts to provide a degree of clarity to the different depictions we find of the boundaries of kinship across the disparate source material, so that meaningful analysis can be done. This chapter also draws conclusions about the internal structure of kin groups, in particular through evaluating the relative importance of immediate kin versus extended kin. It puts forward the argument that the precise boundary between kin and non-kin was malleable and liable to change according to different needs and circumstances, but one consistent feature of kinship we find across the broad spectrum of different evidence considered, is the enduring centrality of the immediate family, made up of parents, children, and siblings.

Chapter 2 then turns to exploring internal family dynamics, most importantly through the thorny issue of inheritance (on which a range of case studies are presented), to demonstrate the variety of strategies that could be employed by people to 'manage' this potentially contentious issue, and how the chosen strategies could depend on an individual family's particular circumstances. Outside of inheritance, the chapter also draws on penitential and secular legal evidence to examine one of the most central relationships within all family dynamics: that of parents and children. In particular, the perceived roles of parents and children and social expectations regarding their behaviour and responsibilities towards each other will be explored, as well as considering legal protections on children, where they came from, and what the wider implications of this were. The experiences of marriage are also explored here, in particular how gender could be a significant factor in changing the way men and women experienced both married life and life after the death of their partner.

Kinship involved complex practical and emotional ties, and the different (and at times competing) interests and desires of relatives could be difficult to control: the central aim of this chapter is thus to understand how people navigated these difficult issues, and how their relationships with their relatives were 'managed'. It argues that women's experience of marriage, the standards they were held up to regarding their behaviour, and their life and status within the family home, were all significantly impacted by their gender: we can see a significant variation between how men and women experienced relationships between their most immediate kin. It also suggests that it was not the case that parents had untrammelled authority over their children

– in fact contemporary society envisaged both having obligations towards one another, and that there were specific provisions in place to ensure children’s safety and well-being. The chapter also argues that there were a range of different strategies kin groups adopted when it came to the issue of inheritance, and each of these strategies were at least in part dictated by a family’s social and economic status. In addition, no matter the chosen strategy, we can again see a clear pattern of people concentrating land and wealth into a small pool of immediate relatives.

Chapter 3 then moves away from internal family dynamics, and instead explores the position and role of the family in the context of wider society. The primary purpose of this chapter is to engage with the prevailing historiographical narrative around the rise of lords and kings at the expense of the family’s place and importance in society. In challenging this received wisdom, the chapter is focused largely on providing a new interpretation of the secular legal evidence, which demonstrates that the situation was far more nuanced than older scholarship has suggested. In addition, given the nature of the extant legal evidence, the chapter also engages with the issue of change over time, attempting to present a new vision of how lordship and kinship co-existed in early medieval English society. In doing so, the chapter argues that kinship and lordship were not locked in a zero-sum relationship, and that while political culture became increasingly centralised over time, this did not come at the expense of the importance of the family within society, as previous scholarship has argued.

Finally, Chapter 4 considers both the nature of kinship (that is, how kinship was experienced by contemporaries) as well as the different functions kinship fulfilled within society. Poetic evidence is used extensively here, to not only explore the emotional connections which existed between relatives, but also the wide range of formal and informal obligations towards relatives which were placed upon contemporaries, including those relating to the feud, caring for the souls of ancestors, protecting one another in battle, and more. The important role played by kinship in terms of a person’s identity is also analysed here, not only in terms of how people chose to present themselves in public, but also in the effects a person’s family could have on how the rest of society perceived them in turn. The emphasis on emotion in this chapter is especially significant, as previous work on this topic, perhaps guided by the surviving source material, is often overly legalistic in nature (focusing on law codes, and sometimes also wills): incorporating poetic depictions of kinship in this wider analysis thus helps to build up a more holistic picture of how contemporaries actually *felt* about kinship, and what bonds of kinship meant to them. The chapter argues, among other things, that a person’s family often formed a key part of their social identity, a person’s relationship with their family was often (though not always) characterised by a strong sense of love and affection, and that the family fulfilled an

important function as a practical and emotional support network. It also argues that there were a range of legal and social responsibilities and obligations that one's kin were expected to fulfil towards one another in early medieval English society, which fostered a strong sense of collective responsibility among relatives. In addition, it is suggested that a failure to live up to these obligations could come at a heavy social price.

As indicated above, kinship is a topic of vital importance to understanding early medieval English society, yet it is fraught with many challenges. The source material can be disparate and scanty at times, as well as sometimes presenting conflicting images of kinship, and each source type, as we have seen, comes with its own problems of interpretation and utility. It is the aim of this thesis to make sense of the material that has survived, in an attempt to re-evaluate many of the prevailing historiographical narratives about English kinship that have largely lain unchallenged for too long. In particular, the thesis not only considers the common sources of law codes and wills, but also integrates poetry, which is not often combined with interpretations of legal texts, as well as penitentials, which are generally underused sources in the field more widely. By drawing on a broader range of texts and analysing them together across the different themes covered in the thesis, it is the aim of the present study to shed new light on the issue of kinship, and to provide at least some answers to the questions that Frank Stenton long ago thought to be 'unanswerable'.¹³⁰

Chapter 1

The Structure and Boundaries of Kinship

¹³⁰ Stenton, *Anglo-Saxon England*, p.311.

Before any in-depth examination of kinship in early medieval England can really begin, we must first attempt to establish some parameters of study. In other words, we must first identify how contemporaries defined 'kinship' in practical terms. Given the fragmentary source record and the lack of any extant contemporary discussions, perhaps with the exception of incest prohibitions, of who was and was not considered kin, or which relatives were or were not considered important within a family group, this is no easy task. Furthermore, there are competing models to contend with, too. For example, in the 1950s Lorraine Lancaster hinted at the importance of the immediate family in early medieval England.¹³¹ However, this emphasis has certainly not always been accepted in scholarship on early medieval kinship. For example, Conrad Leyser has highlighted the existence of the traditional view that 'the early medieval kin group was expansive, even polymorphous...one's kin could stretch far and wide'.¹³² Similarly, Alexander Murray has demonstrated the prominence often given to the concept of 'clans' and 'tribes' in older historiographical understandings of early 'Germanic' kinship, and particularly the emphasis on the concept of the *Sippe* – often portrayed as a very large territorial grouping of relatives who together held a monopoly on certain legal, political and social processes within society, in fact forming the very basis of early 'Germanic' societies themselves.¹³³

Indeed, these traditional ideas of the *Sippe*, and of 'clans' or 'tribes', conjure up images of large and unwieldy groups of relatives who held a fairly strong sense of familial affinity, and of duty and obligation, with one another. Murray has, however, critiqued this traditional approach to 'Germanic' kinship, arguing that while this framework has often been applied to the interpretation of early medieval texts, the extant evidence does not support such a model, and that we must 'remove the idea of the clan' from our understanding of kinship in these societies altogether.¹³⁴ In addition to these wider debates, in a specifically English context, J.C. Holt has discussed what he refers to as the 'revolution of 1066' in regards to kinship, in which he envisioned larger pre-Conquest English kindreds being restricted and narrowed into a much

¹³¹ L. Lancaster, 'Kinship in Anglo-Saxon Society – I', *The British Journal of Sociology* 9 (3) (1958), pp.375-6.

¹³² C. Leyser, 'From Maternal Kin to Jesus as Mother: Royal Genealogy and Marian Devotion in the Ninth-Century West', in C. Leyser and Lesley Smith (eds), *Motherhood, Religion and Society in Medieval Europe, 400-1400* (Farnham, 2011), p.23.

¹³³ A. C. Murray, *Germanic Kinship Structure: Studies in Law and Society in Antiquity and the Early Middle Ages* (Toronto, 1983), pp.16-22; for an example of a publication using the term 'clan' regarding English and 'Germanic' kinship, see B. Phillpotts, *Kindred and Clan in the Middle Ages and After: A Study in the Sociology of the Teutonic Races* (Cambridge, 1913).

¹³⁴ Murray, *Germanic Kinship Structure*, p.111, see more widely pp.33-111.

smaller family inheritance group after the Norman Conquest, thus allowing for the development of primogeniture.¹³⁵

In light of these debates and contrasting images and narratives of kinship, then, how are we to make sense of the structure, the definition, and the limits of 'kinship' in early medieval English society? It is the purpose of this chapter to seek an answer to this question, by drawing on a range of different sources and employing a close reading of the extant textual evidence. Frank Stenton pessimistically noted that 'the Old English legal sources never offer any definition of the kin, and there are no means of determining the limits of relationship to which it extended'.¹³⁶ As will be seen, it is true that the extant legal texts do not provide us with clear answers to this question, but by drawing on a much broader range of evidence than has been done before, this chapter will seek to provide greater clarity to the question of how kin groups were structured and defined in early medieval England than previous scholarship has been able to achieve.

The central argument of this chapter will be that although the boundaries of kinship were malleable and flexible according to need and circumstance, a constant feature is that one's immediate relatives (ie. parents, siblings, spouses, and children) were always emphasised, and lay at the heart of a kindred's structure. More distant relatives were of course recognised, no doubt loved, and in certain circumstances fulfilled practical functions as well, but overall did not match the immediate family in significance. While it will be argued that the boundaries of kinship were flexible and changeable, there is some evidence from across different sources that contemporaries did in fact perceive limits to the idea of kinship, and acknowledged who was and was not considered kin in certain scenarios. Again, while the position of more distant relatives such as aunts, uncles and cousins, and even spiritual kin in the form of godparents and godchildren, was liable to change according to circumstance, such shifts in position and emphasis did not apply to immediate relatives: as will be seen, a range of different sources, created in different contexts, all attest to the fact that their importance and centrality appears to have been constant, regardless of the situation. As such, despite the scarce and at times vague nature of the surviving evidence, we can at least begin to build up a picture of how contemporaries in early medieval England defined and perceived the concept and practice of kinship.

¹³⁵ J.C. Holt, 'Presidential Address: Feudal Society and the Family in Early Medieval England: I. The Revolution of 1066', *Transactions of the Royal Historical Society* 32 (1982), pp.193-212.

¹³⁶ F. M. Stenton, *Anglo-Saxon England* (Oxford,1955), p.312.

Centrality of Immediate Kin

As highlighted above, one of the key features of kinship in early medieval England is the enduring importance and primacy of immediate relatives, and this can be demonstrated in a number of ways. First, we will turn to the evidence of wills. For this purpose, I conducted a quantitative analysis of the surviving corpus of early medieval English wills, in which each will was reviewed, and the people named as beneficiaries recorded (eg. father, daughter, cousin, etc). The corpus consists of sixty-eight Old English wills and seven Latin wills, meaning the total number of wills in the analysis was seventy-five. The process of categorisation was in some cases subjective: a particularly difficult examples was in the will of Wulfric, where a man named Ælfhelm (possibly Ealdorman Ælfhelm of Northumbria) is mentioned repeatedly, and appears as a prominent beneficiary.¹³⁷ Ælfhelm is first mentioned before a list of estates he was to inherit, but with no mention of his relationship to Wulfric. The second mention of Ælfhelm refers to him as *minan mæge* (my kinsman), and finally the third mention of an Ælfhelm refers to him as *min broðor* (my brother).¹³⁸ It seems likely that these names all refer to the same Ælfhelm, who was the brother of Wulfric. Indeed, the large amount of land given to Ælfhelm in the will is not surprising if indeed he was Wulfric's brother. As such, all these bequests to Ælfhelm have been categorised under 'brother' in the data, but this identification is of course not entirely certain: it is still possible that we are in fact dealing with multiple Ælfhelms here. In these cases, judgements have had to be made as to the best way of identifying and categorising recipients. The combined results of this analysis are presented below:

¹³⁷ There is disagreement about the identification of Wulfric's brother as Ealdorman Ælfhelm. Dorothy Whitelock believes this connection is probable, see D. Whitelock, *Anglo-Saxon Wills* (Cambridge, 1930), p.154, but the *Prosopography of Anglo-Saxon England* (PASE) notes that this connection is unlikely, see <https://pase.ac.uk/jsp/DisplayPerson.jsp?personKey=-14561&pr3=1#pr3> [accessed 21/12/2021].

¹³⁸ 'The Will of Wulfric', in Whitelock, *Anglo-Saxon Wills*, pp.46-51; S 1536. It should also be noted that Whitelock is not convinced that the Ælfhelms mentioned in this will are all the same person, see p.154.

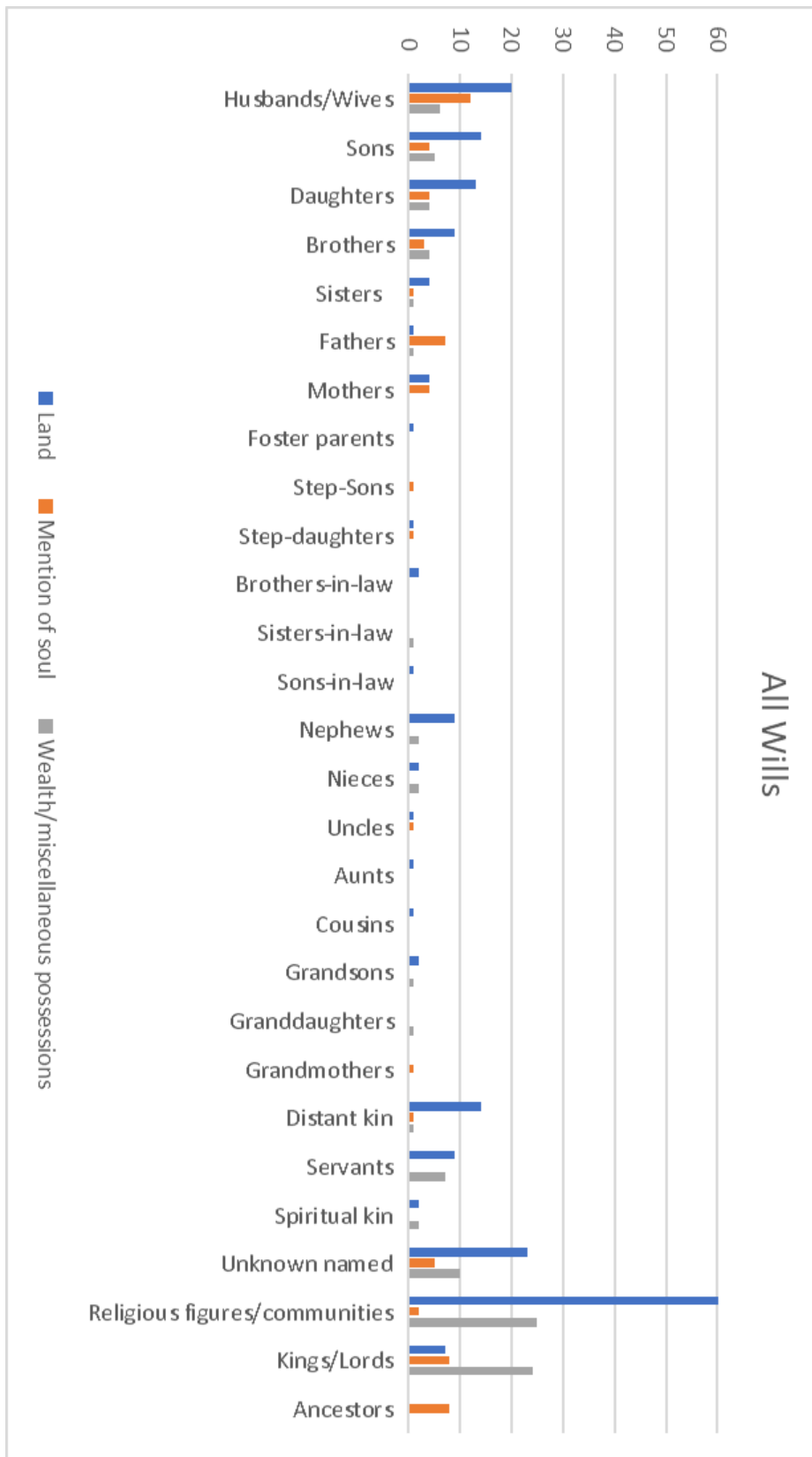


Figure 1.1 – Frequency that each type of recipient (and expression of concern for souls) appears in all extant wills.

When examining this graph, the most noticeable result is that religious figures and communities are the most frequent beneficiaries of wills. Indeed, sixty-one of the wills leave land directly to this group, and many others include reversion clauses to different religious communities and also bequeath other forms of wealth. In fact, there is only one will from the entire corpus that does not list any kind of religious beneficiary.¹³⁹ However, we should not interpret this graph as evidence that the family was not significant – on the contrary, the immediate family were very important when it came to bequeathing land. The prevalence of religious communities in the wills may, as discussed previously in the introduction, be partly down to the process of creating and preserving the wills in the first place, which was exclusively done by religious communities who may have only preserved (or indeed even created at all) wills that pertained to their own inherited land and wealth.

Another consideration here is that the corpus also includes (an albeit fairly small number of) wills from bishops and priests, who invariably always bequeath land to religious figures and communities, and also did not have wives or children to leave land to, instead turning to more distant kin (if their relatives received anything at all). Both of these factors are important for understanding why religious figures and communities dominate the results so much, the former much more so than the latter. It also should be emphasised that the above graph shows the frequency of the appearance of recipients in wills, but do not show the quantity being bequeathed in each will. While religious communities nearly always feature in wills in some way, and undeniably were significant beneficiaries of early medieval English wills, in many cases the quantity of land and wealth bequeathed to the immediate family in each will was much higher than that bequeathed to religious communities.

For example, we can see that twenty wills in total leave land to husbands and wives, fourteen leave land to sons, thirteen to daughters, nine to brothers and four to sisters (see figure 1). This is especially striking given that, as discussed in the introduction, close relatives would also very likely have received undocumented land via customary inheritance as well as anything bequeathed to them in written wills. As wills deal largely with bookland, and bookland was in theory (and as explored in the introduction) entirely alienable from the kindred and free to give away to anyone, we might naturally expect the immediate family to lose prominence here, having already been accounted for through customary inheritance.¹⁴⁰ It is telling, therefore, that even

¹³⁹ L. Tollerton, *Wills and Will-Making in Anglo-Saxon England* (York, 2011), p.11.

¹⁴⁰ For more on the relationship between bookland and wills, and inheritance practices more generally, see J. Mumby, 'The Descent of Family Land in Later Anglo-Saxon England', *Historical Research*, 84 (225) (2011), pp.399-402; K. A. Lowe, 'The Nature and Effect of the Anglo-Saxon Vernacular Will', *The Journal of Legal History*, 19 (1) (1998), pp.38-9; P. Wormald, 'On þa wæpnedhealf: Kingship and Royal Property from Æthelwulf to Edward the

when people were able to freely bequeath land outside the kindred, there was still a clear preference towards bequeathing this bookland to the immediate family comprised of spouses, children and siblings.

It is true that more distant relatives also commonly feature as recipients of land, with fourteen wills leaving land to distant kin. This figure may in reality have been slightly higher – the ‘unknown named’ category refers to people named in wills without any indication of their relationship to the creator of the will. While many of these people were likely to have been friends, associates or servants, it is also likely that some were distant relations. This illustrates the point, however, that even when there were no restrictions placed on the bequeathing of land, a strong preference still existed for leaving lands to family members, with a particular focus on the immediate family. Indeed, further evidence of this focus on closer relatives can be found in the will of Wulfgeat, in which it is stated that after the death of Wulfgeat’s wife, the bequeathed land is to revert to *minn cynn þa ðær neþste syn* (my kindred, those who are nearest).¹⁴¹

The wills of Ealdorman Ælfgar and His Daughters: A Case Study

To corroborate the evidence of the quantitative analysis above, an in-depth exploration of a specific case study can be used: that of the wills of Ealdorman Ælfgar of Essex (fl. mid-tenth century) and his two daughters.¹⁴² All three of these wills were preserved in an archive at Bury St Edmunds, and survive together in Cambridge, University Library, Ff. 2. 33, an early fourteenth-century cartulary which records a large number of writs and wills relating to property across East Anglia, with a particular focus on documents which pertain to land given to the community at St Edmund’s.¹⁴³ Ælfgar’s known family tree is as follows:

Elder’, in N. Higham, D. H. Hill (eds), *Edward the Elder, 899-924* (Abingdon, Routledge, 2001), pp.265-8; G. Kennedy, ‘Disputes about Bocland: the Forum for their Adjudication’, *Anglo-Saxon England* 14 (1985), pp.175–95; S. Reynolds, ‘Bookland, Folkland and Fiefs’, *Anglo-Norman Studies* 14 (1992), pp.211–27; D. Roffe, ‘From Thegnage to Barony: Sake and Soke, Title and Tenants in Chief’, *Anglo-Norman Studies* 12 (1990), pp.157–76.

¹⁴¹ Whitelock, ‘The Will of Wulfgeat’, pp.54-7; S 1534.

¹⁴² An analysis of this set of wills, exploring the relationship between Ælfgar’s family and local religious communities and the use of land to shore up their regional power interests can be found in A. Wareham, *Lords and Communities in Early Medieval East Anglia* (Woodbridge, 2005), pp.46-60; see also C. Hart, *The Danelaw* (London, 1992), pp.115-40.

¹⁴³ ‘Cambridge, University Library, Ff.2.33, in *The Electronic Sawyer*, <https://esawyer.lib.cam.ac.uk/manuscript/39.html> [accessed 20/12/2021]; for the dating of this manuscript see Whitelock, *Anglo-Saxon Wills*, p.99.

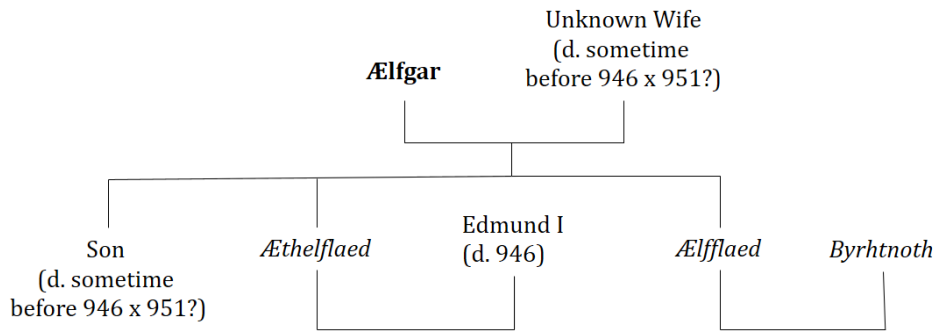


Figure 1.2 – Ælfgar’s family tree at the time his will was created. Beneficiaries of the will are italicised.¹⁴⁴

Ælfgar’s will is interesting in that his main heirs are his two daughters, Æthelflæd and Ælfflæd, with no mention of any male heirs or living descendants. Stafford has argued that it cannot be known for sure whether or not Ælfgar had any living sons, but while this is true, it would have been unusual for Ælfgar to not leave a son of his any bookland or wealth at all in his will.¹⁴⁵ Ælfgar’s will does refer to his daughters having a brother, but this is in the context of him encouraging Æthelflæd to be more zealous for the sake of the brother’s soul, which could indicate that he was already dead by the time Ælfgar created his will.¹⁴⁶ As will be seen, Ælfgar’s two daughters also make no mention of a brother in their own wills, thus making the existence of a legitimate living son of Ælfgar’s unlikely, although not impossible.

Ælfgar bequeathed four named estates to his eldest daughter Æthelflæd, and she was given permission to use a further three estates for her lifetime which were to be given over to the community at Stoke (with which the family had close connections) after her death. All of these bequests had reversion clauses attached to them, which gave two of the estates over to the religious communities after Æthelflæd’s own death, one estate was to revert to her child if she had one, and if not it was to go to Stoke, and the fourth estate was to go to Æthelflæd’s younger sister Ælfflæd, then to any children, and then to a foundation at Barking. Ælfgar’s younger daughter Ælfflæd also received four estates, and again all of these estates had detailed reversion clauses attached to them. After her death, two of the estates were to go to Ælfflæd’s child, if she had one, then to her husband Byrhtnoth (of *The Battle of Maldon* notoriety, who succeeded Ælfgar as ealdorman), then finally after his death the estates were to go to the community at Stoke. Another estate was left jointly to both Ælfflæd and Byrhtnoth, which was to revert to Æthelflæd after the death of both Ælfflæd and Byrhtnoth. Finally, one estate at Ely was bequeathed to

¹⁴⁴ S 1483

¹⁴⁵ P. Stafford, ‘Women and the Norman Conquest’, *Transactions of the Royal Historical Society* 4 (1994), p.231-2.

¹⁴⁶ S 1483; Whitelock, ‘The Will of Ælfgar’, p.6; Ælfgar’s PASE record can be found here: <https://pase.ac.uk/jsp/DisplayPerson.jsp?personKey=7739> [accessed 21/01/2022].

Ælfflæd with a particularly detailed reversion clause. After Ælfflæd's death this estate was to go to her husband Byrhtnoth, and after his death the estate was to go to their child, if they had any. If they had no children, the estate was then to be transferred to Æthelflæd, and then after *her* death, the estate was to go to Christchurch at Canterbury. Ælfgar also granted war equipment to his lord, further lands directly to religious communities, and a small amount of land to named male individuals who may have been servants or family friends (possibly also relatives, although this is not mentioned in the will).¹⁴⁷

The most striking feature of this will is that Ælfgar makes such extensive use of reversion clauses for all of the bequests to his daughters. In fact, neither of his two daughters receive any bookland that they are free to bequeath themselves according to the restrictions of Ælfgar's will. These reversion clauses are remarkably detailed; for example the estate at Ely granted initially to Ælfflæd stipulates that the land should pass through potentially up to five different beneficiaries, including Ælfflæd herself. This is an attempt by Ælfgar to exert a high level of control over the eventual destination of his land, and the ultimate destination for many of Ælfgar's bequeathed estates is in fact not in the hands of relatives but of various religious communities. The key explanation for this, as alluded to above, is that in Ælfgar's case his direct heirs are both women. The state of female landholding in early medieval England at this time is therefore crucial in explaining why Ælfgar's will is structured the way it is. Indeed, he may have been particularly concerned about his eldest daughter Æthelflæd, who was quite likely recently widowed when Ælfgar's will was made, and she also had no children. Ælfgar may thus have been attempting to protect his daughter and her interests in his will, given that she now found herself in a potentially vulnerable position.

Pauline Stafford has argued that wealthy landholding women in early medieval England were likely to be 'manipulated and controlled' by male relatives and lords, and Julia Crick has suggested that landholding widows were vulnerable to predation by their husband's kin, as demonstrated by surviving lawsuits (and in Æthelflæd's case her husband's kin were royalty).¹⁴⁸ This vulnerability thus necessitated the provision of certain protections for female heirs. Although leaving significant portions of land to religious communities via reversion clauses may on the surface seem an odd strategy for managing and preserving family landholding, they were actually an important way of securing female landholding for an heir's lifetime. As Crick notes,

¹⁴⁷ Whitelock, 'The Will of Ælfgar', pp.6-9.

¹⁴⁸ Stafford, 'Women and the Norman Conquest', p.236; J. Crick, 'Men, Women and Widows: Widowhood in Pre-Conquest England', in S. Cavallo, L. Warner (eds), *Widowhood in Medieval and Early Modern Europe* (Abingdon, 1999), p.27.

including a reversion clause to a religious community or church provided the property with ‘a custodian with a very long memory and considerable political leverage’ – a woman could thus rely on the political and legal backing of the religious community if there were ever any challenges to her right to hold the land from male relatives.¹⁴⁹

Despite the persistent use of reversion clauses, most of which ultimately end with the lands moving into the hands of religious communities, we can still see an underlying logic in Ælfgar’s will that demonstrates the importance of the immediate family. Although religious communities benefit greatly long term from this will, the main direct beneficiaries of Ælfgar’s will remain his children and his son-in-law, Byrhtnoth. Even estates left directly to the community at Stoke, for example, were still given to his eldest daughter for use during her lifetime, and as we have just seen, the many reversion clauses in his will are largely there to protect the inheritance of his daughters. Given that these reversion clauses mean that the land will eventually pass outside the kindred, their inclusion regardless suggests that Ælfgar was not overly concerned about this – his primary concern seems to have been ensuring his daughters and immediate descendants (any potential grandchildren) would be well provided for for the duration of their lives.

This focus on securing inheritance for immediate relatives is also apparent when we examine the will of Ælfgar’s oldest daughter, Æthelflæd (962x991), who had married King Edmund, and was, at the time her will was created, a dowager queen whose status had surpassed that of her father.¹⁵⁰ She begins her will by granting three estates, along with four horses, two hundred mancuses, and other items, to her lord, the king. She also bequeaths one estate at Damerham to the community at Glastonbury for her own soul, for that of her deceased husband King Edmund, and for the soul of her now likely deceased step-son King Edgar. The most significant portion of her will bequeaths thirteen named estates jointly to Ealdorman Byrhtnoth (her brother-in-law) and her sister Ælfflæd – many, but not all, of these estates had reversion clauses to various religious communities attached, to be enacted after Byrhtnoth and Ælfflæd’s deaths. These reversion clauses, together with Ælfflæd’s will, will be considered in more detail in Chapter 2. Stoke in particular stands out as a common recipient of land in the reversion clauses, as it did in her father’s will, which indicates a family connection with this community especially.¹⁵¹ Æthelflæd also leaves land to three more distant relatives (*mæg*). Her kinsman Sibriht

¹⁴⁹ J. Crick, ‘Women, Posthumous Benefaction and Family Strategy in Pre-Conquest England’, *Journal of British Studies*, 38 (4) (1999), p.417.

¹⁵⁰ S 1494

¹⁵¹ Her family’s ancestors likely founded the monastery at Stoke-by-Nayland (the Stoke mentioned here), and thus this set of wills represent attempts to protect that community and its holdings, which nevertheless appear to have

receives ten hides, her kinsman Ælfgeat receives two hides, and her kinswomen Crawe receives an estate. A small amount of land is also left to her priest and servant, and half her men in every village were to be freed, and half the stock in each village was to be distributed.¹⁵²

As is clear from the above, the immediate family, in this case Æthelflæd's sister and brother-in-law, were by far the most significant beneficiaries of her will. However, we can detect some sense of obligation to other family members here, too. Although the amount of land given to distant relatives is small in comparison to the lands left to her sister and brother-in-law, the bequeathing of land to three different 'kinsmen' does indicate an expectation that the extended family would benefit in some way from the will, and a failure to provide may have resulted in challenges to the will.¹⁵³ This is also borne out by the results of the quantitative analysis displayed in Figure 1, where we can see that more distant relatives often did receive bequests in wills, although, as in Æthelflæd's case, when these bequests are made they are often of much smaller value than those made to more immediate relatives. This pattern of immediate relatives receiving higher value bequests can be seen more widely across the corpus, for example in the will of Wulfgeat, his immediate relatives received a total of six named estates and a hide of land between them, whereas more distant kin received a single hide of land.¹⁵⁴ In addition, in King Alfred's will, by my count his immediate relatives (his wife and children) collectively received forty named estates, compared with only eighteen named estates for more distant kin, including his two nephews.¹⁵⁵ Indeed, this pattern can also be further observed in the case studies examined in detail in Chapter 2.

In sum, the evidence from both a quantitative and qualitative examination of the extant corpus of wills suggests that, at least for the purposes of inheritance, kinship was not defined particularly broadly, and there was always a very strong emphasis on the immediate family at the expense of more distant relatives. This is demonstrated not only by the frequency with which these relatives received bequests in comparison to more distant relatives, but also by the size of the bequests immediate relatives received: while more distant relatives could expect to inherit a small number estates between them, or other items of value, immediate relatives could almost

been dispersed in the early eleventh century. For more see S. Keynes, 'A Tale of Two Kings: Alfred the Great and Æthelred the Unready', *Transactions of the Royal Historical Society* 36 (1986), pp.195-217, particularly at p.207.

¹⁵² S 1494; Whitelock, 'The Will of Æthelflæd', pp.34-7.

¹⁵³ Tollerton, 'Wills and Will-Making', p.179.

¹⁵⁴ Whitelock, 'The Will of Wulfgeat', pp.54-7.

¹⁵⁵ F. E. Harmer, 'King Alfred's Will', in *Select English Historical Documents of the Ninth and Tenth Centuries* (Cambridge, 1914), pp.15-17; S 1507.

always expect to inherit the majority of a person's bookland, which was likely inherited on top of the land they had already inherited automatically via 'customary inheritance'.

Holt has argued that in pre-Conquest England, inheritance customs meant that land and wealth was expected to be distributed through the kindred.¹⁵⁶ Although this was not technically incorrect, as we have just seen, such statements overlook the fact that this distribution was not at all evenly spread: while more distant relatives would usually receive relatively small bequests, a very high proportion of all a person's land and wealth was most commonly concentrated into the hands of their immediate relatives. It does not, therefore, paint a particularly accurate picture of pre-Conquest inheritance practices to point to the wide distribution of land and wealth, while ignoring where the highest concentrations of that wealth were being placed. As such, the evidence from the extant corpus of Old English wills presents us with an image of a relatively small kindred, focused heavily around the closest of relatives: more distant relatives are acknowledged and often provided for in some sense, but never in any comparable way to more immediate relatives. We do not, on the basis of this evidence, get any sense of a sprawling clan or tribe, or even of a smaller family grouping throughout which wealth and land was equitably dispersed: 'kinship' for the purposes of inheritance was much more narrow and focused, and encompassed a smaller number of people, than in those models.

We can also see evidence of kinship being defined relatively narrowly, and of a strong emphasis on immediate relatives, elsewhere in surviving evidence, outside the context of inheritance and wills. We can, for example, see the same emphasis on immediate relatives in penitential evidence dealing with the issue of incest. The prohibition of sexual acts between immediate family members appears throughout the penitential texts with surprising frequency. The *Scriftboc* prescribes penance for having intercourse with one's mother, sister or daughter, and for any one of these acts one must fast for twelve years.¹⁵⁷ The Old English *Canons*, meanwhile, prescribe fasting for fifteen years if a man fornicates with his brother or mother, seven or twelve years if he fornicates with his sister, and if a mother fornicates with her young son, she is to fast for three years.¹⁵⁸

The reason for the frequency of these canons is not entirely clear. The provisions in the Old English *Canons* are very similar to those in the older Latin edition of the *Canons* (for example

¹⁵⁶ J.C. Holt, 'Feudal Society and the Family in Early Medieval England: I. The Revolution of 1066', *Transactions of the Royal Historical Society* 32 (1981), pp.197-8.

¹⁵⁷ R. Spindler, *Das Altenglische Bussbuch (sog. Confessionale Pseudo-Egberti)* (Leipzig, 1934), ll.121-123, p.177 (hereafter referred to simply as '*Scriftboc*').

¹⁵⁸ R.D. Fulk, S. Jurasinski (eds), *The Old English Canons of Theodore* (Oxford, 2012), c.63, p.8, c.13-14, p.16, c.64, p.8 (hereafter simply referred to as *Canons*).

fifteen years of penance for fornicating with a mother or brother, and three if a mother fornicates with her young son).¹⁵⁹ This may therefore suggest that these were stock formulations in the penitential texts which were simply copied from version to version, without necessarily being particularly relevant to actual practices of the laity during this period. It may also be reflective of the danger of reproduction, in that these kinds of incestuous relationships are the most likely to produce deformed or disabled offspring, and the risk of this decreased as people become more and more distantly related.

However, this alone cannot explain the repeated concern raised about this in the penitentials, as incestuous relationships where reproduction is impossible, such as that between two brothers, is also mentioned. Furthermore, as will be explored below and in Chapter 2, marriage restrictions on the grounds of close consanguinity applied to relatives created by marriage as well (who were not blood relatives), so these kinds of anxieties were not solely about the dangers of reproduction. It seems very unlikely that incest between immediate family members was so prevalent that clerics regularly had to intervene and prescribe penance for these acts in their day-to-day activities. This may, therefore, be an example of clerical anxieties about incest creeping into the texts. But it is notable that the concern about sexual activity is always with immediate relatives – parents, children, and siblings – and never more distant relatives. This resonates with the evidence considered above around the emphasis placed on immediate relatives in English perceptions of kinship. While the inheritance of land is focused around the immediate family, so too are clerical concerns around incestuous relationships.

We see this emphasis elsewhere, too. For example, as outlined in the brief tenth-century legal tract often referred to as *Wergeld*, it is the immediate family (brothers and children), plus the victim's paternal uncle (*bearnum, broðrum 7 fæderan*) who received the first tranche of wergild payments: they were prioritised over all other relatives for receiving compensation first, thus illustrating their perceived importance over more distant relatives.¹⁶⁰ And we can also see evidence of this even in the very language of Old English itself. Lancaster and Loyn have previously drawn attention to the dearth of specific Old English words for relatives outside the immediate family, indicating a significant emphasis on close relatives at the expense of distant kin, whom it 'was not regularly of major importance' to distinguish between, as they remained

¹⁵⁹ 'Paenitentiale Theodori', II.16-20, in A. W. Haddan, W. Stubbs (eds), *Councils and Ecclesiastical Documents Relating to Great Britain and Ireland 3* (London, 1871), p.179.

¹⁶⁰ *Wer*, c.5, in F. Liebermann, *Die Gesetze der Angelsachsen* (Halle, 1903), p.392. This text fills in some of the gaps in Edmund's laws on the bloodfeud, and is preserved in three twelfth-century manuscripts, see *Early English Laws*, <https://earlyenglishlaws.ac.uk/laws/texts/Wer/> [accessed 20/12/2021].

more peripheral compared to close family.¹⁶¹ For example, while one's remote ancestors could be specifically identified in Old English, as far back as one's *sixta fader* (that is, one's grandfather's grandfather's grandfather), one could not, linguistically, distinguish between different cousins in the same way: these more distant 'horizontal' relatives were instead often subsumed under generic terms revolving around the word *mæg*, or sometimes *cynn*, which can both be translated to something like 'kin', 'relative', or 'family'.¹⁶² This is also different to Welsh, a neighbouring language, where one could use precise terms to refer to one's first, second, third and fourth cousins.¹⁶³ The dearth of Old English kinship terms is, however, not found with immediate relatives, who are not referred to by generic terms. Instead, each received specific terms such as *fader*, *modor*, *broðor*, *sweoster*, *sunu*, *dobotor*, words that are still used to describe immediate relatives in Modern English today.¹⁶⁴

Broader Definitions of Kinship

We have considered above what is convincing evidence of the enduring centrality and importance of immediate relatives over more distant ones in contemporary perceptions and definitions of kinship from a range of different sources. Indeed, in some cases more distant relatives were acknowledged only in small ways (such as inheriting a token estate or two in wills), and in other cases they were absent entirely (such as in penitentials dealing with incestuous sexual activity). However, as seen by the reference to paternal uncles receiving part of the first *wergild* payment in the text known as *Wer*, this is certainly not a complete picture.¹⁶⁵ Indeed, despite the clear importance of the immediate family in contemporary understandings of kinship, there is evidence of conceptualisations of kinship that were clearly intended to include more distant relatives, and in some cases these definitions were significantly larger than those already considered in this chapter.

In a letter written in the eighth century, the missionary Boniface states that the Saxons he was attempting to convert on the Continent were *de uno sanguine et de uno osse* ('of one blood and of one bone') with the English.¹⁶⁶ Although he does not directly use a term meaning 'kinship', it

¹⁶¹ L. Lancaster, 'Kinship in Anglo-Saxon Society – I', *The British Journal of Sociology* 9 (3) (1958), pp.235-7; H.R. Loyn, 'Kinship in Anglo-Saxon England', *Anglo-Saxon England* 3 (1974), p.198.

¹⁶² Lancaster, 'Kinship in Anglo-Saxon Society', pp.236; Loyn, 'Kinship in Anglo-Saxon England', p. 198.

¹⁶³ T. Charles-Edwards, *Early Irish and Welsh Kinship* (Oxford, 1993), p.171.

¹⁶⁴ Lancaster, 'Kinship in Anglo-Saxon Society – I', pp.235-7.

¹⁶⁵ *Wer*, c.5, in Liebermann, *Die Gesetze*, p.392.

¹⁶⁶ M. Tangl (ed.), *Die Briefe des heiligen Bonifatius und Lullus* (Berlin, 1916), p.75; No. 46, E. Emerton (trans), *The Letters of Saint Boniface* (New York, 1976), pp.74-5.

seems that Boniface was attempting to invoke some kind of kinship bond here by mentioning this. This statement was clearly an attempt to encourage his English audience to feel a sense of affinity for, and indeed a sense of duty and obligation to, the Continental Saxons, and Boniface does this by suggesting that these two peoples were related to each other. The idea that being related to someone creates duties and obligations is clearly one rooted in ideas of kinship. Walter Pohl has argued that many early medieval polities were in fact rooted in ethnic claims such as those found in Boniface's letter, and that these were also bound up with vague ideas about shared kinship, among other things.¹⁶⁷ A similar argument has also been made by Alice Sheppard in regards to the use of the term *Angelcynn*, a term adopted by writers in the ninth century (particularly during the reign of Alfred onwards) in an attempt to foster connection between the 'English' people who were politically separated but were (supposedly) culturally united.¹⁶⁸ As such, this could have constituted a very broad conceptualisation of 'kinship' that would have been readily recognisable across the early medieval West. If so, this would constitute an incredibly liberal definition of 'kinship' extending to encompass so many people that we may question whether the term would hold much conceptual meaning at all under such circumstances. Again, though, Boniface does not directly use a word meaning 'kinship' in this context, but he does nevertheless allude to it and to its associated duties and obligations. Furthermore, we cannot suppose that someone in England would have considered someone living in Continental Saxony 'kin' in the same way that they considered their mother, brother or cousin as kin: the concept suggested here was clearly different in some way, even if these two different 'types' of kinship seem to overlap. This example does, therefore, raise the question: where exactly did contemporaries envisage 'kinship' as ending? What were its boundaries, if indeed any existed at all?

The law code evidence only goes so far in helping to answer this question. The extant law codes almost always simply refer to general 'kinsmen' (mostly using the Old English word *maeg*) in reference to a person's relatives, which lacks any specificity over who this term was intended by the laws to encompass. Indeed, this may have been intentional: kings may not have generally felt that it laid within their jurisdiction to decide such matters, instead leaving the term general and open-ended so that individual families were able to interpret this as needed, and so that definitions could be easily adapted to each individual family situation. Having said this, the

¹⁶⁷ W. Pohl, 'Introduction: Ethnicity, Religion and Empire', in W. Pohl, C. Gantner, and R. Payne (eds), *Visions of Community in the Post-Roman World: The West, Byzantium and the Islamic World, 300-1100* (London, 2016), pp.10-23.

¹⁶⁸ A. Sheppard, *Families of the King: Writing Identity in the Anglo-Saxon Chronicle* (Toronto, 2004), p.16; on this term see also S. Foot, 'The Making of *Angelcynn*: English Identity Before the Norman Conquest', *Transactions of the Royal Historical Society* 6 (1995), pp. 25-49.

law codes do clearly envisage a definition of kinship that is broader in scope than just the immediate family, although certainly not to the extent that Boniface was possibly imagining. References in the law codes are often made to the paternal and maternal sides of the family, which by definition must therefore at least include grandparents, aunts/uncles and first cousins, and perhaps sometimes further still than this, depending on the circumstances. This is further reinforced by the reference, mentioned above, to paternal uncles receiving a share of the first payment of wergild alongside more immediate relatives. Clearly, then, for the purposes of secular law kinship was fairly consistently defined to include some extended relatives: a definition that appears broader than that suggested by the extant corpus of wills examined above.

We can also see a broader perception of kinship, with established boundaries of some kind, displayed elsewhere, especially in the context of royal dynasties. Perhaps the clearest example of this comes from *Beowulf*, where an old Beowulf, dying of the wounds inflicted by the dragon, says to Wiglaf: *þu eart ende-laf uses cynnes / Wægmunðinga; ealle wyrd forsweop / mine magas to metod-sceaft / eorlas on elne; ic him æfter sceal* (You are the final remnant of our family, the Wægmunðings; fate has swept all my kin to their deaths, men of courage; I shall go after them).¹⁶⁹ These are in fact Beowulf's final words before he dies, and it is telling that his final thoughts were dominated by a reflection on the past and the future of his family, which now laid in the hands of Wiglaf. The Wægmunðings were clearly perceived as a distinct social group made up of relatives of varying degrees of closeness to which Beowulf and Wiglaf belonged, but nobody else alive did, indicating the existence of some kind of recognised boundary between kin and non-kin.¹⁷⁰ Beowulf knows that Wiglaf will be the last surviving Wægmunðing, and he gifts to Wiglaf his golden armour, telling him to *hine brucan well* (use them well), suggesting that he not only cares for Wiglaf personally as a kinsman (however distant), but also for the future of his wider dynasty.¹⁷¹ His dynasty's past is also recalled in this moment through Beowulf's reflection on the past courage of his ancestors, which also suggests the existence of a collective awareness within the kindred of the fame and deeds of its members, both living and dead. Beowulf's statement that he 'shall go after' his courageous ancestors could also indicate a desire to match the deeds of one's ancestors, which Beowulf had assuredly done.

We also see the presentation of the family as a distinct unit in the poem *The Battle of Brunanburh*. When describing the events of the battle, the poem states: ...*Bordweal clufan / heowan*

¹⁶⁹ ll. 2813-2816, *Beowulf*, in R.D. Fulk (ed. and trans), *The Beowulf Manuscript: Complete Texts and The Fight at Finnsburg* (London, 2010), p.270. (Hereafter referred to as *Beowulf*).

¹⁷⁰ For more on the presentation of dynasties in *Beowulf*, see F. Leneghan, *The Dynastic Drama of Beowulf* (Woodbridge, 2020).

¹⁷¹ l. 2812, *Beowulf*, p.270.

beapolinde hamora lafan / afaran Eadweardes, swa him geapele was / from cneomagum... (They clove the shield-wall, struck the linden shields with swords, did the sons of Edward, as was natural to them from their ancestors).¹⁷² This suggests that the brothers' martial prowess was in some way inherited from their family, and was in fact a family trait that ensured their success in battle. If there existed a sense that traits could be passed down from ancestors, and that certain (at least elite) families possessed certain characteristics shared among its members, then there must also have been a sense not only of who and who was not a member of that family, but also in this case of the past military victories of their ancestors. This last point also indicates an awareness of family history, just as Beowulf's final words to Wiglaf also suggest. These examples show that elite dynasties did have boundaries and distinctions between members and non-members, and where these boundaries laid may have been clear to contemporaries, although they nevertheless remain elusive to us now.

There is also evidence within *Beowulf* that these boundaries, and the perceived importance of more distant relatives within elite kinship groups, could be subject to change based on actions and circumstances. Significantly, Hill has highlighted how the presentation of Wiglaf's relationship to Beowulf changes throughout the course of the poem. Before the final battle with the dragon, Wiglaf is merely a distant relation of Beowulf, yet after Wiglaf's display of loyalty, and through the act of fighting alongside Beowulf against a shared foe, Wiglaf is elevated to a 'dear kinsman'. Not only this, but in Beowulf's demise Wiglaf inherits Beowulf's war gear, a bequest usually expected to be given from father to son.¹⁷³ This example thus suggests not only that a relative's perceived importance within a person's kinship group could change over a lifetime, but also highlights that many families may have had unique circumstances which resulted in more distant relatives receiving greater emphasis and taking on a greater importance than seems to have been the norm. In Beowulf's case, for example, Wiglaf becomes a 'closer' and more important relative not just because of their shared experience in battle, but also because Beowulf's impending death and lack of direct heirs leaves Wiglaf alone as the one responsible for the future of their dynasty. In sum, no matter what boundaries and structures may have generally existed with regards to kinship in early medieval England, these must have been at least to some extent malleable and changeable.

As noted above, the dynasty of the Wægmundings in *Beowulf* were clearly perceived as a defined social group made up of varying degrees of more distantly related kin, and some

¹⁷² Entry for 937, in J. Bately (ed.), *The Anglo-Saxon Chronicle: A Collaborative Edition: 3 MS A* (Cambridge, 1986), p.70.

¹⁷³ J. M. Hill, *The Anglo-Saxon Warrior Ethic: Restructuring Lordship in Early English Literature* (Gainesville, 2000), pp.20-35.

distinction between who was and was not a member of this group seems to have existed. We can also see similar depictions of elite dynasties encompassing a large number of relatives and ancestors in the extant corpus of English royal genealogies. These texts, as seen for example in the eighth-century ‘Anglian’ collection of genealogies (which pertain to many different kingdoms across England), are highly detailed, and extend back through many generations of ancestors until reaching a progenitor of each dynasty, which was in all but one case (Essex) the pagan god Woden.¹⁷⁴ These genealogies (which are exclusively royal – no non-royal genealogies have survived) therefore stretched the definition of kinship vertically, as well as potentially horizontally too. Large numbers of male, and also rarely female, ancestors are depicted, and although they were deceased at the time the texts were created, clearly they were still viewed as important parts of a person’s history and identity, and were figures who deserved remembrance and were possibly to be revered as well: an idea that will be explored in more detail in Chapter 4.¹⁷⁵

The presence of Old English terms referring to these distant ancestors, as discussed above, is also further evidence that speaks to their importance. In this way, although these people were no longer physically present in the world, we cannot rule out the suggestion that contemporaries may still have perceived their ancestors as in some way still part of their kinship group. After all, although their physical form was gone, their soul lived on and prayers could be said on their behalf, to the benefit of their ancestors in the afterlife. Again as will be seen in Chapter 4, interceding on behalf of deceased ancestors is something that appears often in the extant corpus of wills. Once more, we can see how royalty sought to draw on the legacy and prestige of their ancestors to reflect positively on themselves in the present: hence, for example, the appearance of famous figures in King Alfred’s genealogy, such as Ine, Cerdic, and Woden.¹⁷⁶ The extent to which Alfred and other English kings felt any kind of real ancestral connection to these figures, or whether references to them were all for show, is not clear. Nevertheless, what

¹⁷⁴ D.N. Dumville, ‘The Anglian Collection of Royal Genealogies and Regnal Lists’, *Anglo-Saxon England* 5 (1976), pp. 23-50. For more on early medieval English royal genealogies, see K. Sisam, ‘Anglo-Saxon Royal Genealogies’, *Proceedings of the British Academy* 39 (1953), pp. 287-348; D. N. Dumville, ‘The West Saxon Genealogical Regnal List: Manuscripts and Texts’, *Anglia* 104 (1986), pp. 1-32; C.R. Davis, ‘Cultural Assimilation in the Anglo-Saxon Royal Genealogies’, *Anglo-Saxon England* 21 (1992), pp. 23-36; K. Cross, ‘Genealogy: Building a Viking Age Identity’ in K. Cross, *Heirs of the Vikings: History and Identity in Normandy and England, C. 950 – C. 1015* (York, 2018), pp. 25-59; A. Traves, ‘Genealogy and Royal Women in Asser’s *Life of King Alfred*: Politics, Prestige and Maternal Kinship in Early Medieval England’, *Early Medieval Europe* 30 (1) (2022), pp.101-124.

¹⁷⁵ For a discussion of the rare presence of women in royal genealogies, see P. Stafford, ‘Reading Women in Annals: Eadburg, Cuthburg, Cwenburg and the Anglo-Saxon Chronicles’, in M. C. La Rocca (ed.), *Agire da Donna: Modelli e pratiche di rappresentazione (secoli VI-X)* (Turnhout, 2007), pp. 269-89.

¹⁷⁶ Asser, *De rebus gestis Ælfredi*, c. 1, in W.H. Stevenson (ed.), *Asser’s Life of King Alfred: together with the Annals of Saint Neots erroneously ascribed to Asser* (Oxford, 1904), p.2. Also on this see A. Traves, ‘Genealogy and Royal Women in Asser’s *Life of King Alfred*: Politics, Prestige and Maternal Kinship in Early Medieval England’, *Early Medieval Europe* 30 (1) (2022), pp.101-124.

we are presented with is a model of kinship extending well beyond immediate relatives and even living relatives: it seems to have included many ancestral figures spanning back centuries and sometimes even, as in the case of the later West Saxon genealogies, to the very moment of creation itself.

The genealogies also imply some horizontal expansion in the definition of kinship, in that people descended from more recent figures in the genealogy were also considered part of the royal dynasty. For example, Alfred's brothers and nephews do not appear in his genealogy, as the genealogies were ego-centric and they were not Alfred's ancestors, but they were all not only considered part of the same dynasty but also potential contenders for the throne. Although we have little sense of how distantly related someone could be and still be considered part of the royal dynasty, clearly distant relatives could be considered members. Indeed, it was these more distant members of his dynasty that King Offa of Mercia allegedly disposed of to ensure the smooth succession of his son Ecgfrith.¹⁷⁷ We could also look to the eleventh-century example of Edgar the Ætheling, who was considered to be 'throne-worthy' whilst being the great nephew of the previous Cerdic-descended king. In other words, they were considered part of the same royal dynasty despite being extended relatives. The evidence from royal genealogies thus demonstrates an understanding of kinship that very clearly extended beyond the immediate family to include more distant relations, very similar to the depiction of the Waegmundings we see in *Beowulf*, as discussed above.

However, both the royal genealogies and the evidence from Old English poetry, which form a significant portion of the evidence pointing towards more expansive definitions of the boundaries of kinship, all concern royalty and elite members of society. Because of this, one could argue that this very broad depiction of where the boundaries of kinship laid was a feature unique to the very highest social classes (perhaps even just royalty), and we cannot therefore infer from this evidence that the majority of people from this period would have perceived their own kinship ties in the same way. In other words, there is likely to have been a real and practical difference between a large royal dynasty made up of people who shared descent from a key figure (such as Cerdic for the West Saxon dynasty) and what everyone else understood by the concept of 'kinship': that is, whom people would identify as their relatives, and whom they would not. As will be seen in Chapter 4, there were certain functions and obligations that relatives were held to and expected to fulfil, both practically and emotionally. It is unlikely that

¹⁷⁷ S. Keynes, 'The Kingdom of the Mercians in the Eighth Century', in D. Hill and M. Worthington (eds), *Æthelbald and Offa: Two Eighth-Century Kings of Mercia* (Oxford, 2005), pp.15-16.

distant members of the same royal dynasty, many of whom may actually have been in competition with each other over the succession, would have regularly fulfilled these obligations to each other in providing practical and emotional support. No doubt the immediate family were the central focus of a kinship group for royalty just as with everyone else, but what we may be seeing here is two slightly different models of understanding kinship existing side-by-side within society.

One was the wide-ranging elite dynasty based on ancestry, containing members who shared descent from a distant ancestor and was confined just to those at the very top of social and political hierarchy. Such a group, though made up of people technically related through a shared, albeit distant, ancestor, did not necessarily live up to the social expectations of love and support one owed to relatives in English society. In fact, such dynasties were often characterised by the opposite: members competing with each other for power and wealth at the expense of other members, and the example of Offa of Mercia assassinating other members of his dynasty has already been referenced. Although the heroic actions of Wiglaf in *Beowulf* shows that this competition and potential animosity was by no means guaranteed, and members of the same dynasty could show love and support to one another, English and indeed early medieval European history more generally is littered with examples showing the opposite. Indeed, Wiglaf as a fictional character may have been acting as an idealised model of social behaviour, an example of how people *should* behave towards members of their dynasty, and not necessarily a reflection of how elites chose to behave in reality. Perhaps this frequent inter-dynastic competition, as opposed to solidarity, made having examples of model elite behaviour in poetry all the more appealing.

The other model of understanding kinship was the much more common and recognisable model that has already been discussed in this chapter and will continue to be examined in the chapters that follow: that of an ego-centric kin group centred around immediate relatives, who regularly (though clearly not always) fulfilled the duties and expectations laid at the feet of relatives in this society, in both a practical and emotional sense. Although of course members of this group would have common ancestors, their association with one another did not hinge on common descent from a key ancestor as with a royal dynasty. As such, we cannot necessarily take evidence pertaining solely to royal dynasties as speaking to contemporary understandings of kinship beyond this group. As a consequence, the more expansive extent of these groups as seen in *Beowulf* and the royal genealogies is likely not representative of how the boundaries of kinship were perceived throughout society as a whole. That is not to say that royal dynasties have nothing to tell us about contemporary perceptions of kinship, just that they were

a very specific type of kinship that relatively few people would have experienced, and while, as will be discussed elsewhere in this thesis, some features of royal dynasties would have been relatable to the majority of people's experiences of kinship, others very well may not have been. Indeed, it is worth noting that Beowulf refers to his dynasty using the word *cynn*, simply meaning kin or family.¹⁷⁸ As such, although the evidence suggests that royal dynasties may have constituted a different type of 'kinship', royal dynasties do not seem to have been seen as entirely conceptually separate from the forms of kinship experienced and understood by non-royalty.

Marriage Restrictions

While many of the above discussions so far have involved examinations of evidence that provide us with vague or imprecise pictures of where the boundaries of kinship may have lain in early medieval English society, the Old English penitentials provide some firmer boundaries for us to consider, specifically focused on marriage restrictions imposed on the grounds of consanguinity. These restrictions can be used to map out the perceived boundaries of kinship, in other words to discover where, at least from a clerical perspective, blood-relatives extended to and at what point a marriage became unacceptable due to kinship ties.

The *Scriftboc* outlines that only people within the fifth degree of kinship are permitted to marry, if a couple related within the fourth degree are found then they are not to be separated, but a union of two people related within the third degree is to be dissolved under all circumstances.¹⁷⁹ The Old English *Canons* echo that people within three degrees of kinship should never be married, and such unions should always be dissolved whenever they are found, and the earlier Latin version of the *Canons* similarly confirms that it is only people who are (knowingly) within fifth degrees of kinship or greater who can be married.¹⁸⁰ From this, we can see that five degrees of kinship seems to have been universally allowed, three degrees of kinship was never allowed, and marriages made up of a couple within four degrees of kinship were not allowed to marry if the kinship was known, but if it was later discovered after the marriage then the couple could stay together. From the appearance of these rules in the earlier Latin version of the *Canons*, as well as from the evidence of Pope Gregory's letter to Augustine discussed below, it seems that these marriage restrictions were enforced (following what the texts identify as the

¹⁷⁸ *Beowulf*, l. 2813, p.270.

¹⁷⁹ *Scriftboc*, ll.266-268, pp.183-4.

¹⁸⁰ *Canons*, c.16, pp.4-5; *Paenitentiale Theodori*, XII. 25, in Haddan and Stubbs, p.201.

Roman, rather than Greek, rules on marriage) in England from the very beginning of the conversion era onwards.

Writing in 601, Pope Gregory, in his reply to Archbishop Augustine of Canterbury, sets out the rationale behind placing these restrictions on relatives marrying one another.¹⁸¹ On a practical note, he writes that children born from such unions do not thrive, because of the physical and mental deformities such children suffer due to their parents being very closely related. On a religious note, he also claims that sacred law forbids one to see the nakedness of one's kin, and, as discussed previously, this is also extended to close relatives' spouses, as the couple have become 'one flesh' in the eyes of God.¹⁸² Because of this, marrying close relatives is as spiritually unacceptable as it is practically problematic. Indeed, the *Old English Penitential* (OEP) states that any man who violates these restrictions by marrying their close relative, their god-mother, step-mother or his brother's widow is to be excommunicated and must turn to penance according to the bishop's judgement for the rest of his life.¹⁸³ This is also prescribed by Halitgar's Latin penitential, on which the OEP is based, which suggests that this was a common way of dealing with violations of marriage restrictions across the early medieval West, and was not just unique to England.¹⁸⁴ It could also suggest that this was a stock formulation that has simply been copied across the different penitential texts, which means that we cannot know if this was still an issue that priests in England regularly encountered when providing pastoral care in the tenth century when the OEP was created. In any case, violation of these restrictions was not something the penitentials (or their authors) took lightly.

There are also canons that explore the implications of these restrictions in more detail, and provide examples of what is and is not allowed. For example, the *Scriftboc* clarifies that two brothers may marry two sisters, and a father and son may marry a mother and daughter.¹⁸⁵ However, the OEP and the OEH state that a woman is not allowed to take one brother after another as her husband: if such a marriage is found they are to be separated.¹⁸⁶ The inclusion of

¹⁸¹ For more on this letter, see P. Meyvaert, 'Bede's text of the *Libellus responsionum* of Gregory the Great to Augustine of Canterbury', in P. Clemons and K. Hughes (eds), *England Before the Conquest: Studies in Primary Sources Presented to Dorothy Whitelock* (Cambridge, 1971), pp.15–33; see also R. Meens, 'A Background to Augustine's Mission to Anglo-Saxon England', *Anglo-Saxon England* 47 (1994), pp.5-17; see also M. D. Elliot, 'Boniface, Incest, and the Earliest Version of Pope Gregory I's *Libellus responsionum* (JE 1843)', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Kanonistische Abteilung* 100 (1) (2014), pp. 62-111.

¹⁸² Bede, I. 27, V., *Historia Ecclesiastica Gentis Anglorum*, in B. Colgrave, & R.A.B. Mynors (eds and trans), *Bede's Ecclesiastical History of the English People* (London, 1969), pp.84-7.

¹⁸³ J. Raith, *Die Altenglische Version des Halitgar'schen Bussbuches (sog. Poenitentiale Pseudo-Egberti)* (Darmstadt, 1964), II.18, pp.25-6 (hereafter referred to simply as 'OEP').

¹⁸⁴ Hal. IV 21, in H. J. Schmitz (ed.), *Die Bussbücher und das kanonische Bussverfahren* (Düsseldorf, 1898), pp.283-4.

¹⁸⁵ *Scriftboc*, ll.217-218, p.181.

¹⁸⁶ OEP, II.11, p.22; R. Fowler, 'A Late Old English Handbook for the Use of a Confessor', *Anglia* 83.1 (1965), ll.187-192, pp.22-23 (hereby referred to simply as 'OEH').

these canons could suggest that there was some confusion over these rules as to what would and would not be allowed. As these texts are likely to have been handbooks that were used by local priests to guide them, it is very possible that these examples represent real cases priests were presented with in their administration of pastoral care, and may thus reflect not just clerical uncertainty about what would and would not be allowed, but may speak to lay uncertainty around these rules as well. If so, this would have served to make the creation and use of the penitential texts all the more necessary. Indeed, Victoria Thompson has argued that the vernacular handbooks ‘give every impression of being the product of empirical experience as well as the container of inherited wisdom’, thus demonstrating their use ‘in the field’ and therefore their close connection to lay behaviours and clerical experiences of providing pastoral care.¹⁸⁷ Although there may have been some uncertainty among the laity about what was expected or allowed, Bouchard argues that people generally did follow these restrictions in tenth and eleventh-century France, albeit with exceptions, and the same seems to have been the case in England as well.¹⁸⁸

This brings us on to the broader issue of how the penitentials, and the issue of incest and consanguinity specifically, help us to map out the structure of the kin group, and where the boundaries of kinship seem to have laid. As we have just discussed, the focus of many canons relating to incest pertain to the immediate family, which indicates the prominence these relatives took more generally in contemporary kinship groups in many different ways. However, forbidding people from marrying each other if they were within more than five degrees of kinship was a rather larger definition of kinship. It encompassed not just the immediate family, but also aunts, uncles, nieces, nephews, first cousins, great aunts and uncles, and great nieces and nephews. These restrictions extended kinship both vertically and horizontally, and very firmly drew more distant relations like cousins and great aunts/uncles into at least one definition of one’s kin. Marriage only thus became permissible with even more distant cousins (for example first cousin once-removed, second and third cousins, and so on) – relatives whom many people today might struggle to readily identify. This clerical definition of kinship, then, may show us an image of kinship that we today might recognise as fairly similar to our own, at least in the Western world: our parents, siblings and children lay at the core of our understanding of ‘the family’, while many would also view their aunts, uncles, first cousins, grandparents, nieces,

¹⁸⁷ V. Thompson, ‘The Pastoral Contract in Late Anglo-Saxon England: Priest and Parishioner in Oxford, Bodleian Library, MS Laud Miscellaneous 482’, in F. Tinti (ed.), *Pastoral Care in Late Anglo-Saxon England* (Woodbridge, 2005), p.119.

¹⁸⁸ C.B. Bouchard, ‘Consanguinity and Noble Marriages in the Tenth and Eleventh Centuries’, *Speculum* 56 (2) (1981), p.272.

nephews and great aunts and uncles as also part of their wider kinship group, with ‘relatives’ more distant than this likely beginning to lose out on this label.

Although there are some notable exceptions, and very likely more that we do not know about, we have no reason to think that English society generally would have been substantially different in abiding by these marriage restrictions compared with their Frankish counterparts.¹⁸⁹ As such, these were not just kinship boundaries that existed in the minds of the clergy. It seems that people generally did actually follow these rules, which helps us to reconstruct at least one place where contemporaries imagined the boundaries of kinship laying, at least in the context of marriage.

Godparents and Godchildren

We have so far looked at evidence concerning blood relatives and relatives created through marriage. However, one key question remains: how did so-called ‘spiritual’ kin, that is, godparents and godchildren, fit in to contemporary perceptions of kinship? In some ways this relationship is clearly different from kinship created through birth and marriage in that this spiritual bond largely existed only between the godparent and the godchild, and did not create similar ties to other members of the family group.

These differences could lead one to argue that spiritual kin were generally excluded from most contemporary understandings of who was and was not a member of a kinship group, and we can draw on a range of different evidence to support such a conclusion. For example, another examination of Figure 1 above, which demonstrates who people generally left bequests to in their wills, clearly shows the near invisibility of spiritual kin in the extant corpus of wills. In fact, only two wills leave small bequests of land to spiritual relatives. This figure is dwarfed by the number of wills leaving land to immediate relatives, more distant kinsmen, and even by the number of wills leaving land to servants. Clearly, when choosing who to bequeath land and other wealth to in death, contemporaries rarely chose their godparents or godchildren, which could be indicative of a sense of distance in this kind of relationship. Ties of blood and marriage ensured at least some inheritance for near and distant kin, and fondness for and gratitude towards non-related members of a person’s household, namely servants, also ensured their regular occurrence in wills. If spiritual kin were seen to have occupied a position within the family group, or even

¹⁸⁹ *Ibid.*, p.272.

the deceased's close social circle, one would expect them to receive bequests, and yet, as far as we can tell, they rarely do.

Furthermore, the law codes rarely make any explicit references to godparents or godchildren when discussing kin. This is not necessarily evidence that people did not consider them part of the family: other relatives are often not specifically mentioned either, and, as we have seen, kings drawing up these codes may not have felt it within their remit to precisely identify who was and was not kin, and allowed room for flexibility and discretion in this regard. One section of Ine's law does make reference to godparents receiving a wergild payment upon the death of their godson, which was to be the same as that of a lord.¹⁹⁰ While recognising the importance of this relationship, this clause lends further credence to the suggestion that, as with a person's lord, a godfather was seen as existing outside, rather than within, a family group. Having said that, it is also worth noting that many laws make reference to paternal and maternal sides of the family when referring to issues relating to feuds and wergild payments, and spiritual kin, by the unique nature of this relationship, do not fit into either of these categories, which could be suggestive of their exclusion from these processes. One must also wonder whether non-spiritual relatives of the deceased would have been happy to surrender a portion of their wergild payments to a godparent or godchild of the deceased if they could possibly avoid doing so: the likely answer is that they would not have been, given the financial incentives that would have existed for non-spiritual relatives to exclude spiritual kin if possible.

Spiritual kin also do not feature, understandably, in genealogies. This is because godparents were obviously not ancestors of their godchildren, but this is still yet another way contemporary conceptualised kinship that excluded spiritual kin. Furthermore, this speaks to the broader point that spiritual kin appear absent for purposes of social identification. These issues will be explored in much greater detail in Chapter 4, but while people were often judged and identified by their association with closer relatives, often their fathers or a famous ancestor, they were rarely identified, for example, by association with their godfather. Again, this near-absence alone is not definitive evidence that spiritual relatives were not considered part of the kin group, but together with the other evidence considered above, we can start to see a pattern in which spiritual relatives are either absent or excluded from functions and positions usually fulfilled by kin in early medieval English society.

However, there is some evidence which suggests that it is not as simple as saying that godparents and godchildren were not considered part of a kinship group at all: indeed, in some

¹⁹⁰ Ine, c.76, in Liebermann, *Die Gesetze*, p.122.

areas we do see godparents and godchildren mimicking the kinds of relationships we might expect with non-spiritual kin. As will be seen in Chapter 4, one function of relatives in this society was the expectation that they would offer support and a degree of protection to each other, and we do have at least one high profile example of this occurring between a godparent and a godchild from the early tenth century. The so-called 'Fonthill Letter' documents a land dispute involving Helmstan, in which Helmstan's godfather, the ealdorman Ordlaf, uses his position and influence to support his godson Helmstan's case.¹⁹¹ We could therefore interpret this as an example of Ordlaf fulfilling familial obligations to his godson, and of Helmstan relying on his godfather like a non-spiritual relative.

However, there is reason to doubt this interpretation, not least because Helmstan and Ordlaf made an agreement by which ownership of the land would pass to Ordlaf if he successfully assisted Helmstan in the lawsuit.¹⁹² This is important for two reasons. First, Ordlaf acquired a vested personal interest in the case, as success would have resulted in financial gain for him, and so we cannot disentangle this from any obligations he may have felt towards his godson: indeed, Ordlaf could easily have just been acting out of pure self-interest here. Second, the fact that his arrangement was made in the first place could suggest that Ordlaf's role as Helmstan's godfather was not in itself enough to secure his assistance, thus necessitating some kind of payment to incentivise Ordlaf to become involved. This does not, therefore, indicate that Ordlaf felt a sense of obligation and duty towards his godson, nor does it indicate that Helmstan felt Ordlaf's support was guaranteed without further incentivisation. Although this spiritual relationship granted Helmstan a connection to Ordlaf that he likely otherwise would not have had, and Lynch has highlighted that providing this access to powerful individuals was one of the benefits for parents in creating ties of godparenthood, this relationship does not quite seem to meet the standards we would generally expect to find in a kinship relationship.¹⁹³ The natural expectation that one will be supported and assisted by one's relatives, which exists in, for example, law code clauses dealing with feuds and other matters relating to criminality, does not seem to be present in this case.

A stronger piece of evidence suggesting that spiritual kin may have been considered part of the kinship group in some way is found in the penitentials. As already discussed above, the

¹⁹¹ F. E. Harmer, 'Letter Recording Negotiations with Reference to the Ownership of Land at Fonthill', in *Select English Historical Documents of the Ninth and Tenth Centuries* (Cambridge, 1914), pp.30-32; for more on the Fonthill Letter, see S. Keynes 'The Fonthill Letter', in *Words, Texts and Manuscripts: Studies in Anglo-Saxon Culture. Presented to Helmut Gneuss on the Occasion of his Sixty-Fifth Birthday* (Cambridge, 1992), pp.53-97.

¹⁹² Harmer, 'Letter Recording Negotiations with Reference to the Ownership of Land at Fonthill', pp.30-32.

¹⁹³ J.H. Lynch, *Christianizing Kinship: Ritual Sponsorship in Anglo-Saxon England* (Ithaca, 1998), pp.81-2, 189-203.

OEP states that any man who violates marriage restrictions by marrying their close relative, their god-mother, step-mother or his brother's widow is to be excommunicated and must turn to penance according to the bishops judgement for the rest of his life.¹⁹⁴ Here we see a god-mother included alongside kin created through ties of blood and marriage, and there is no distinction made between them.

The explanation for this may be that kinship was not understood through innate blood ties and 'genetics' alone.¹⁹⁵ We have already seen that relatives created through marriage were also kin, as although they were not 'genetic' relatives they became 'one flesh' with their partners upon marriage, and so were kin in a more abstract, perhaps even spiritual, understanding of flesh and blood. This is demonstrated by a clause in *VI Æthelred*, which prohibits a man from marrying any relatives of a previous wife, due to the kinship ties between the man and his former wife's family which were created through the act of marriage, and clearly were seen as enduring after their marriage had ended: kinship ties created through marriage on the basis of this more theological understanding of 'blood', rather like kinship ties created from birth, appear to have been permanent.¹⁹⁶ We may also, therefore, see a similar kind of theological understanding of 'relatedness' between godparent and godchild: while there was no physical blood relation, there was a spiritual relationship may have mimicked this in some ways, and this relationship was clearly seen as strong enough to make the prospect of marriage and sexual relations between godparent and godchild intolerable in some penitential texts. It is not difficult, therefore, to imagine that godparenthood could have created some kind of kinship-like relationship in the Early Middle Ages. Indeed, Lynch has highlighted that these kinds of sexual and marriage prohibitions between spiritual kin were fairly common across various regions on the Continent.¹⁹⁷

This leaves us, then, with an image of spiritual kin existing in some kind of peripheral zone between the kin group and the rest of society. We have just explored evidence showing that, as with blood relatives and close relatives created through marriage, marriage was expressly prohibited at least some of the time between godparents and godchildren. This indicates that at least the clerical authors of the penitentials viewed godparents and godchildren as sharing some kind of kinship-like bond. We should also remember that the intended function of a godparent was to sponsor their godchild and act as a guide and mentor figure to them, at least spiritually,

¹⁹⁴ OEP, II.18, pp.25-6.

¹⁹⁵ This is an argument made strongly by Hans Hummer, see H. Hummer, *Visions of Kinship in Medieval Europe* (Oxford, 2018).

¹⁹⁶ *VI Æthelred*, c.12, in F. Liebermann, *Die Gesetze der Angelsachsen* (Halle, 1903), pp.250-1.

¹⁹⁷ For more on this see Lynch, *Christianizing Kinship*, pp.151-68.

and we could say that this was in itself an act of support and obligation that mimics the kind of assistance one often sees among kin.¹⁹⁸ Indeed, Bernhard Jussen argued that the decision of choosing godparents for their children was often something parents carefully considered and sometimes agonised over (thus suggesting the importance of these relationships), and that establishing spiritual kinship connections brought not just political advantages to those involved, but social ones too.¹⁹⁹ In this way, spiritual kinship could be seen as being mutually supportive for the godparent and the godchild, in ways that may be similar to the mutually supportive obligations of non-spiritual kin.

However, we have also seen evidence, especially in the secular world, where spiritual kin seem to have been absent or excluded from many key markers of who was and was not considered kin. They are almost invisible in inheritance practices, even when non-kin, such as servants and lords, regularly received bequests. They are either absent in law codes dealing with feuds and wergild payments, or, as with Ine's law, are presented as existing outside the family group, and references to paternal and maternal kin in these legal texts also seem to indicate their potential exclusion. The Fonthill letter suggests that there may not have been a natural expectation of practical support and assistance that was assumed of non-spiritual kin in this society. We must also acknowledge the unique nature of this relationship. It was a relationship that primarily existed, in England, between the godparent and the godchild, and in this way was not integrated into the larger family group. While someone's brother was, within the family, someone else's uncle, who was someone else's cousin (and so on), one's godparent had no connection to other members of one's kinship group. They were not integrated into this wider web of relationships, which is another important feature of kinship groups that spiritual kin did not fulfil or participate in. In sum, then, we can see spiritual kin as existing in a peripheral zone between kin and non-kin, interacting with their godparent or godchild in a direct and personal way, and mimicking some aspects of non-spiritual kinship, but ultimately failing to fulfil many of the roles, responsibilities and attributes we find among non-spiritual kin. They were not the same as people outside the kin group altogether, but do not seem to have been quite a part of it either.

¹⁹⁸ Lynch, *Christianizing Kinship*, pp.169-188.

¹⁹⁹ B. Jussen, *Spiritual Kinship as Social Practice: Godparenthood and Adoption in the Early Middle Ages* (trans P. Selwyn) (London, 2000), pp.139-238.

Conclusion

From the evidence considered in this chapter, we have seen that different types of sources appear to define kinship, and where the boundaries between kin and non-kin laid, slightly differently. The definition of kinship found in the penitential evidence, firmly extending to include cousins, aunts/uncles, and so on, is somewhat larger than the image of kinship we gain from the surviving corpus of wills, which, while these extended relatives certainly do feature as beneficiaries, overwhelming focus on the immediate family. On the other hand, this definition may not extend quite as far as that depicted in Old English poetry, especially *Beowulf*. As has been seen, in this poem Wiglaf is clearly identified as a member of Beowulf's dynasty, and referred to as kin, despite the fact they must have been more distantly related than any of the degrees of kinship identified by the Old English penitentials. Finally, the laws at the very least must agree with the boundaries set by the penitentials in that, by referring to paternal and maternal sides of the family, they must be envisioning the kindred as being inclusive of these extended relatives such as uncles, cousins, and so on.

What we are left with, then, is a complex and at times conflicting picture of the boundaries of kinship. Where the penitentials and laws may agree to draw a boundary, the wills appear to draw it closer, and poetry wider. This suggests that the definition of kinship was not only subjective but also context dependent, and this characterisation does make a lot of practical sense. For example, when one seeks support and assistance, as during a feud or in battle, it would be advantageous to define kinship liberally, invoking all the duties and obligations associated with this to field as much support as possible.

On the other hand, when leaving land in a will, one would wish to concentrate wealth in the hands of as few beneficiaries as possible, while still honouring and rewarding more distant relatives, as well as friends and servants who had served you well. We have also seen evidence pointing towards the importance and recognition of deceased ancestors, too. This will be discussed more in subsequent chapters, but we should not discount the idea that contemporaries' perception of who was their kin was not restricted merely to the living. What all of the evidence indicates, though, is that even though the exact boundaries of who constituted 'kin' changed and shifted according to circumstance, the immediate family remains the central focus at all times. As we have seen in the penitentials and elsewhere, even when more distant relatives were included in their definitions, the enduring importance of immediate relatives (ie. parents, children, and siblings) remains clear.

This is also important for thinking about how wider kinship groups were structured in England during this time. They were not sprawling, unwieldy groups of distantly related people without any particular emphasis on one part of the group, as out-dated references to ‘tribal’ kin groups or ‘clans’ discussed at the beginning of this chapter often suggest.²⁰⁰ Instead, kinship groups appear to have been generally smaller and more focused groups of relatives, centred around a core group of immediate family members who took precedence over others. This group could be expanded and contracted according to functional need, but the evidence suggests that the way in which contemporaries viewed the structure of their family was in at least some ways not so different from how those in the Western world view their families today.

²⁰⁰ Indeed, some (although not all) scholars now also appear to be abandoning notions of ‘tribes’ when exploring territorial groupings as well. For example, see S. Brookes, ‘On the Territorial Organisation of Early Medieval Hampshire’, in A. J. Langlands and R. Lavelle (eds), *The Land of the English Kin: Studies in Wessex and Anglo-Saxon England in Honour of Professor Barbara Yorke* (Leiden, 2020), pp.276-93.

Chapter 2

Managing Kinship: Marriage, Children, and Inheritance

Now that some parameters of study have been established, and we have seen the different ways in which kinship was perceived by contemporaries, it is time to turn our attention towards the internal dynamics of family life: that is, this chapter will move away from exploring kinship as a concept, and towards exploring kinship as a practice. As will be seen, balancing and negotiating the rights, duties, expectations, and desires of different family members was not an easy task, and there are many examples historians of the Early Middle Ages could point to which illustrate the consequences of failing to achieve such a balance, whether that be intra-dynastic conflict in Carolingian Francia or fraternal fallings-out in eleventh-century England. Issues associated with wealth, property and power were natural flashpoints for familial tension, and one of the aims of this chapter will be to establish how potentially competing rights and expectations were managed within kin groups, not just over inheritance but also regarding two other integral parts of many people's family lives in this society: marriage and the relationship between parents and children.

Given that the immediate family is often the primary focus in the extant sources, this chapter too will be primarily focused on examining relationships between immediate family members, attempting to assess how relationships between close relatives, relationships which formed the basis of many kinship groups, were experienced, managed and negotiated. It will be argued that people's experiences of marriage were gendered, with men and women held to different sets of expectations and having different rights. It will also be argued that parents did not possess unfettered authority over their children, and that external forces, especially clerics, attempted to use their influence to regulate the relationships between parents and children, mostly to ensure the safety and protection of children's rights and wellbeing. Finally, the ways in which people managed their obligations to their relatives with regards to inheritance will be explored, using case studies from wills to explore how people balanced their desire to leave land to immediate kin with the expectations of receiving bequests from more distant kin. While individual family circumstances necessitated flexibility in this regard, and the chosen approaches may depend on things such as availability of heirs and social status, it will be shown that there were in fact some common sets of strategies many people employed to manage these expectations and relationships.

Experiences of Marriage

Marriage was an integral element of virtually all kinship networks in early medieval England, and not just for creating political and economic links between two different families as is frequently discussed.²⁰¹ Indeed, in the Early Middle Ages, the act of marriage, at least in the eyes of the Church, created bonds that closely mimicked those of blood kinship. This is because, as explained by Pope Gregory I (who was drawing on biblical language) in his reply to Augustine of Canterbury in c. 601, a married couple were believed to exist as ‘one flesh’, and hence a man could not marry his step-mother, nor his sister-in-law, even though they were not related by blood, as they had become in the eyes of the Church ‘one flesh’ with their father and brother respectively.²⁰² This is the reason why, for example, the late-ninth-century cleric Asser expresses such indignation at King Æthelbald of Wessex’s marriage to his step-mother Queen Judith, claiming that all who learned of their union thought it disgraceful.²⁰³

It seems, then, that these blood-like bonds existed in theory, but people may have been willing to break them for more pragmatic reasons. We know that clerics denounced Æthelbald and Judith’s marriage, but it is not clear if the couple received similar denunciations from among the laity (Asser suggests so, but we have no way of knowing whether or not this was an exaggeration to further support clerical opposition to their marriage). As discussed in the introduction, these texts seem to show us how clerics thought society *should* operate, and what ideals and moral standards they promoted in their writings and through the exercise of pastoral care in local communities, but these ideals do not seem to have always reflected actual lay behaviours. Nevertheless, the Old English penitentials do provide us with a rare contemporary view of how marriages should operate, and it is clear that marriage was a key part of kinship networks. As such, this section will seek to answer these two key questions: how were marriages regulated and managed? And what does this tell us about marriage and kinship more widely?

One noticeable aspect of marriage regulations as depicted in the Old English penitentials is the apparent disparity in the rights and expectations of husbands and wives. Here they were standing in a long tradition - David Hunter has highlighted that influential early Christian writer Ambrosiaster believed, with regards to marriage, that ‘...the subordination of woman to man

²⁰¹ See for example J. T. Rosenthal, ‘Marriage and the Blood Feud in “Heroic” Europe’, *The British Journal of Sociology* 17 (2) (1966), pp. 133-44; M. MacCarron, ‘Royal Marriage and Conversion in Bede’s *Historia Ecclesiastica Gentis Anglorum*’, *The Journal of Theological Studies* 68 (2) (2017), pp. 651-2.

²⁰² Bede, I. 27, *Historia Ecclesiastica Gentis Anglorum*, in Colgrave, B., & Mynors, R.A.B., (eds and trans) *Bede’s Ecclesiastical History of the English People* (London, 1969), pp.84-87; the language of ‘one flesh’ appears in Gen. 2:24 and Mark 10:2-6 (KJV).

²⁰³ Asser, *De rebus gestis Ælfredi*, c. 17, in W.H. Stevenson (ed.), *Asser’s Life of King Alfred: together with the Annals of Saint Neots erroneously ascribed to Asser* (Oxford, 1904), p.16. (Hereafter referred to as ‘Asser’).

[was] part of the natural state instituted by God in Paradise'.²⁰⁴ Daniel Anlezark has explored the use of Sarah and Abraham as a model of an ideal Christian marriage in Old English literature, in which Sarah acted as 'a model of earthly obedience of wives to their husbands', with her showing 'perfect obedience' and remaining 'in Abraham's shadow': contemporary sentiments which clearly aligned well with those expressed by earlier Christian writers such as Ambrosiaster.²⁰⁵

Gendered inequalities are also reflected in legal evidence, too, with wives existing under the *mund* (that is, protection or guardianship) of her husband. This placed the husband/father as the ultimate authority figure within the household, to which the wife was supposed to be subordinate.²⁰⁶ As such, gendered inequalities were embedded into the relationship between husbands and wives from the very beginning of their marriage, and the wider theological and social context of early medieval England encouraged and sustained this. The effects of this unequal status could even go so far as to cast the individual legal responsibility of wives into doubt: the laws of Ine state that married women should not be punished for participating in their husband's crimes, as they had no choice but to obey the commands of their lord (ie. their husband).²⁰⁷

Having said that, in some ways the penitentials do show men and women existing on equal footing. For example, the OEP states that both men and women have the right to marry twice in their lives, and the OEH states that penance due for adultery is the same regardless of whether it was committed by a man or a woman.²⁰⁸ The *Scriftboc* notes that a regular union cannot be dissolved without the consent of both husband and wife (although there seems to be exceptions to this, such as if the wife commits adultery), and also notes that if one partner wishes to enter a monastery, or one partner falls ill, the union can be dissolved but again only with mutual consent.²⁰⁹ This shows that there was at least some equality between men and women

²⁰⁴ D. G. Hunter, 'The Paradise of Patriarchy: Ambrosiaster on Woman as (not) God's Image', *The Journal of Theological Studies* 43 (2) (1992), p.462.

²⁰⁵ D. Anlezark, 'An Ideal Marriage: Abraham and Sarah in Old English Literature', *Medium Ævum* 69 (2) (2002), p.188, p204.

²⁰⁶ A. Rabin, "'Sharper Than A Serpent's Tooth': Parent-Child Litigation in Anglo-Saxon England', in S. Irvine and W. Rudolf, *Childhood and Adolescence in Anglo-Saxon Literary Culture* (Toronto, 2018), pp.279-81. On the *mund* and the wider legal status of women in early medieval England, see also C. A. Hough, 'The Widow's *Mund* in Æthelberht 75 and 76', *Journal of English and Germanic Philology* 98 (1) (1998), pp.1-16; A. Rabin, 'Female Advocacy and Royal Protection in Tenth-Century England: The Legal Career of Queen Ælfthryth', *Speculum* 84 (2) (2009), pp.261-288; A. Rabin, 'Anglo-Saxon Women Before the Law: A Student Edition of Five Old English Lawsuits', *Old English Newsletter* 41 (3) (2008), pp.33-56.

²⁰⁷ Ine, c.57, in F. Liebermann, *Die Gesetze der Angelsachsen* (Halle, 1903), p.114.

²⁰⁸ OEP, II.20, p.27; OEH, II.171-2, p.22.

²⁰⁹ *Scriftboc*, II.192-3, p.180, II.230-3., p.182

within a marriage, and that wives in particular were certainly not powerless nor without rights which guaranteed (at least in principle) a certain degree of protection within their unions.

However, there is notable evidence showing that the expectations and experiences of marriage were in fact different depending on a person's gender. For example, while the *Scriftboc* allows for a husband to dissolve his union with his first wife if she commits adultery, no such permission is granted to a wife whose first husband commits adultery: instead the husband is simply directed to perform penance for his transgression.²¹⁰ This disparity is also repeated in the Old English *Canons*, except here the wife has the option of retiring to a monastery, but not of leaving her husband and remarrying, which is a right that a husband appears to have had.²¹¹ Indeed, Jurasinski has suggested that adultery was largely seen as a female crime.²¹²

The OEP and OEH both also discuss the issue of a man having both a concubine and a wife. The distinction between these two unions and the ways in which they were formed has been much discussed in historiography, but in this case the focus of the penitentials appears to be on ensuring monogamy.²¹³ Interestingly, neither the OEP nor the OEH state that it is the concubine that must be set aside: instead the man is granted the choice about which union to maintain and which union to dissolve, meaning that wives who found themselves in these situations were not necessarily in a secure position at all.²¹⁴ Again, although the penitentials do require that the offending man also repent as well as set either his wife or concubine aside, a woman is not permitted to make a similar choice between two different partners: presumably this would merely be viewed as plain adultery. This also reflects the lack of any female equivalent to the existence of 'concubines' within early medieval English society, but clearly there was inequality between the position and experiences of men and women in such a situation.²¹⁵

Perhaps the most extreme example of this disparity is expressed in Cnut's second law code – clause fifty-three states that an adulterous wife is to become a 'public disgrace', her husband takes all of her possessions, and she is to lose her nose and ears. Adulterous husbands,

²¹⁰ *Scriftboc*, ll.206-10, p.181, ll.211-13, p.181. On adultery and law codes, see J.T. Rivers, 'Adultery in Early Anglo-Saxon Society: Æthelberht 31 in Comparison with Continental Germanic Law', *Anglo-Saxon England* 20 (1991), pp.19-25.

²¹¹ R.D. Fulk, S. Jurasinski (eds), *The Old English Canons of Theodore* (Oxford, 2012), c.21, c.22, p.5 (hereafter referred to simply as *Canons*).

²¹² S. Jurasinski, *The Old English Penitentials and Anglo-Saxon Law* (New York, 2015), pp.119-21.

²¹³ R. Mazo Karras, 'The History of Marriage and the Myth of the Friedelehe', *Early Medieval Europe* 14 (2) (2006), pp. 119-51.

²¹⁴ OEH, ll.179-182, p.22; OEP, II.9, p.21.

²¹⁵ For more on concubines in early medieval England, see M. Clunies Ross, 'Concubinage in Anglo-Saxon England', *Past & Present* 108 (1985), pp.3-34.

meanwhile, are merely instructed to pay compensation.²¹⁶ These gendered differences in regard to marriage are also continued in the circumstance of a partner's death. While there seems to have been no restriction on men marrying again if their first wife died, the *Scrifboc* states that if a woman's first husband dies, she must wait at least twelve months before she is allowed to remarry.²¹⁷ Hough has also highlighted, based on legal and charter evidence, gendered differences in life after a spouse's death: unlike men, widowed women could expect their inheritance to be reduced upon remarriage, thus creating a financial disincentive for women to remarry.²¹⁸ The evidence, then, suggests that the experiences of marriage were different according to gender, and that the consequences for women transgressing the rules of a marriage were generally more severe than those for men. But why was this the case? Answering this question will not only allow a greater understanding of the impact of gender in family groups, but may also help to illuminate what the perceived function of marriage was in early medieval English society.

While women's freedom was subjected to greater controls and restrictions compared with that of men with regards to marriage, at least in the case of widows these restrictions may have been partly for the widow's own protection. The stipulation that widows cannot marry within a year of their husband's death is echoed in Cnut's second law code, and here it is also accompanied by other rules surrounding widows. For example, Cnut's law shows concern about widows endowed with property from her deceased husband remarrying quickly after her husband's death.²¹⁹ It also pays particular attention to widows being forced into either a monastery too hastily or into a new marriage against her will – the law prohibits both.²²⁰

In this context we can see that restrictions on when widows could remarry were likely not designed solely to restrict and control widowed women, but rather to protect widows from predatory men who wanted access to their wealth, and from being forced into situations (in this case either into a monastery or into a new marriage) against their will. Such protections for widows may have had biblical inspiration. For example, Isaiah 1:17 states: 'learn to do well; seek judgement, relieve the oppressed, judge the fatherless, plead for the widow', in Deuteronomy 27:19 we find: 'cursed be he that perverteth the judgement of the stranger, fatherless, and widow', Psalm 68:15 states that God is 'a father of the fatherless, and a protector of the widows', and finally Mark 12:40 condemns those who 'devour widows' houses, and for a pretence make

²¹⁶ 'II Cnut', c.53, in F. Liebermann, *Die Gesetze der Angelsachsen* (Halle, 1903), p.348.

²¹⁷ *Scrifboc*, ll.210-1, p.181.

²¹⁸ C. A. Hough, 'The Early Kentish 'Divorce Laws': A Reconsideration of Æthelberht, chs. 79 and 80', *Anglo-Saxon England* 23 (1994), pp.19-34.

²¹⁹ 'II Cnut', c.73, in F. Liebermann, *Die Gesetze der Angelsachsen* (Halle, 1903), p.360.

²²⁰ 'II Cnut', c.73, c.74, in F. Liebermann, *Die Gesetze der Angelsachsen* (Halle, 1903), p.360.

long prayers: these shall receive greater damnation'.²²¹ As such, kings may have felt that providing certain protections to widows was not just their responsibility in terms of ensuring public order, but they may also have seen protecting widows against potential exploitation as an act of pious devotion in following the word of God.

It is true that kings may also have had more cynical and politically motivated reasons for encouraging such restrictions on widows. For example, by slowing down the process of remarriage, the king prevented potential issues and dangers that may have arisen from new and rapid alliance-making between elite families through new marriages involving recently widowed, and therefore potentially wealthy, women. These timed restrictions therefore placed an element of control over the situation in the hands of the king and other powerful male guardians to better shape and influence those processes and the creation of new family alliances over a longer period of time, and in ways that might better suit the interests of both the king and the widows' male protectors. This may have been especially important in the wake of periods of political turmoil, such as after Cnut's conquest, where the fortunes of individuals and the balance of power between elite families was more fluid and liable to change: some external regulations and restrictions on potential changes to the status quo could therefore only have been beneficial for the king.²²²

However, the presence of similar restrictions in non-secular laws (i.e. the penitentials), the importance the law placed on a widow's own personal agency in terms of remarriage (for example, widows and maidens were not to be forced into marriages against their will), and the wider biblical ideals around the need to protect widows, all suggest that these more cynical political motivations were not the only reasons behind these restrictions on widows.²²³ So while the clauses considered above on the surface do appear to place yet more restrictions on women with regards to marriage, and represent greater disparities between how men and women were treated, in fact these specific provisions were likely designed at least in part to protect widows and attempt to preserve women's agency and their ability to move and act of their own accord both within and outside their kinship group.

In terms of other inequalities expressed in the penitentials between husbands and wives within a union, a simple explanation is that early medieval England was a patriarchal society, in which the status and rights of men were privileged over those of women, and women had fewer

²²¹ Isaiah 1:17; Deuteronomy 27:19; Psalm 68:15; Mark 12:40 (KJV)

²²² See also J. Crick, 'Men, Women and Widows: Widowhood in Pre-Conquest England', in S. Cavallo, L. Warner (eds), *Widowhood in Medieval and Early Modern Europe* (Abingdon, 1999), pp.26-7.

²²³ 'II Cnut', c.73, c.74, in F. Liebermann, *Die Gesetze der Angelsachsen* (Halle, 1903), p.360.

societal rights and protections and different expectations regarding their behaviour. However, there is also a more specific explanation for the disparities between husbands and wives found in the penitential evidence, and that is that contemporaries (or at least the authors of the penitentials) seem to have understood marriage as a union of two people for the purposes of reproduction, which in turn led to differences in the treatment of men and women within such a union. Such an understanding of marriage was not unique to England: for example, Augustine of Hippo, whose work was very influential on later medieval scholars, saw procreation as a positive and important aspect of Christian marriage, and indeed he believed reproduction was God's original reason for instituting marriage in the first place.²²⁴

These early Christian views on marriage are thus reflected in the Old English penitentials, and the importance placed on procreation within a marriage is clear. For example, the Old English *Canons*, in which we find a rare example of a right given to a wife but not to a husband, state that a wife may leave her husband if he is unable to have sex with her.²²⁵ If sex cannot take place, nor can reproduction, and therefore the basic purpose of the union is not being fulfilled, thus rendering it dissoluble. This also explains the penitentials' frequent focus on adultery, and also perhaps why men and women are treated differently. If a man commits adultery, even if his other partner becomes pregnant, no child will be born into his marriage with his wife. However, if a woman became pregnant through adultery, then a child would have been born into her marriage with her husband, and, in the absence of modern science, there would not have been any reliable method of identifying paternity.

As such, although we might imagine that the emotional and moral impact of adultery would have been the same regardless of whether it was committed by man or woman, the potential practical implications of adultery in regard to reproduction were slightly different. This may, therefore, also go some way towards explaining why the penitentials granted a husband permission to leave his adulterous wife and remarry, but a wife was not given permission to leave her adulterous husband and remarry – the potential impact of adultery was different depending on the gender of the perpetrator. In addition, the contemporary perception of unions as existing between two people for the purposes of reproduction also explains the emphasis on monogamy, although not necessarily, as we have seen, between husband and wife, as it could be between a

²²⁴ P. Reynolds, *How Marriage Became one of the Sacraments: The Sacramental Theology of Marriage from its Medieval Origins to the Council of Trent* (Cambridge, 2016), pp.102-3, p.120, for a broader discussion of Augustine of Hippo's beliefs around marriage and procreation, see also pp.120-5. Other early Christian writers such as Ambrosiaster also held similar views, see D. G. Hunter, "On the Sin of Adam and Eve": A Little Known Defense of Marriage and Childbearing by Ambrosiaster', *The Harvard Theological Review* 82 (3) (1989), pp.287-9.

²²⁵ *Canons*, c.132, p.14.

man and his ‘concubine’. The penitentials appear to describe marriage as a relationship between two monogamous adults in some kind of union who have children together, and this is what the evidence suggests their authors believed was the key purpose behind a marriage. Having said this, it should be noted that of course not all marriages resulted in children, and indeed not all couples would have wanted children, but this emphasis on ensuring monogamy was still important, and adultery was, regardless of gender, always a serious transgression requiring an act of penance.

We have seen, then, that marriage (as an act that linked together not just two individuals but also two families) was a potentially sensitive subject that required external regulation from both secular and clerical authorities. There is also some delineation of areas of authority here, with secular laws dealing with the more financial and ‘contractual’ elements of marriage, and penitentials dealing with more morality-focused (and also private) issues in a marriage, such as sex and adultery. However, standards of behaviour within a marriage, and even after a marriage had ended, were not equal between men and women. The beginning of this section noted the capacity for marriage to create kinship ties, but the extant evidence demonstrates that actual experiences of these ties varied significantly by gender, and also we can imagine variations in experiences dictated by social status and by ‘type’ of union (such as wives vs concubines) too.

Parents and Children

As explored in the section above, the evidence points towards a contemporary perception of marriage (or other types of monogamous unions) as a union of two people for the purposes of procreation, and these different ‘sets’ of parents and children were, naturally, essential for building up and maintaining the wider interconnecting webs of a kinship group. Having explored some of the rules and norms that governed these unions between two adults, two important questions now need to be asked: what was the relationship between parents and children like, and how were these important relationships managed?

It is important at the outset here to reiterate a point made above regarding the status of mothers and wives within the household: mothers and fathers were not equal in the amount of authority they possessed over their children. As we have seen, a wife was subject to their husband’s *mund*, which meant that she was expected to support and obey her husband’s decisions and actions, and this expectation was also extended to his decisions regarding their children and their futures. We can imagine that, in reality, many husbands and wives would have

discussed issues relating to their children together and made decisions about them collectively. After all, even if a woman had no legal authority to overrule her husband, it would still have been less than desirable for a husband to act in ways that would knowingly upset or anger his wife: the two of them still had to cohabit and live their lives with one another, and it was in everyone's interest to make their union as happy and harmonious as it could be. So while the letter of the law and social customs granted ultimate authority over children to the father, many mothers are likely to have been involved in dealing with all issues relating to their children in some way, albeit behind the scenes. Nevertheless, it is clear that where disagreements arose, the father/husband alone held the ultimate position of authority.

In this way, Andrew Rabin has drawn attention to the similarities of status experienced by mothers and their children, in that both existed under the *mund* of their husband/father or other male guardian, and both had restrictions placed on their legal rights and their rights to own property independently. As such, Rabin discusses women's 'intermediate position' in the household, as both caregiver and authority figure to their children, but also as, like their children, a dependent of their husband.²²⁶ A woman's situation was not the same as her children's, but they did share many similarities. It is important to remember, therefore, that parents did not occupy the same levels of authority within the household, and that primary control over children, at least in a legal capacity, rested in the hands of the father or, in his absence, another male relative.

Early medieval England was also a society in which children showing deference to, and respecting the authority of, their parents was not only expected but actively encouraged. Biblical narratives are littered with examples urging children to respect and obey their parents, for example Exodus 20:12 orders one to 'honour thy father and thy mother', Colossians 3:20 has 'children, obey your parents in all things, for this is well pleasing unto the Lord', Proverbs 1:8 states 'hear, my son, your father's instruction, and forsake not your mother's teachings', Leviticus 19:3 has 'every one of you shall revere his mother and his father', and finally Proverbs 30:17 cautions that 'the eye that mocketh at his father, and despiseth to obey his mother, the ravens of the valley shall pick it out'. One could go on, but this is not necessary: showing respect and deference to one's parents was not just a social expectation, but a clear moral and religious duty.

²²⁶ Rabin, "Sharper Than a Serpent's Tooth", p.284, and more widely pp.279-84. In the aforementioned pages Rabin also highlights that widowed women may have had slightly greater freedoms and personal agency than married women through their role in caring for their children and managing their affairs (especially their wealth and property) until they came of age. However, such freedoms were lost once their children came of age and were able to manage their own affairs independently without their mother, which, as Rabin documents, could cause conflict between widowed mothers and their children.

Such sentiments appear common in the Early Middle Ages, for example in 842 the Carolingian writer Hrabanus Maurus wrote a treatise entitled *De honore parentum*, which explores, as the title suggests, the importance of children respecting and deferring to the authority of their parents, underpinned by Christian theology.²²⁷ As will be seen later, the ninth-century Welsh monk Asser also decried Æthelbald's resistance to his father's return to the West Saxon throne, claiming that such dishonouring of one's parent was against the values and practices of Christian men.²²⁸

However, Christian thought on the relationship between parents and children was not just concerned with instructing children: there are lessons for parents as well. For example, Colossians 3:21 states, 'Fathers, provoke not your children to anger, lest they be discouraged', and similarly Ephesians 6:4 has 'And, ye fathers, provoke not your children to wrath: but bring them up in the nurture and admonition of the Lord'. Such passages place a responsibility upon the father (notably not the mother) to exercise caution in their approach to raising their children, so as not to discourage or anger them, nor to direct them onto an unholy path. However, the bible also confers another responsibility to parents: that of discipline. For example, Proverbs 13:24 states 'he that spareth his rod hateth his son: but he that loveth him chasteneth him'. In other words, the father is actually encouraged here to discipline his children firmly, and parental punishment for children's transgressions is cast not in a harsh and uncaring light, but as an act of love and devotion to them. These Christian and biblical ideas thus created the backdrop for all parent-child relationships: they provided a model for how parents and children were expected to behave towards one another. The extent to which contemporaries always lived up to those expectations is, of course, another matter.

Having established some of the wider social attitudes and expectations regarding the relationship between parents and children during this period, we must now turn to contemporary written evidence on the subject. Although few details are available on the issue of parent-child relationships within the household, one subject that appears frequently across the penitentials is the issue of parents selling their children into slavery.²²⁹ The *Scriftboc* and both the Latin and the Old English versions of *Canons* state that a father may give up his son into slavery without the child's consent if the father is compelled by great necessity, but only until the age of seven, after

²²⁷ Hraban Maur, 'On honouring parents, 834', translated by R. Gilbert, A. Traves, C. West, and T. Zhang, with an introduction by M. de Jong, in *Mittelalter: Interdisziplinäre Forschung und Rezeptionsgeschichte* 5 (2022), pp. 1–33; on this text see also Mayke de Jong, 'Hraban Maur as mediator: De Honore Parentum (autumn 834)', in L. Jégou, S. Joye, T. Lienhard, J. Schneider (eds) *Splendor Reginae: Passions, genre et famille: Mélanges en l'honneur de Régine Le Jan* (Turnhout, 2015), pp.49-57.

²²⁸ Asser, c.12, p.9.

²²⁹ For a consideration of slavery more generally in early medieval England, see D. Pelteret, *Slavery in Early Medieval England* (Woodbridge, 1995).

which time the father must acquire his son's consent first.²³⁰ The OEP appears to take a firmer line on this issue, outright banning selling one's children (or any other close relatives) into slavery, and the perpetrator is to be excluded from communion until the child/relative can be retrieved from slavery. If this is not possible, then the perpetrator must distribute an amount equal to that which he received from the sale of his child/relative, secure the release of another from slavery, *and then* fast for seven weeks, which rises to fasting for twenty-seven weeks if the perpetrator is unable to afford to manumit another from slavery.²³¹ Unlike the other three books of the OEP, the fourth book (which contains this canon) does not appear to be based on the Latin penitential of Halitgar, but instead it seems to be an amalgamation of many different texts, and so the precise origins of this canon are unclear. However, parts of this fourth book use the older *Scriftboc* as a source, and so the author(s) of the OEP would have known about its contents and the fact that the tariff in the *Scriftboc* is different on this issue. Since the OEP is a later text (though the first three books are based on an early ninth-century text), this could therefore represent an evolution in the penitential tradition over time, with clerics knowingly taking a harder line on the issue of selling one's children and relatives into slavery in the later tenth and eleventh centuries compared with the earlier penitentials.²³² This change may also indicate a need to deal with such situations 'on the ground', given that the authors were not simply copying the text from Halitgar, as with the other books in the OEP, or from the earlier penitentials such as the *Canons of Theodore*. It is therefore possible that this conscious change could have been instigated by priests continuing to encounter this issue in their provision of pastoral care.

This is also an interesting case for understanding internal family dynamics and the relationship between parents and their children. It does not appear to have been the case that parents (and especially fathers) had unrestrained authority over their children. Although the Latin and Old English *Canons* and the *Scriftboc* allow a parent to sell their child into slavery if they were under the age of six or seven, the OEP outlaws this practice altogether, which, although it could show an evolution in practice (as indicated above), these differences could also suggest that this was a contested issue within the clergy and likely within society more widely too. Given the responsibilities and obligations people had towards their kin, especially immediate kin, in early medieval English society, to sell one's child into slavery is likely to have provoked strong condemnation not just from clerics but from lay society as well. We cannot know the extent of

²³⁰ *Scriftboc*, ll.261-3, p.183; *Canons*, c.133, p.14. From the Old English *Canons*: 'Se fæder mot his sunu for mycelre nydþearfe on þeowet gesyllan oð þæt he bið seofonwintre, ac syððan he ne mot buton his willan'; *Paenitentiale Theodori*, XIII. 1, in Haddan and Stubbs, p.202.

²³¹ OEP, IV.21, p.57.

²³² A. J. Frantzen, *The Literature of Penance in Anglo-Saxon England* (New Brunswick, 1983), p.137.

this practice, but in light of social (and, indeed, clerical) attitudes towards this practice, it is not an action which would have been undertaken lightly, instead it was most likely driven only by extreme necessity during times of famine or significant and prolonged financial hardship. These examples show that at least from the ages of six or seven, and in the OEP from birth, children had rights within their family that the penitentials attempted to protect. In addition, the penitentials also assign to parents a clear moral duty of care towards their child – and if they failed in this duty they had a responsibility to rectify the situation and free their child from enslavement.

We also see this attempt by clerics to regulate the relationship between parents and children, and to provide certain protections for the agency of children, in the *Scriftboc*. Regarding marriage, it is stated that parents are not able to change who their daughter is betrothed to without her consent, and that although a daughter is to remain under the jurisdiction of her parents until she is thirteen or fourteen years old, after that age her father is permitted to give her in marriage, but only, again, with her consent.²³³ Once again we see an emphasis placed on children having to provide consent (although often once they have reached a certain age), which serves to limit the amount of influence and control a parent was able to exert over their children, especially older children. Ensuring that children of a certain age were able to exert their own agency upon their lives thus appears to be a theme of the penitentials, even when these provisions came at the potential expense of parental control.

From one perspective this also represents what some may argue was a clear intrusion into internal family activities and relationships by an external force. It is notable, too, and perhaps surprising, that this force was not secular law, promulgated by the king and his royal officials, but instead clerics. This may reflect the general tendency of secular laws to avoid involvement in internal family affairs as much as possible, but it appears that the authors of the penitentials at least did not feel bound by the same limitations. This is perhaps evidence, with some exceptions, of some of the differences between secular and ecclesiastical law: while secular law mostly attempted to regulate people's public lives, ecclesiastical law, particularly as expressed in the penitentials, preoccupied itself far more with regulating the more private parts of people's existence.²³⁴ There is an example found in Alfred's law (c.17) concerning the death of a foster

²³³ *Scriftboc*, ll.248-51, p.183, ll.257-60, p.183.

²³⁴ For a discussion of the role of the king and secular laws in maintaining public law and order, see T. Lambert, *Law and Order in Anglo-Saxon England* (Oxford, 2017), pp.207-10, pp.351-2, and also *passim*. For more on Old English penitentials and their place in English society, see S. Jurasinski, *The Old English Penitentials and Anglo-Saxon Law* (Cambridge, 2015), *passim*, but especially see p.214 for the idea that penitentials, perhaps unlike royal legislation, concerned themselves with the 'daily dramas of pre-Conquest English life', and that these texts were written by people who were 'in more frequent contact with average people than kings or secular magnates'.

child while in the care of another, which did not necessarily have to have been outside the family: the child could have easily been fostered with other relatives.²³⁵ In that case, this would be an example of secular law involving itself in private family affairs. However, the fact that fosterage could also happen between different families (and so the issue became more ‘public’) meant that some form of regulation was required. In any case, this public vs private division between secular and ecclesiastical law was not cast-iron, but certainly seems to have been a general principle.

The penitentials thus reveal clerical attempts to involve themselves in family life, particularly in protecting children. The penitentials are actually clear that this was their intention, and although the concept of ‘childhood’ at this time is not easy to identify (and may not have existed in the way we understand it today), the authors of the penitentials are clear that they did in fact view the subjects of these canons definitively as children.²³⁶ The *Scriftboc* suggests that a boy should be under his father’s jurisdiction until he is fifteen years old, which implies that it was after around this age that the child would, at least in the view of the penitential authors, become an independent adult.²³⁷ And yet, as we have seen, the penitentials begin extending protections to children after the ages of six or seven, and in some cases from birth, showing that these clerics not only viewed these people distinctly as children requiring external protection of their rights, and not independent ‘adults’, but also that they viewed it as their responsibility to provide certain protections for them. This perhaps relates back to the general absence of these kinds of discussions in secular laws, outside of provisions relating to landholding and ages of criminal responsibility: we can see here evidence of clerics stepping in, by protecting children’s personal rights, where the secular ‘state’ rarely ventured.²³⁸

Another seemingly important aspect to the relationship between parents and children is the apparent concern in the penitentials with abortion and parents either intentionally or unintentionally killing their children.²³⁹ For example, the OEP prescribes ten years (and later in the text seven years) penance if a mother kills her unborn child with drink or through other

²³⁵ ‘Alfred’, in Liebermann, *Die Gesetze*, p.58.

²³⁶ On childhood in early medieval England more widely, see S. Crawford, *Childhood in Anglo-Saxon England* (Stroud, 1999), and more recently, S. Irvine, W. Rudolf (eds), *Childhood and Adolescence in Anglo-Saxon Literary Culture* (Toronto, 2018). Andrew Rabin also discusses the potential bounds of contemporary perceptions of childhood in a legal context, see Rabin, “‘Sharper Than a Serpent’s Tooth’”, pp.274-8.

²³⁷ *Scriftboc*, ll.257-60, p.183.

²³⁸ Some secular laws do appear to acknowledge certain ages of legal responsibility, and thus confer at least some protection on very young children on matters relating to public order: for example, Æthelstan has it at twelve, with those younger prevented from being held accountable for theft. However, this mostly concerns how to deal with public offences (ie. theft), and is slightly different to guaranteeing children’s personal rights against their own relatives (eg. of having a say in certain actions that involve them), which is what some of the penitential canons attempt to ensure. For examples of such laws see ‘II Æthelstan’, c.1, in Liebermann, *Die Gesetze*, p.150; ‘VI Æthelstan’, c.1.1, in Liebermann, *Die Gesetze*, p.173.

²³⁹ For more on abortion in particular, see Z. Mistry, *Abortion in the Early Middle Ages, c. 500-900* (Woodbridge, 2015).

means, or if she kills the child after it has been born.²⁴⁰ The OEH echoes this exactly, also with ten years penance, and the Old English *Canons* similarly ascribe penance to such an act.²⁴¹ References to penance due for parents killing their children after they have been born are even more common, for example both the *Scrifiboc* and the Old English *Canons* state that a mother who kills her child is to undertake penance in the form of fasting for fifteen years.²⁴² The OEP states if a child is struck dead unintentionally, the penance due is fasting for three years, whereas in the OEH the perpetrator must fast for five years.²⁴³ There also appears twice a more specific crime – that of parents smothering their children. The OEH states that anyone who does this must fast for three years, and if it happened through drunkenness, the perpetrator must repent even more deeply as their priest prescribes.²⁴⁴ A similar crime is also specifically mentioned in the Old English *Canons*, for which the penance is some form of fasting, in addition to abstaining from women.²⁴⁵

This preoccupation with protecting very young children (or in some cases even unborn children) from being murdered by their own parents is curious. It raises yet again the question of whether or not this was real practice (infanticide perhaps driven by severe poverty?), or simply another clerical fixation with little basis in reality. We cannot suppose that parents of the early Middle Ages loved their children any less than modern parents, even despite higher rates of infant mortality, and were thus somehow more likely to commit terrible acts against them. Instead, in a society where murdering even an adult relative, let alone one's child, would have drawn significant social condemnation, this cannot have been a common practice.

That is not to say, though, that it did not happen on occasion (likely driven by severe poverty, famine, or perhaps accidental harm), and the fact that clerics seem to have taken a special interest in protecting children, again, is perhaps a response to the way secular laws operated. Murder and manslaughter in early medieval England were punished through the payment of wergild by the perpetrator to the victim's family. This system falls apart, however, when both the perpetrator and the victim are of the same family – after all, it is not really possible (nor much of a punishment or deterrent) for relatives to collect together a wergild, and then distribute it back among themselves. In this way there existed a gap in the operation of secular law, which leaves open the question of how to deal with relatives killing their own kin.

²⁴⁰ OEP, II.2, p.16, IV.17, p.55.

²⁴¹ OEH, ll.148-151, p.21; *Canons*, c.29, 30, p.6, c.120, 121, p.13.

²⁴² *Scrifiboc*, ll.284-5, p.184; *Canons*, c.118, p.13.

²⁴³ OEP, II.1, p.16; OEH, ll.144-145, p.21.

²⁴⁴ OEH, ll.279-283, p.25.

²⁴⁵ *Canons*, c.32, p.6.

Once again we find ecclesiastical law at least partially stepping in, doing what it can to provide some protection to children in these circumstances. In fact, clerical intervention and the risk of social condemnation appear to be the main forces in society protecting children from these kinds of actions from their parents, even if such events are likely to have been reasonably rare within early medieval English society. Clerics may have felt compelled to provide such protections, therefore, largely because nobody else in society did – in fact no extant secular law code extends any specific protections to children from harm to them caused by their parents at all (and the same is also true for parents selling their children into slavery). Indeed, Michael Obladen has argued that following the disintegration of the Western Roman Empire, jurisdiction over infanticide moved away from secular authorities and into the hands of clerics, and we can clearly see this here.²⁴⁶ Although this appears to be another example of clerical intervention in family dynamics and relationships, in reality it seems unlikely that clerical intervention would have been needed as frequently as the persistent appearance of these canons across different penitential texts suggests. It does, however, perhaps speak to a symbiotic relationship between secular and ecclesiastical law in which they, at least at times, actively complement and support each other, and taken together they provided more complete and holistic provisions and protections for different people, circumstances, and alleged transgressions.

The evidence thus suggests that parents did not hold unrestrained authority over their children, and that there existed at least some protections, often from clerical quarters, on children's rights and personal safety within the household. Having said this, the evidence considered above deals with especially extreme circumstances involving killing and enslavement: these must have been reasonably rare events. There is a danger that, by focusing only on such matters (as the sources themselves do) we overlook the love and affection that more generally seems to have characterised most people's relationships with their parents and their children, just like today. There was certainly a capacity for discord between parents and children, as there was between relatives more generally, and some examples of this are explored in more detail below.²⁴⁷ But the overriding nature of these relationships must most commonly have been one of love and respect, and the strength of these emotions, manifested in the form of grief and loss, will be explored in more detail in Chapter 4.

²⁴⁶ M. Obladen, 'From Sin to Crime: Laws on Infanticide in the Middle Ages', *Neonatology* 109 (2) (2016), pp.85-90.

²⁴⁷ Andrew Rabin has previously discussed conflicts between parents and children with respect to property disputes, see A. Rabin, "Sharper Than a Serpent's Tooth", pp.272-90.

Inheritance

Wills are representations of people's intentions, and their usefulness as historical sources arises from the fact that they reflect back at us who was important in a person's life, and who that person wished, or felt obliged to, thank and reward after their death. They give us insights into the extent and structure of their social networks, and, for our purposes, they act as a demonstration of a person's own understanding of their family relationships at a particular moment in time. From this, we are able to see rare glimpses of the state of personal relationships, but can also discern some of the main strategies people employed to manage and navigate the potentially thorny issue of inheritance within kinship groups.

As established in Chapter 1, there was a general desire for people to leave the majority of their land, wealth, and possessions to their immediate relatives, particularly their children, if they had any. However, Julie Mumby has pointed out that more distant relatives would likely have coveted and expected bequests of bookland for themselves in their relatives' wills.²⁴⁸ Add to this a need to leave suitable bequests to religious communities and a desire to reward non-relatives, such as servants and friends, for their assistance and loyalty in life, the decisions made when drawing up a will were not easy ones. Moreover, there was always the risk that portions of a will, or the will in its entirety, could be challenged by disgruntled relatives, and as will be seen in King Alfred's will below, even kings were not immune to such challenges. As such, the process of drawing up a will was often a delicate balancing act between competing desires and perceived obligations, and it was important to get this balance right if the will was to stand. Through the use of case studies and quantitative analysis already encountered in Chapter 1, the purpose of this section is to explore the different ways in which individuals managed these issues, and what these decisions can tell us about kinship more widely.

²⁴⁸ J. Mumby, 'Property Rights in Anglo-Saxon Wills: A Synoptic View' in Nelson, Reynolds, Johns (eds) *Gender and Historiography: Studies in the Earlier Middle Ages in Honour of Pauline Stafford* (London, 2012), pp.173-4.

Case Studies

The Will of King Alfred (873 × 888)

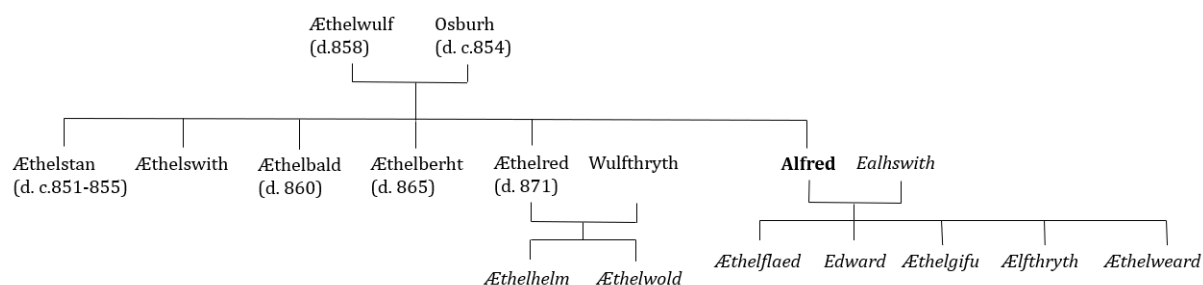


Figure 2.1 – King Alfred's family tree when his will was created. Beneficiaries of his will are italicised.²⁴⁹

As Patrick Wormald has already outlined, King Alfred's will (preserved in the archive at New Minster in Winchester) begins with a detailed overview of the family inheritance history involving his father and his brothers, suggesting that there was controversy both within and possibly outside of the family as to how fairly the lands had been allocated, particularly in terms of Alfred's living nephews.²⁵⁰ Commenting on the arrangements Alfred sets out in his will, the king says *las anig man cweðe þæt ic mine mægchild oððe yldran oððe gingran mid wô forðemde* (lest any man say that I had wronged my kinsmen, whether older or younger).²⁵¹ The use of the term *mægchild* indicates that Alfred is specifically referring to younger relatives, with *cild* meaning child. Thus *gingran* and *yldran* likely refer back to a dispute with his two nephews (one younger, one older) over their inheritance dating back to the death of their father and Alfred's brother King Æthelred in 871. The inclusion of this phrase also suggests that there was a social expectation that family members (and in this case, relatives outside of the immediate family) were provided for adequately by their relative's bequests, and a failure to do so would open the will up to criticism and even dispute.

Undeniably, this dispute between Alfred and his nephews must have been tied to a more general sense of dissatisfaction by his nephews, given that they were passed over for the succession in favour of Alfred. It is also worth noting, as will be seen, that Alfred leaves lands to his nephews in his will, perhaps in an attempt to remedy the grievances raised in their dispute over the distribution of their own father's property, titles and wealth. Alfred's will is therefore a

²⁴⁹ S 1507

²⁵⁰ S 1507; F. E. Harmer, 'King Alfred's Will', in *Select English Historical Documents of the Ninth and Tenth Centuries* (Cambridge, 1914), pp.15-17, translation adapted from that found on p.50; Alfred's PASE record can be found here: <https://pase.ac.uk/jsp/DisplayPerson.jsp?personKey=17> [accessed 21/01/2022]; Wormald, 'On þa wæpnedhealfe', pp.269-70.

²⁵¹ Harmer, 'Alfred's Will', p.17.

good demonstration of the existence of strong obligations owed to one's family when bequeathing property – obligations that even kings could not avoid. It is also a good demonstration of the kinds of trading and negotiation that occurred between family members prior to the creation of a written will, in order to create settlements that each could be satisfied with. These settlements are common in the extant corpus of wills, another example of which will be seen below, and often seem to have been intended to stand while both parties were still alive, usually to mutual benefit. Coming to such arrangements with relatives prior to the creation of a will would also have been important for reducing the likelihood that a will would be challenged after death, and so people may at times have felt compelled to satisfy some of the wishes of relatives beforehand.

Understandably, as a king Alfred bequeaths a relatively large amount of land and property in his will. His eldest son and heir Edward receives fifteen named estates, plus all of the bookland Alfred held in Kent. Alfred's second son Æthelweard also receives a substantial bequest – seventeen named estates as well as all the lands that Alfred held among the Welsh. His eldest daughter Æthelflæd receives one estate, his second daughter Æthelgifu two estates, and his third daughter Ælthfryth receives three estates. Æthelhelm, Alfred's older nephew, receives eight named estates, whereas Æthelwold, his younger nephew, receives three. Alfred also leaves seven named estates to a 'kinsman' Osferth, and his wife receives estates at Lambourn, Wantage and Edington, the latter two acting as poignant symbols of key moments in Alfred's life and reign (Wantage being his birthplace, and Edington the site of his most significant victory against the Vikings).

Alfred also distributes money to his family, with his sons receiving five hundred pounds each, his wife and daughters 100 pounds each, and all earls, his two nephews, and his kinsman Osferth all receiving one hundred mancuses. Money is also left to religious communities, bishops and also to men who served Alfred during his life. Alfred also includes an interesting clause in which he states that if he owes any money, his kinsmen have a responsibility to settle the debt on his behalf. The king also includes a caveat in his will which states that no bookland he has bequeathed to his relatives in his will is allowed to be alienated from the kindred at a later date—upon the recipient's death the land is to go to Alfred's closest living kin on the male side. The will then ends with Alfred praying that his kinsmen do not seek to oppress any of the people who have received bequests in his will.²⁵²

²⁵² *Ibid.*, pp.15-9.

Aside from the apparent obligation to bequeath land to the kindred after death, the practice of dividing land among children and other relatives is clear, and we can also suggest that Alfred gave a slight preference for his eldest son Edward in bequeathing bookland. Although Æthelweard receives two more named estates than Edward, Edward is granted all of Alfred's bookland in Kent, which presumably would have been more numerous and more prosperous than the Welsh estates that Æthelweard received. This would make sense given that Edward was Alfred's heir to the throne of Wessex – bequeathing Edward more land and wealth would thus provide him with more resources he could use to support himself, especially if Alfred suspected his son's succession would, as indeed it was, be contested. However, unfortunately we have no way of knowing how much each son received as part of their 'customary inheritance', and also no way of knowing the value of each of the bookland estates they received, and therefore this is only speculation. It could easily have been the case that, with the unwritten 'customary inheritance' included, Edward and Æthelweard received a roughly equal share. What we can say for certain, though, is that Alfred's two sons were by far the largest beneficiaries of his will, thus demonstrating a clear preference for sons over any other relative, even daughters (who receive relatively little) in terms of bequeathing land and wealth.

Further evidence for the centrality of the immediate family is also found in Alfred's will – his immediate family (his wife and children) receive the vast majority of his bookland and wealth. In fact, his 'kinsman' Osferth receives just seven estates, and adding this to his nephews' inheritance, Alfred's more distant relations only receive eighteen estates between them all, compared with the forty-one named estates (and more unnamed estates) that his wife and children receive. In addition, his wife and children are granted a total of 1,400 pounds of silver between them, compared with a total of just 300 mancuses that is shared between Alfred's more distant relatives. It should be acknowledged at this point that Nelson has suggested the 'Osferth' named here was actually an illegitimate son of Alfred's.²⁵³ Whether or not one accepts this, it is clear that Osferth was not treated like Alfred's 'legitimate' sons, instead receiving one fewer estates than Alfred's oldest nephew Æthelhelm. As such, no matter what kind of relationship between Alfred and Osferth the term 'kinsman' was intended to describe, Osferth is clearly treated here with some distance compared to Alfred's (known) immediate male descendants.

It is likely that the reason for this clear preference for the immediate family, particularly within the royal family, was due to the need to concentrate family resources in a small number of

²⁵³ For a discussion of this and some supporting evidence, see J. Nelson, 'Reconstructing a Royal Family, Reflections on Asser, Chapter 2', in I. Wood and N. Lund (eds), *People and Places in Northern Europe 500-1600: Essays in Honour of Peter Hayes Sanyer* (Woodbridge, 1996), pp. 59-66.

hands to secure the succession and also to retain the social position of the family as a whole. If resources were distributed more widely within a broader kindred, the wealth of even the wealthiest of families would soon dissipate and would be spread thinly between many descendants, meaning each generation would find it more and more difficult to retain their position. Concentrating wealth within the immediate family was especially important in the case of royal families, as challenges to the succession could rupture the entire kingdom, and, especially during Alfred's time, the threat of foreign invasion was far too high to risk this. Alfred's son and heir Edward, for example, had to face off a challenge from his own cousin, but the outcome of this struggle may have been very different had Edward not inherited a large resource base from his father. In addition, as mentioned above, Alfred explicitly forbids any of his heirs from alienating land from the kindred upon their own deaths, which further underlines Alfred's concern for protecting the royal family's resource base.²⁵⁴

Therefore, we can see the prominence of the immediate family here as an expression of good family strategy – ensuring direct descendants and heirs are well provided for, that lands controlled by the family do not leave the kindred, and that any figures from the wider kin-group that threaten the position of Alfred's direct descendants do not receive too much land or wealth. Given the various pressures, personal desires, and obligations Alfred faced when dispensing with his large amount of wealth and lands, the compromise between these at times competing needs appears to have been relatively successful.

The Wills of Æthelflæd (962x991) and Ælfflæd (c.1002)

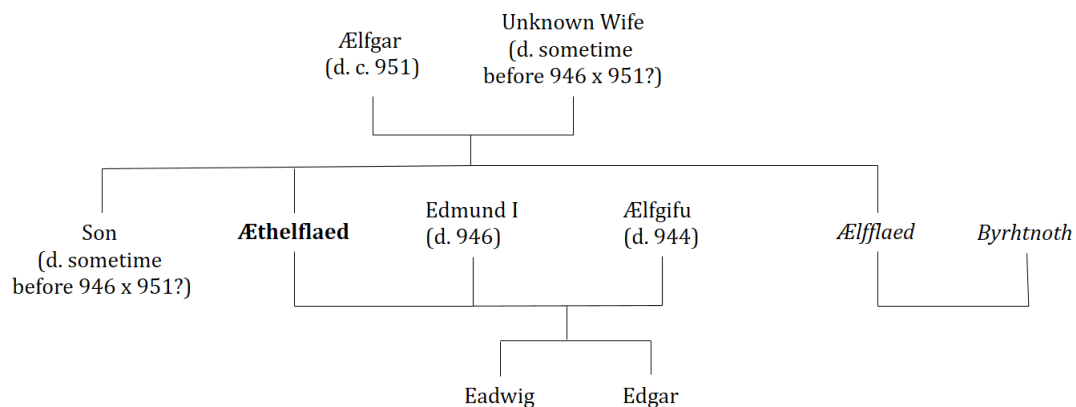


Figure 2.2 - Æthelflæd's family tree at the time her will was created. Beneficiaries of the will are italicised.²⁵⁵

²⁵⁴ Harmer, 'Alfred's Will', p.19.

²⁵⁵ S 1494

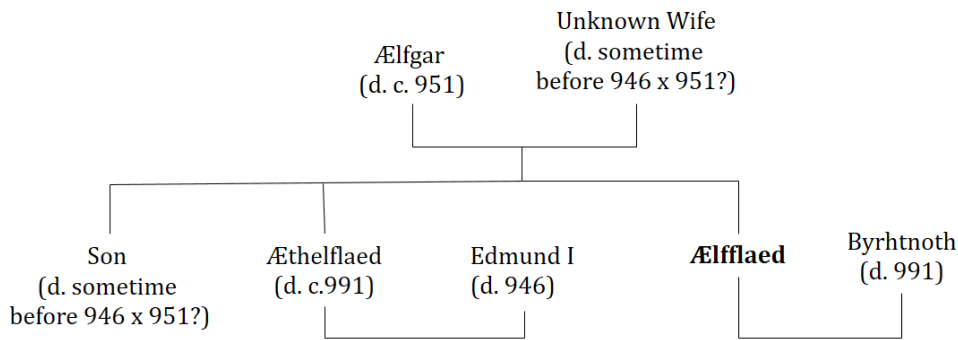


Figure 2.3 - Ælfflæd's family tree at the time her will was created.²⁵⁶

We have already encountered the wills of Æthelflæd and her sister Ælfflæd in Chapter 1 when exploring the centrality of immediate relatives, where these sisters' backgrounds have already been discussed. We return to them again here because this set of wills (preserved together with their father's will in Bury St Edmunds) also provides valuable insights into inheritance practices and in particular the use of reversion clauses, which requires closer examination. They are being considered together here due to the interconnected nature of the bequests in their respective wills. Given that the contents of Æthelflæd's will have already been outlined in Chapter 1, they will not be repeated here.

A close examination of Æthelflæd's bequests shows that, although the ultimate destination of the estates left to her by her father remained unchanged, Æthelflæd added in an additional step, instead leaving the estates to her sister and her brother-in-law before they went to the relevant religious communities.²⁵⁷ For example, the estate at Cockfield was supposed to go directly to St Edmund's, but it in fact goes to her sister and Byrhtnoth, and *then* to St Edmund's. The estate at Lavenham was due to go directly to Stoke, but again went to her sister first, and then to Stoke. She also grants use of the estates at Peldon, Mersea and Greenstead to the couple for their lifetimes, before then going to Stoke, but again these estates had originally been left directly to Stoke in her father's will.²⁵⁸ Here we can see two competing family obligations playing out in Æthelflæd's will. In the first instance, Æthelflæd had an obligation to follow the conditions set down in her father's will, but on the other hand she clearly wished to leave land to her closest surviving relatives, in this case her sister and her brother-in-law. Aside from any potential social obligations, this may also have been done to protect her sister Ælfflæd. Although Ælfflæd was

²⁵⁶ S 1486

²⁵⁷ S 1494; Whitlock, 'The Will of Æthelflæd', pp.34-7; Æthelflæd's PASE record can be found here: <https://pase.ac.uk/jsp/DisplayPerson.jsp?personKey=17255> [accessed 21/01/2022].

²⁵⁸ Whitlock, 'The Will of Æthelflæd', pp.34-7.

married at the time of this will's creation, by providing Ælfflæd with additional wealth and resources, Æthelflæd was helping to secure her sister's future and her position should she ever (as, indeed, she did) become a widow. In this way, Æthelflæd's will is a perfect demonstration of the use of a will to 'eke out' family resources, as Julia Crick put it, for as long as possible.²⁵⁹

Here we can clearly see an expression of a close family relationship between two sisters. Æthelflæd was certainly under no obligation to leave bookland to her sister, indeed, by doing so she was violating her own father's wishes as set out in his will. But Æthelflæd chose to do this anyway, not out of obligation, but because she wanted to. As such, we can see, perhaps in this will most of all, an expression of a desire to provide for one's closest family after death, devoid of any external legal or social obligations or expectations. Indeed, this further supports the argument made in Chapter 1 about the centrality of the immediate family, particularly when it came to issues of inheritance. Æthelflæd actively acted against her own obligations to her father to leave these lands to her sister before they went to the relevant religious communities. As such, Æthelflæd's will is a result of her attempts to strike a balance between these conflicting desires and obligations to her family – the eventual destination as set out by her father remains unchanged, but the process of getting there was altered. While this is most noticeable in this will, these kinds of 'balancing acts' between obligations to different family members, as well as the will-makers own personal wishes, must have been a feature of many wills.²⁶⁰ As Julie Mumby has highlighted, balancing these sometimes conflicting obligations and desires had to be done very carefully, as a failure to live up to any one of these could risk the will being challenged by people both within and outside the family, and if such a challenge was successful, the will may not have been implemented at all.²⁶¹ As can be seen in the consideration of her sister Ælfflæd's will, however, it would seem that Æthelflæd did in fact manage to negotiate these problems with a large degree of success.

The will of Ælfflæd, the younger daughter of Ealdorman Ælfgar and sister of Æthelflæd, and the wife and later widow of Ealdorman Byrhtnoth, completes the family set. Much of her will is concerned with fulfilling the terms of the reversion clauses on the estates granted to her by her father and her sister – and unlike Æthelflæd, Ælfflæd does not attempt to divert these estates to others before handing them over to the relevant religious communities. Ælfflæd also bequeaths land to various religious communities, as well as eight estates and other items to the king and one estate with a reversion clause to King Æthelred's mother Ælfthryth. She also leaves

²⁵⁹ Crick, 'Posthumous Benefaction', p.417.

²⁶⁰ Mumby, 'Property Rights in Anglo-Saxon Wills', pp.173-4.

²⁶¹ *Ibid.*, pp.173-4.

two estates to Ealdorman Æthelmær on the condition that he act as an advocate for her and, after her death, for the community at Stoke where her ancestors were buried. Finally, her kinswoman Crawe is mentioned, who also made an appearance in Æthelflæd's will. However, Ælfflæd does not seem to bequeath any additional estates to Crawe, instead she refers to an estate at Nedging that already appears to be in Crawe's possession (possibly inherited from Æthelflæd as undocumented folkland, or as part of a prior agreement between Crawe and one of the sisters that was unconnected to either of their deaths) and states that upon Crawe's death, the estate should pass to the community of St Edmund's. Ælfflæd also attaches a new reversion clause to the estate at Waldingfield that Æthelflæd left to Crawe in her will (originally with no reversion clause attached), diverting the estate to St Gregory's upon Crawe's death.²⁶²

The clauses attached to Crawe's estates are not easy to understand. It could suggest that Ælfflæd, as the sister of the person who originally owned and bequeathed the estates, still held some influence over the lands. A more likely explanation, however, is that the clauses introduced in Ælfflæd's will reflect prior agreements made between Crawe and the two sisters. The reversion of the estate at Nedging could have been part of an exchange agreement of some kind between Crawe and Ælfflæd, in which Crawe was already in possession of the land at the time Ælfflæd created her will, and thus the clause simply codifies that arrangement. It is stated that the reversion clause attached to the estate at Waldingfield was also agreed between Crawe and Æthelflæd, but for some unknown reason Æthelflæd does not mention this clause in her will, whereas Ælfflæd does.²⁶³

No other relatives are mentioned in her will. We know that her father, sister and husband had all died at this point, and she does not seem to have had any children. It is also possible that the other two relatives mentioned in Æthelflæd's will had also died by this point, leaving Crawe as Ælfflæd's only known living relative. It is possible that she had other distant relatives still alive, but if she did they are not known to us from any surviving sources. Notably, Ælfflæd chooses not to bequeath any further estates to Crawe. Instead she appears to dutifully fulfil the obligations placed on her by her father and her sister, bequeathing the relevant pieces of bookland to the appropriate religious communities, and thus completing the path of descent first outlined in her father's will roughly fifty years prior.²⁶⁴

²⁶² S 1486; Whitelock, 'The Will of Ælfflæd', pp.38-43; Ælfflæd's PASE record can be found here: <https://pase.ac.uk/jsp/DisplayPerson.jsp?personKey=14510> [accessed 21/01/2022].

²⁶³ Whitelock, 'The Will of Ælfflæd', pp.38-43.

²⁶⁴ *Ibid.*

Taking the wills of these two sisters together, then, we can see that the diversion of estates to Ælflæd as set out in Æthelflæd’s will was actually carried out, despite those instructions not existing in their father’s original will. We can also see that, despite the changes Æthelflæd made, Ælfgar’s original instructions were also eventually followed. We also have no evidence of any challenge to these wills, possibly because the reversion clauses to the religious communities were retained in Æthelflæd’s will, thus providing legal protection to both women. These two wills demonstrate that the use of reversion clauses in wills was often essential in protecting women’s inheritance for their lifetimes, even if this came at the cost of less freedom when making their own subsequent bequests. However, as Æthelflæd’s will shows, even within the restrictive bounds of these reversion clauses, women could still have some room to manoeuvre. The use of reversion clauses was thus an important strategy contemporaries could adopt when it came to organising their inheritance, particularly if their specific family circumstances made them necessary.

The Will of Æthelstan the Ætheling (1014)

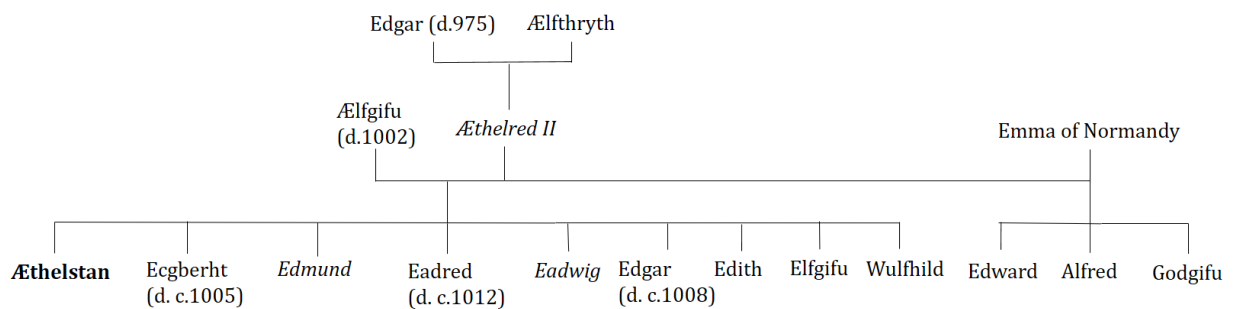


Figure 2.4 – Æthelstan’s family tree when his will was created. Beneficiaries of his will are italicised.²⁶⁵

The will of Ætheling Æthelstan (preserved in the archive at Christ Church Canterbury) is in many ways an interesting example – he was a member of the royal family, and heir to the throne of England, but he died before his father Æthelred II did, and thus never became king. He also had living full siblings and three half-siblings, as well as a living step-mother and grandmother at the time his will was created, which was on the day of his death on 25th June 1014.²⁶⁶ Æthelstan leaves land, money and various personal items (such as a drinking horn) and a belt and an armlet to various religious communities. His father and king Æthelred receives three estates, as well as a silver-hilted sword, a coat of mail and two horses. His brother Edmund receives a silver-coated

²⁶⁵ S 1503

²⁶⁶ S. Keynes, ‘Æthelstan Ætheling’, *Oxford Dictionary of National Biography* (Oxford, 2004) <https://doi.org/10.1093/ref:odnb/39127> [accessed 05/04/2019].

trumpet and three swords, one of which allegedly belonged to King Offa of Mercia. Edmund also receives an estate in the Peak valley, as well as all the estates obtained by Æthelstan in East Anglia. Æthelstan's other brother Eadwig receives a silver-hilted sword, and his foster-mother Ælfswith also receives an estate. Æthelstan also leaves bequests of land, horses and military equipment to two servants, as well as other named individuals, although it is not clear if these other individuals are relatives, servants or associates of Æthelstan. Finally, he states that bequests of land which are to be made to religious communities are to be for his own soul, his father's soul, and for Ælfthryth, his grandmother, *þe me afedde* (who brought me up).²⁶⁷

Perhaps the most striking characteristic of this will is its ability, far more than the other extant wills, to allow glimpses into what are possibly personal relationships and connections. For example, Æthelstan clearly felt deep affection for his foster-mother and his grandmother Ælfthryth, who we are told raised him as a child. This also speaks to the responsibility of mothers and grandmothers within the family, especially noble and royal families, of ensuring the proper education and upbringing of children. Clearly, the fulfilment of this role by Æthelstan's grandmother and presumably foster-mother too left a lasting impression on the ætheling, as we also learn it did for Alfred regarding his own mother in Asser's account of the ninth-century king's childhood.²⁶⁸ It is curious, however, that his biological mother Ælfgifu is omitted – although she had died many years before Æthelstan (while his grandmother was still alive, and it is unknown if his foster-mother was alive or dead), we may still have expected his bequests of land to religious communities to have been done for the sake of his mother's soul in addition to the other souls mentioned in his will.²⁶⁹

Many of the items that Æthelstan bequeaths in his will also contain a brief note about the history of that item. This could perhaps be purely so the item could be correctly identified, but it could also suggest that those items held sentimental value to Æthelstan, and as such the bequeathing of those items may have been intended to demonstrate affection for the recipient. An especially clear example of this is the bequeathing of the sword of King Offa to his brother Edmund – an item of immense rarity, value and symbolism. Offa was one of the most prominent and famous kings from the English past, and it is likely that this sword was one of Æthelstan's most prized possessions (and may even have been the Avar sword sent to Offa by

²⁶⁷ S 1503; 'Will of the Ætheling Æthelstan', in N. P. Brooks, S. E. Kelly (eds), *Charters of Christ Church Canterbury* (Oxford, 2013), pp.1037-41; Æthelstan's PASE record can be found here: <https://pase.ac.uk/jsp/DisplayPerson.jsp?personKey=13908> [accessed 21/01/2022].

²⁶⁸ Asser, *Vita Ælfredi regis*, c.23, in W.H. Stevenson, *Asser's Life of King Alfred: together with the Annals of Saint Neots erroneously ascribed to Asser* (Oxford, Clarendon Press, 1904), p.20. (Hereafter referred to as 'Asser').

²⁶⁹ 'Will of the Ætheling Æthelstan', in Brooks and Kelly, *Charters of Christ Church Canterbury*, pp.1037-41.

Charlemagne).²⁷⁰ Handing this sword over to Edmund thus demonstrates a level of affinity between the brothers – no doubt Edmund would have greatly appreciated such a bequest. In addition, the bequeathing of such an important sword also symbolises the passing over of the role of heir to the throne, as Edmund was now the king's eldest living son.

As with the other wills examined in these case studies, the immediate family features prominently, with Æthelstan's father and two living brothers together receiving a substantial portion of the total bequests. However, unlike the other case studies, non-family members also appear prominently in Æthelstan's will, with his servant Ælfmaer in particular seeming to benefit, as he received an estate, several hides of land, a stallion and fighting equipment (which is, interestingly, more than Æthelstan's younger brother received in the will). One possible explanation for this may be that Æthelstan created a will at a very different point in the life cycle than those who created the wills considered above. While many will-makers were older, Æthelstan was a young prince and heir to the throne, and most likely had many close servants and companions in his household. Indeed, there is a significant military dimension to his will which sets it apart from those considered elsewhere in this chapter - many of the items bestowed in Æthelstan's will are in some way associated with war and warriors, whether they are swords, shields, or horses. This further supports the idea that Æthelstan was a young warrior prince, who most likely had a household of servants and fighting-companions that he wished to acknowledge in his will outside of the immediate family group, and to whom he distributed land and warrior equipment. It is perhaps significant, though, that while these beneficiaries lay outside the family, many were likely still part of Æthelstan's household, and thus still had close connections to his family.

The other side to these demonstrations of affection, however, is also Æthelstan's living family members who are *not* mentioned in his will. First, it is perhaps significant that his younger sisters are not mentioned at all in his will, although it is of course possible that they did still inherit from Æthelstan through customary inheritance instead. Second, and perhaps more significantly, his step-mother Emma and his half-siblings do not feature in Æthelstan's will at all. The absence of Emma is difficult to explain in the sense that Æthelstan's will was certainly not constrained to blood-relatives – as we have seen, Æthelstan bequeathed an estate to his foster-mother. We could say that her absence may indicate a lack of affection for her, but given that no mention is made of his own mother either it is difficult to take this very far on its own. What is more telling, however, is the fact that nothing is left to his half-brothers. Both of Æthelstan's full

²⁷⁰ *Ibid.*, p.1045.

brothers are mentioned in his will, and Edmund is a very significant beneficiary indeed. However, no provision or even mention of his half-siblings is found in his will, and this together with the absence of Emma could indicate a rift within the royal family at the time of Æthelstan's death, between the children of Ælfgifu on one side, and Emma and her own children on the other. This rift may have been personal, but concern over the succession after Æthelred's death may also have been a factor. Royal mothers were often involved in attempts to secure the throne for their own sons over other children of the king, and so Emma and her children may have been considered potential threats to the position of Ælfgifu's children, thus explaining the rift in the royal family that we can possibly see in Æthelstan's will.²⁷¹

While we may interpret the settlements outlined in Alfred's will as an attempt to appease his relatives, Æthelstan appears to have taken a different approach to managing his bequests, seeming to favour those (both kin and non-kin) who were close to him, and leaving out entirely those who were not. This represents a different approach than that taken by Alfred, but this different approach was perhaps permissible due to the lower stakes involved: Æthelstan was young and merely an heir, whereas Alfred was an elderly king with all the additional pressures and responsibilities such a position brought.

²⁷¹ P. Stafford, 'The King's Wife in Wessex, 800–1066', *Past and Present*, 91 (1) (1981), p.10.

The Will of Wulfgyth (c. 1046)

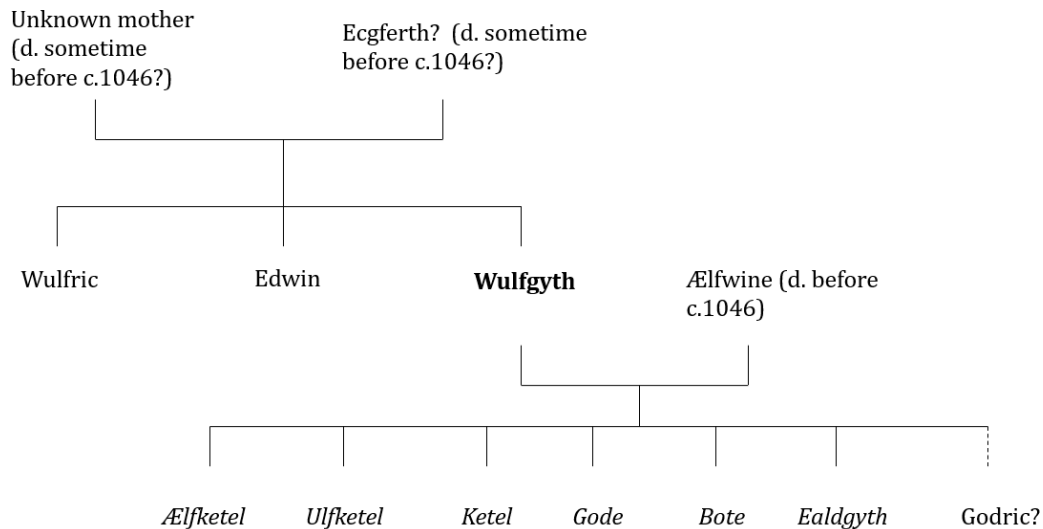


Figure 2.5 – *Wulfgyth's family tree at the time her will was created. Beneficiaries of her will are italicised. Godric is mentioned in Ketel's will as his brother, but does not appear in Wulfgyth's will. It is therefore possible that Godric was Ketel's half-brother, and his mother was not Wulfgyth.*²⁷²

We have previously encountered an important family set of wills, those of Ælfgar, Æthelflæd and Ælfflæd: this and the following two wills constitute a second set, albeit with a more indirect line of descent, made up of the wills of Wulfgyth, her son Ketel, and her brother (and Ketel's uncle), Edwin. As such, these wills present another important opportunity to examine the descent of land and different strategies for managing inheritance. Wulfgyth came from a family of perhaps middling status, given that her brother Edwin appears to have been a thegn.²⁷³ In her will, which is preserved within two registers at Christ Church Canterbury, she grants one estate at Stisted to the community at Christ Church, on condition that her sons Ketel and Ælfketel have use of the estate for their lifetime first. Her sons Ulfketel and Ketel received estates at Walsingham, Carleton and Harling, her two daughters Gode and Bote received two estates at Saxlingham and Somerleyton, and her daughter Ealdgyth received estates at Chadacre and Ashford. Wulfgyth

²⁷² S 1535; Whitelock, 'Notes: XXXII', p.198

²⁷³ Whitelock, *Anglo-Saxon Wills*, p.199.

also left a few estates, wealth, and other items to different religious communities.²⁷⁴ She also appears to have been particularly keen that nobody would dare alter her will, stating:

*'he who shall detract from my will...may he be deprived of joy on this earth, and may the Almighty Lord...exclude him from the fellowship of all saints on the Day of Judgement, and may he be delivered into the abyss of hell to Satan the devil and all his accursed companions and there suffer with God's adversaries, without end, and never trouble my heirs.'*²⁷⁵

This warning included at the end of the will is particularly detailed and striking, and could, given the insecure nature of women's landholding and wills discussed in Chapter 1, be reflective of a fear that her wishes may not be enacted in their entirety upon her death. While sanctions are common features of wills produced both at Christ Church and elsewhere, the other wills produced at Christ Church do not contain sanctions which are as long and detailed as the one in Wulfgyth's will. This suggests that its appearance in this form was not as result of the general documentary culture at Christ Church, but instead it was a result of Wulfgyth's own agency. Whether this does confirm any anxiety around the enacting of the will's terms, or whether this section simply captures a flare of Wulfgyth's general personality, is not entirely clear.²⁷⁶

We may also be able to detect a preference for her son Ketel here over her other children, given that he is mentioned as a beneficiary twice, and appears to share use of estates and inheritance with his brothers Ælfketel and Ulfketel, whom each only appear once. This could imply that Ketel was the eldest child, and thus given a slight preference for inheritance. Having said this, given the similarity of their names and the fact that neither appear in Ketel's will later, it is possible that 'Ælfketel' and 'Ulfketel' were the same brother, and there had been a textual error (the fact that the will survives only in two late-thirteenth-century manuscripts certainly makes this feasible).²⁷⁷ In addition, as discussed previously, we cannot be sure about the relative value of these estates in terms of determining which beneficiaries may have been favoured. Aside from this, there is little else that is especially remarkable about this will on its own, other than perhaps we know she had at least one living brother who does not feature in the will, instead the only relatives who receive bequests are her children. This matches with the pattern identified in many

²⁷⁴ S 1535; 'Will of Wulfgyth', in Brooks and Kelly, *Charters of Christ Church Canterbury*, pp.1187-9; see also the edition in K. A. Lowe, 'A New Edition of the Will of Wulfgyth', *Notes and Queries* 36 (1989), pp.450-2; Wulfgyth's PASE record can be found here: <https://pase.ac.uk/jsp/DisplayPerson.jsp?personKey=19382> [accessed 21/01/2022].

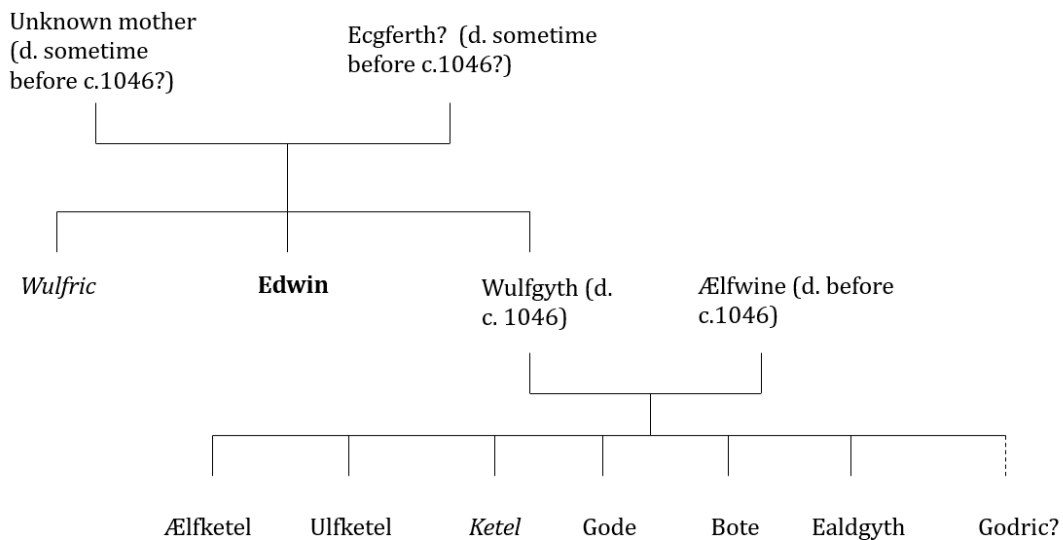
²⁷⁵ Whitelock, 'Will of Wulfgyth', pp.86-87; Brooks and Kelly, *Charters of Christ Church Canterbury*, p.1189.

²⁷⁶ For commentary on this will, see Brooks and Kelly, *Charters of Christ Church Canterbury*, pp.1189-91.

²⁷⁷ Brooks and Kelly, *Charters of Christ Church Canterbury*, p.1189.

of the other wills considered in both this and the preceding chapter, in which people preferred to concentrate their bequests into the hands of a small number of close relatives.

The Will of Edwin (c. mid-to-late-eleventh century)



*Figure 2.6 – Edwin’s family tree at the time his will was created. Beneficiaries of his will are italicised.*²⁷⁸

As noted above, Edwin appears to have been a thegn during the reign of King Edward. However, Edwin was still alive in 1066, and Whitelock notes that he ultimately lost his lands in the aftermath of the Norman Conquest, meaning that his will did not take effect. Nevertheless, it is still a useful document for assessing strategies for managing land and inheritance between relatives. First, Edwin leaves various pieces of land to religious communities, as well as three acres of land to a certain man named Leofric, of unknown connection. His will (which, unlike his wife’s will, is preserved at Bury St Edmunds) also documents an agreement that was made between himself and his brother Wulfric concerning two estates at Thorpe and Melton. They agreed that whoever lives the longest was to have both the estates, and that after both their deaths, the estate at Melton was to go to the community at St Benedict’s, whereas the estate at Thorpe was to go to Ketel, Edwin’s nephew, subject to a few conditions. These conditions were that Ketel was to pay two pounds to St Edmund’s each year, which was the rent of the estate, and the community there will in return say prayers for Edwin’s and Wulfric’s souls. After Ketel’s

²⁷⁸ S 1516

death, the estate was to go to St Edmund's *buten alken gentale* (without any objection), except eight acres of this land which was to go to a church in Ashwell.²⁷⁹

The Will of Ketel (1052 x 1066)

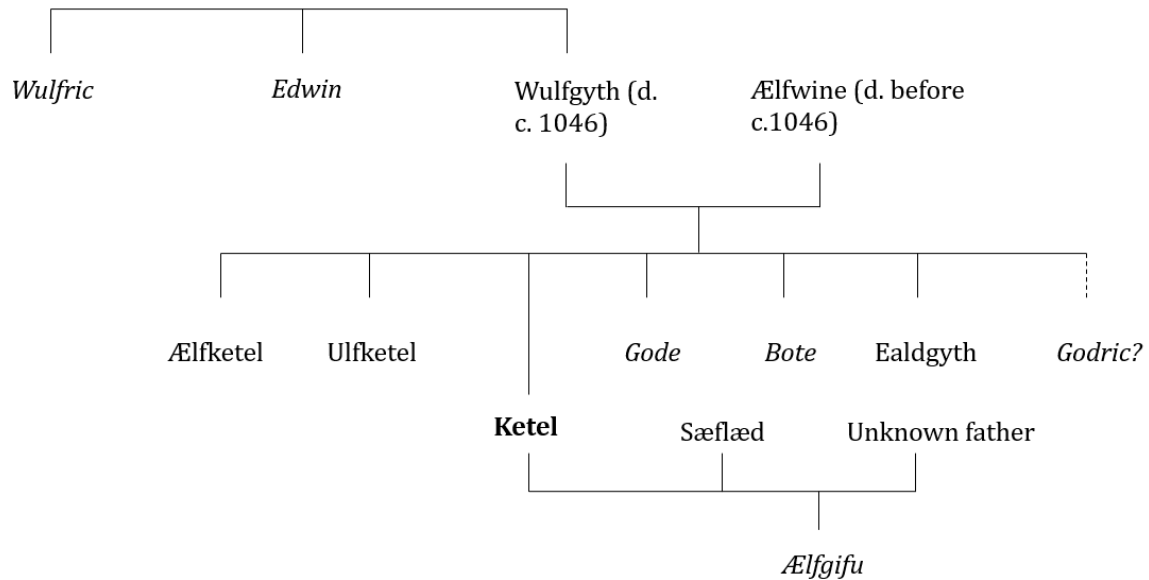


Figure 2.7 – Ketel's family tree at the time his will was created. Beneficiaries of his will are italicised.²⁸⁰

The will of Ketel, son of Wulfgyth and nephew of Edwin, completed this family set. It becomes clear from this will that he and his stepdaughter Ælfgifu (and possibly others, but this is not clear) were intending to undertake a pilgrimage to Rome, and this seems to have been the impetus behind the creation of Ketel's will.²⁸¹ First, he complies with the stipulations in his mother's will by passing on the estate at Stisted to Christchurch. There are two interesting things to note about this. First is that his mother's will left the estate for use of both Ketel and his brother Ælfketel for their lifetimes, yet there is no mention of Ælfketel here or anywhere else in Ketel's will, which could suggest he had already died by the time the will was created, thus leaving Ketel as the sole occupier of the land eventually destined for Christchurch. The second interesting part of this is that the land is bequeathed to Christchurch for his father's soul, and for

²⁷⁹ S 1516; Whitelock, 'The Will of Edwin', pp.86-9; Edwin's PASE record can be found here: <https://pase.ac.uk/jsp/DisplayPerson.jsp?personKey=19160> [accessed 21/01/2022].

²⁸⁰ S 1519

²⁸¹ Such journeys were not necessarily that exceptional, given England's strong connections to Rome (and the papacy) during this period. For more on this see F. Tinti, *Europe and the Anglo-Saxons* (Cambridge, 2021), pp.12-21; see also F. Tinti (ed.), *England and Rome in the Early Middle Ages: Pilgrimage, Art and Politics* (Turnhout, 2014); F. Tinti, 'The English Presence in Rome in the Later Anglo-Saxon Period: Change or Continuity?', in S. DeGregorio, P. Kershaw (eds), *Cities, Saints and Communities in Early Medieval Europe: Essays in Honour of Alan Thacker* (Turnhout, 2020), pp.345-71.

a woman named Sæflæd, whom Whitelock supposes could have been Ketel's wife.²⁸² This is odd, as this land was, as far as we can tell, bequeathed originally by Ketel's mother, and yet she is not mentioned here. One explanation may be that Wulfgyth herself was a widow when she created her will, and the estate at Stisted was originally bequeathed by her husband to her with a reversion clause to Christchurch attached, and upon her death she retained the reversion clause but allowed Ketel and his brother to use it for their lifetimes.²⁸³ As such, Ketel's father may have been the *original* benefactor behind the donation, and so received the prayers in the afterlife.

Ketel also grants some land to religious communities as well as to Archbishop Stigand, whom he refers to as his lord. He also refers to an agreement where, after his death, his uncles Edwin and Wulfric would succeed to everything in the village of Harling that he had not bequeathed to the church. Ketel then refers to the agreement mentioned in Edwin's will concerning the estates at Melton and Thorpe, although here the arrangement appears to be slightly different.²⁸⁴ In Edwin's will, whoever between Edwin and Wulfric lived the longest was to inherit both the estates at Melton and Thorpe, and once both were dead, Melton was to go straight to St Benedict's and Thorpe was to go to Ketel, then after his death to St Edmund's. However, in Ketel's will, the arrangement is presented thusly: if Ketel and Wulfric outlive Edwin, they both succeed to the estate at Thorpe (ie. Ketel does not need to wait until Wulfric's death, but seems to be able to hold joint ownership with him), and that the estate at Melton only goes to St Benedict's once both Wulfric *and* Ketel had died. It is not entirely clear whether this was a slight alteration to the agreement as outlined in Edwin's will, or whether this was what Edwin was intending to happen when he wrote his will. Either way, Ketel does ensure that the estates will go to the intended religious communities in his own will, thus fulfilling his part of the agreement. It is also perhaps because of this agreement that both Ketel's and Edwin's wills were preserved in the same archive at Bury St Edmunds, whereas Wulfgyth's (Ketel's mother) will, which was not involved in this agreement, was preserved in a different archive in Canterbury.

Ketel goes on to detail further agreements in his will, too. First is one between him and his sister Bote, if Ketel died first, she was to receive the estate at Ketteringham and a mark of silver, and if Bote died first, then Ketel was to receive land at Somerleyton (land given to her by their mother Wulfgyth in her will). The second agreement was between Ketel and his sister Gode: if Ketel died first, Gode was to receive the estate at Walsingham (again previously

²⁸² Whitelock, 'Notes: XXXIV', p.202.

²⁸³ Indeed, Whitelock has highlighted evidence suggesting she was the widow of a man named Ælfwine, see Whitelock, 'Notes: XXXII', p.198.

²⁸⁴ S 1519; Whitelock, 'The Will of Ketel', pp.88-91; Ketel's PASE record can be found here: <https://pase.ac.uk/jsp/DisplayPerson.jsp?personKey=19169> [accessed 21/01/2022].

mentioned in Wulfgyth's will), and if Gode died first, Ketel was to receive the estate at Preston. The third and final agreement present in his will concerns himself and his stepdaughter Ælfgifu, who both seem to have owned land at the estate at Onehouse: the agreement being that whoever dies first, the other shall inherit their share of the land there. If they both died on the pilgrimage to Rome, this land was instead to go to St Edmund's for both their souls and for Sæflæd's soul (likely Ketel's wife and Ælfgifu's mother).²⁸⁵ Ketel then grants some land to others, such as his servant and priest, as well as an estate at Moran to Earl Harold. In the latter case, Ketel mentions that he holds legal ownership over this land, but that it was currently occupied by *umwinan* (enemies).²⁸⁶ Presumably, Ketel hoped that by leaving this estate to Harold, a man much more wealthy and powerful than he, Harold would be able to eject his 'enemies' from the estate, and thus Ketel would enact some kind of posthumous revenge on those he deemed to have wronged him.

The extant evidence suggests that these kind of agreements between relatives regarding land were fairly common, but they appear especially common in Ketel's will. This raises the question: why are there so many arrangements made between different family members present in Ketel's will, compared with others? A likely explanation is that, unlike the other wills examined in this chapter and in chapter one, Ketel and his family were not 'elites' (that is, they were not from a family of ealdormen or of royal status), and while they were certainly more wealthy than most in early medieval England at this time, compared to the other wills considered so far they appear to have held the least amount of land. As a result, Ketel, Wulfgyth, Edwin and their other relatives all had to be more careful with how they disposed of their property compared with the likes of Alfred and Æthelstan, simply because they had much less of it.

The strategy adopted here, of bargaining pieces of land between each other according to whoever outlives the other, was not only in everyone's own personal interest, but would also have allowed the family to 'eke out' wealth and resources from the land held within the family for as long as possible, especially when such pieces of land were eventually destined for religious communities.²⁸⁷ It was not as imperative for more wealthy families to do this to the same extent, however, because there was more wealth and property available for distribution, and so perhaps this explains the prevalence of these kinds of agreements within this particular family compared with some of the others we have seen. It is also worth noting that while such arrangements

²⁸⁵ Whitelock, 'The Will of Ketel', pp.88-91.

²⁸⁶ Whitelock, 'The Will of Ketel', p.90.

²⁸⁷ J. Crick, 'Women, Posthumous Benefaction and Family Strategy in Pre-Conquest England', *Journal of British Studies*, 38 (4) (1999), p.417.

appear to have been quite common between relatives (even more distant ones), similar agreements in wills between non-relatives seem to have been much rarer, and this may therefore be taken as further evidence of the importance of kinship in the minds of contemporaries when dealing with their land, wealth, and possessions.

From the case studies considered here, we can identify many different strategies that people and families used to manage their lands and the process of inheritance.²⁸⁸ We have already seen in Chapter 1 the strategy of using reversion clauses to guarantee the security and women's landholding. Particularly in elite, especially royal, families, we have already seen the tendency for inheritance to be concentrated in the male line to secure as many resources as possible for use by a direct heir, thus preserving the dynasty's social, political, and economic position for the future. Much further down the socio-economic scale, we have also seen from the wills of Wulfgyth, Edwin and Ketel strategies that involved reciprocal agreements between relatives concerning land held by members of the same family. These agreements were designed to 'eke out' more limited resources for mutual benefit, especially in cases where the land was eventually destined for religious communities (a topic that will be explored more in Chapter 4). We have also seen the potential for wills to make use of symbolism and to reveal to us details about the nature of the testator's relationship with their relatives, as in the case of Æthelstan's will. What all of the case studies considered here also show is that the descent of land, wealth, and possessions was a process intimately bound up with kinship first and foremost: others certainly appear, such as friends, servants, priests, and religious communities, but the evidence suggests that most often, managing land and wealth was very much a family matter, both in life and in death.

Mismanaging Kinship

Much of this chapter has been dedicated to exploring the different ways in which family relationships were managed and regulated, and how potential problems within families were navigated and resolved, often with at least some degree of success. However, it is important at this juncture to acknowledge that family relationships, and problems and conflicts between relatives, were by no means always successfully handled. Indeed, although the fact of being related to someone produced a set of societal expectations regarding behaviour towards one

²⁸⁸ For more on family strategy and inheritance, particularly in the context of royal estates, see R. Lavelle, *Royal Estates in Anglo-Saxon Wessex: Land, Politics and Family Strategies* (Oxford, 2007); R. Lavelle, 'The King's Wife and Family Property Strategies: Late Anglo-Saxon Wessex, 871-1066', in C. P. Lewis (ed.), *Anglo-Norman Studies 29: Proceedings of the Battle Conference 2006* (Woodbridge, 2007), pp.84-99.

another, sharing a bond of kinship in itself was not a guarantee of amicable relations or that any societal expectations about behaviour would actually be fulfilled. As a consequence, we must recognise that there were also occasions where kinship relations were managed poorly, and the chosen strategies for avoiding or resolving problems failed, sometimes spectacularly so.

As the will of King Alfred has been considered already in this chapter, it seems fitting to briefly explore his family in more detail to illustrate this point: in fact, Alfred's family provides us with not one, but two, separate examples of familial discord in which the chosen strategies of either avoiding or resolving conflict failed. The first of these relates to Alfred's father King Æthelwulf, and his son Æthelbald. The exact circumstances around the origins of this dispute are not entirely clear, but seem to go back to the premature death of Æthelwulf's eldest son and heir, Æthelstan. Richard Abels has argued that, upon Æthelstan's death, Æthelwulf failed to formally confirm or publicly acknowledge Æthelbald's status as his new heir (Æthelbald was now his eldest living son).²⁸⁹ The issue came to a head when Æthelwulf departed Wessex on a pilgrimage to Rome (a trip that in the past had signalled royal retirement, as for example with King Ine, but in this case it seems likely Æthelwulf had every intention of returning to Wessex and continuing as king), and left the western half of Wessex in the hands of Æthelbald, and the eastern half of the kingdom in the hands of another son, Æthelberht.²⁹⁰ Upon Æthelwulf's return from Rome, with a young Frankish princess as his new queen, he requested the return of his lands. While Æthelberht obliged, Æthelbald, perhaps still concerned about his position and the question of succession, refused, forcing Æthelwulf to rule only the eastern part of his former kingdom. Any direct military conflict between the two was possibly only avoided due to the looming threat of viking invasion.

The crux of the matter appears to have been primarily around Æthelbald's anxiety around the succession and his eventual inheritance. His father had not granted him his deceased brother's former title of sub-king of Kent, which may have led Æthelbald to suspect his succession to the throne may not have been as secure as he would have liked.²⁹¹ Matters were not helped by Æthelwulf's marriage to Judith and her anointment as Queen of Wessex. Not only does Asser indicate that this was out of step with West Saxon tradition, but any future heirs born to Judith would have a strong claim to the throne because of her anointment.²⁹² One cannot help

²⁸⁹ R. Abels, *Alfred the Great: War, Kingship and Culture in Anglo-Saxon England* (London, 1998), pp.80-1.

²⁹⁰ On ninth-century royal pilgrimages from Britain to Rome, including that made by Æthelwulf, see R. Thomas, 'Three Welsh Kings and Rome: royal pilgrimage, overlordship, and Anglo-Welsh relations in the early Middle Ages', *Early Medieval Europe* 28 (4) (2020), pp.560-91.

²⁹¹ Abels, *Alfred the Great*, pp.80-1.

²⁹² Asser, c. 13-15, pp. 10-14.

but wonder, as Æthelbald himself surely did, what this meant for him and his own future. Did his father intend to replace him with an heir from his new wife? Would he and his brothers be sidelined at court and in the line of succession? These anxieties and uncertainties, of which Æthelwulf seems to have done little to quell, thus provoked Æthelbald to take action against his father by refusing to relinquish control of the western portion of Wessex upon Æthelwulf's return.

As we have already seen, such behaviour violated the contemporary standards of behaviour expected of a son, and showed great disrespect for his father that contemporaries viewed with disdain. Indeed, Asser, in noting this 'infamous' episode, states that Æthelbald's behaviour was 'contrary to the practice of all Christian men'.²⁹³ Although father and son, perhaps rather begrudgingly, came to terms without further conflict or bloodshed, the fact that Asser reflects back on this event in such negative terms suggests that there had been no personal reconciliation between the two of them before Æthelwulf's death, which is likely to have been known to Asser's audience. Here, then, we have an example where family relationships were managed poorly, and the tensions created by the conflicting wishes of father and son were not able to be satisfactorily or amicably resolved.

The second example from Alfred's family of a failure to 'manage' kinship relationships effectively came just after Alfred's death, in which Alfred's son and heir Edward faced a rebellion against his succession led by his own cousin, Æthelwold, who was the son of Alfred's brother and predecessor as king. We have already seen the dissatisfaction expressed by Alfred's nephews in his will regarding their property inheritance, which Alfred attempted to resolve by granting them lands and setting out his interpretation of his own father's will. However, the reason Alfred's efforts failed to placate his nephews is because their objections were not really just about property, but more generally about their dissatisfaction at being overlooked and skipped over in the line of succession: something Alfred could do nothing about without demoting his own son's position, which was quite clearly not an idea he was willing to entertain.

We know that issues around the succession were on Alfred's mind in the latter years of his reign, and he and members of his court used this time to create propaganda which supported Edward and his claim to the throne.²⁹⁴ The fact that this was the case also suggests that Alfred expected conflict to arise after his death, and was perhaps well aware that his attempts to manage

²⁹³ Asser, c.12, p.9.

²⁹⁴ For further discussions of the pre-occupation with the succession in the latter part of Alfred's reign, see, see B. Yorke, 'Edward as Ætheling', in N. Higham, D. H. Hill (eds), *Edward the Elder, 899-924* (Abingdon, 2001), pp. 25, 37; D. Pratt, 'The Making of the Second English Coronation *Ordo*', *Anglo-Saxon England* 46 (2017), pp. 229, 232-3.

his nephew's discontent by granting them property and wealth in his will were likely to fail. This again shows a failure to manage dynastic tensions successfully, although in this case achieving a resolution outside of the armed rebellion that occurred would have been difficult: the issues that laid at the heart of these tensions went back to Alfred's own succession to the throne, and nothing could really compensate either side for the loss of the kingship itself. Regardless of whether or not Alfred could have done more to stave off Æthelwold's rebellion, he clearly chose to favour his own personal interests and those of his eldest son over the interests of his wider relatives: we have already seen this pattern of favouring close relatives regarding inheritance, and it seems likely that this was approach was often applied more generally to managing kin relationships during times of conflict or disagreement.

There are, of course, many more examples we could draw on to illustrate family divisions and a failure to successfully manage and navigate the relationships, desires and expectations that existed within kinship groups. For example, Bede speaks of divisions within the Northumbrian royal dynasty of the seventh century, which saw King Oswiu's own nephew, Æthelwald, betray his relatives and side with the pagan King Penda of Mercia ahead of the Battle of Winwæd.²⁹⁵

Rabin has also discussed in detail a property dispute brought by a son against his own mother, who subsequently *gebeallþ heo swiðe eorlice wið hire sunu* (was very strongly incensed by her son) for having raised the case against her. Clearly even immediate relatives, regardless of social status, were not immune to conflict and the harbouring of ill-feelings between each other.²⁹⁶ While this evidence concerns a dispute over land and wealth, we can easily imagine similar conflicts between relatives flaring up over all manner of issues, in much the same way as today. Clearly, familial discord was not simply within the purview of royalty. Other examples can be found in the turmoil of the eleventh century, not least in the prelude to 1066 which saw Harold Godwinson fail to support his brother Tostig in his position as Earl of Northumbria. This lack of fraternal support and Tostig's subsequent exile would have significant, and deadly, consequences when Tostig returned to England as part of Harald Hardrada's claim to the throne, in direct challenge to Harold, now King of England. It is not necessary to continue with such examples: the point has been made that strategies and mechanisms for avoiding familial conflict were not always successful, even if they most often were. It was not always possible, nor did the relevant parties necessarily wish, to resolve and manage such tensions amicably. Once

²⁹⁵ Bede, III. 14, and III.24, *Historia Ecclesiastica Gentis Anglorum*, in Colgrave, B., & Mynors, R.A.B., (eds and trans) *Bede's Ecclesiastical History of the English People* (London, 1969), p.255, p.291.

²⁹⁶ No. 78, in A. J. Robertson, *Anglo-Saxon Charters* (Cambridge, 1939), p.152; Rabin, "‘Sharper Than a Serpent's Tooth'", pp.286-90.

more, it is worth noting that many of these conflicts arose between close relatives, especially parents and children. The evidence suggests, rather like Asser's characterisation of Æthelbald as a *pertinax filius* (obstinate son) after refusing to acquiesce to his father, that society viewed such conflicts particularly dimly, with the burden apparently on the child to honour and respect their parent: a duty they had failed in by entering into a public dispute with their parent and through violating the standards of behaviour expected of close family towards one another.²⁹⁷

Conclusion

This chapter has explored some of the key ways in which people's relationships with their relatives were managed, regulated and experienced, across the key themes of marriage, children, and inheritance. It has shown that people's experiences of marriage, as well as the social standards they were held up to, were not the same for men and women. In fact, there existed a range of social, legal and religious limits on the behaviour of women within these relationships, and the consequences of transgressing these limits could be severe, particularly in the case of adultery. Some of these restrictions (such as on widows not marrying within a year of their husband's death, or of placing reversion clauses on property inherited by women) may have been to protect women's right from predatory men and relatives, but we must be mindful that men and women's position and experiences of kinship were rarely the same. We have also seen with Ealdorman Ælfgar and his daughters, both here and in Chapter 1, that gender also affected the ways in which people went about leaving land to their female heirs: in essence, gender had a significant bearing on how people experienced and 'managed' their kinship relations with others, especially when it came to marriage and the inheritance of land.

We have also seen some of the ways in which the relationship between parents and children was managed and regulated, too. It is not the case that parents possessed untrammelled authority over their children, and children's consent had to be gained after they reached a certain age, especially when it came to marriage proposals and potential enslavement. Penitentials also prescribed a range of penances due for the act of parents killing their children (whether intentionally or not), thus providing a degree of protection for children and some form of guarantee over their safety within the family home. Interestingly, we have seen that in most cases the protections and guarantees put in place to ensure children's safety and proper respect for

²⁹⁷ Asser, c.13, p.11; Rabin makes the point that disputes between parents and children represented 'a departure from the conventional parent-child bond', in Rabin, "Sharper Than a Serpent's Tooth", p.286.

their individual rights did not come from secular authorities, but from clerics. This may say something broader about the perceived ‘spheres’ of authority in which secular and ecclesiastical authority operated: secular law generally concerned itself with the maintenance of public order, whereas ecclesiastical law concerned itself, among other things, with more private matters, such as those related to personal morality and relationships.

Finally, we have seen through the use of case studies some of the ways individuals and families managed and navigated the potentially thorny issue of inheritance. The case studies considered here have shown that there were many common strategies people could use to manage the inheritance process, such as using reversion clauses, focusing the descent of land and wealth in the hands of direct male heirs, and/or creating a series of reciprocal agreements within the family over pieces of land in order to extract the greatest number of resources as possible for individual relatives. In Æthelstan’s case in particular, we have also seen the potential for contemporaries to use the inheritance of land and wealth as a public declaration of the state of their family relationships and their personal feelings. Most often, the chosen strategy or strategies for managing the process of inheritance was dictated by a family’s social and economic status, as well as particular circumstances that required addressing, for example, as with Ealdorman Ælfgar, only having direct female heirs. The complexities and nuances involved in managing family relationships required such flexibility: indeed, a ‘family’ or ‘kindred’ was not a monolithic entity, but one that was made up of individuals, all of whom had different wants, desires, expectations, thoughts, feelings, and relationships with one another.

Managing all of this, together with wider societal pressures and norms regarding kinship, to prevent familial discord was a constant challenge, and this chapter has explored some of the strategies people employed to deal with this, as well as some of the different experiences of kinship that occurred as a result. As we have also seen, however, particularly in the case of King Alfred’s family and in others as well, maintaining familial or dynastic harmony was not always possible, despite the many available strategies and social norms in place to achieve this: in other words, it is important to acknowledge that ‘managing’ kinship was not always simple, and attempts at doing this were not always entirely successful.

Chapter 3

Kinship, Law, and Political Culture

There exists a consensus within the scholarship on early medieval England that from the seventh century onwards power became heavily centralised on kings, the royal court, and the king's officials, and that kings were able to exercise a great degree of political, legal, administrative, military and economic control over their subjects.²⁹⁸ This view has most famously and cogently been outlined by James Campbell, who suggests that 'the more the organisation of the Anglo-Saxon state is studied, the plainer it is that kings did organise on a very large scale'.²⁹⁹ He even went so far as to argue, not without provoking dispute, that we can view early medieval England as a 'nation state' and cites the impressive production of documents such as the Burghal Hidage and the Tribal Hidage, as well as the eighth-century construction of Offa's Dyke, as evidence both of the large-scale organisation of kingdoms directed by kings, and also of the substantial level of resources at king's disposal.³⁰⁰ To this evidence we can also add the implementation of King Alfred's burghal defence programme, which would have required the mobilisation of large swathes of the West Saxon population at the king's command on an unprecedented scale.³⁰¹ The production of currency that enjoyed wide-spread use would also have required a stable and well-organised polity, and the extraordinary sums Æthelred II and his magnates were able to extract from their subjects to pay the so-called 'Danegeld' or *gafol* also speaks to the highly centralised and organised state of early medieval English kingship by the early eleventh century.³⁰²

²⁹⁸ See J. Campbell, 'The Late Anglo-Saxon State: A Maximalist View', *Proceedings of the British Academy* 87 (1995), pp.39-65; P. Wormald, *The Making of English Law: King Alfred to the Twelfth Century, Volume I* (Oxford, 2000); for the power of the king and his lords (or 'earls') in the latter part of this period, see S. Baxter, *The Earls of Mercia*, (Oxford, 2007). Though they express more caution than Campbell, in their survey of the period, Higham and Ryan cite Campbell and note that early medieval England 'possessed a sophisticated machinery of rule, capable of significant, and...precocious administrative feats', which demonstrates the enduring attraction to these ideas among historians of the period, see N. Higham, M. J. Ryan, *The Anglo-Saxon World* (New Haven, 2013), p.311.

²⁹⁹ J. Campbell, *The Anglo-Saxon State* (London, 2000), p.4.

³⁰⁰ *Ibid.*, pp.6,10; Hyams in particular has expressed the need for 'sceptical caution' in relation to these 'maximalist' interpretations, but he does not dispute the central arguments in favour of a centralised and well-organised polity, see P. Hyams, 'Feud and the State in Late Anglo-Saxon England', *Journal of British Studies*, 40 (1) (2001), pp.3-4; For more on the use of the term 'state' in a medieval context, see R. Davies, 'The Medieval State, the Tyranny of a Concept?' in *Journal of Historical Sociology* 16 (2003), pp.280-300; and in response see S. Reynolds, 'There Were States in Medieval Europe: A Response to Rees Davies', *Journal of Historical Sociology* 16 (4) (2003), pp.550-5; see also S. Reynolds, *Kingdoms and Communities in Western Europe, 900-1300* (Oxford, 1997).

³⁰¹ N.P. Brooks, 'England in the Ninth Century: The Crucible of Defeat', *Transactions of the Royal Historical Society* 29 (1979), p.19; on the burghal hidage see A. Rumble, D. Hill (eds), *The Defence of Wessex: Burghal Hidage and Anglo-Saxon Fortifications* (Manchester, 1996); see also J. Haslam, 'The Burghal Hidage and the West Saxon Burhs: A Reappraisal', *Anglo-Saxon England* 45 (2016), pp.141-82.

³⁰² L. Roach, *Æthelred the Unready* (London, 2017), pp.220-5.

As discussed in the introduction to this thesis, the apparent strength of English kingship, and the lords and officials that served the king, has caused previous scholars to express scepticism about the importance of kinship in early medieval England.³⁰³ H. R. Loyn argued, for example, that ‘the formal institutional life of the kin...was atrophied, if not stifled at birth, by the strength of territorial lordship’.³⁰⁴ Frank Stenton also subscribed to this narrative, arguing that the kindred was suppressed and attacked by lords and royal legislation starting as early as the seventh century, and that these supposed attacks represented a ‘serious encroachment on the power of the kin to protect its members’.³⁰⁵ J. C. Holt has also highlighted the historiographical trend of seeing the responsibilities traditionally ascribed to the kin being transferred over time to lords, as early medieval political culture became increasingly focused around the centre.³⁰⁶

It is worth noting that one strong influence on these kinds of historical narratives about kinship and political culture that developed between the 1950’s and 1980’s was the work of functionalist anthropologists such as Max Gluckman, who argued for what he called ‘the peace in the feud’, based on his work on African societies.³⁰⁷ His argument was that despite the frequent appearance of feuds in law codes, the actual occurrence of feuds in practice was very limited in medieval society, and that violence was generally uncommon.³⁰⁸ The theory is pessimistic about family unity, assuming that a wide array of relatives would have been drawn into the process (which, as seen in chapter one, is not necessarily always a safe assumption), and that due to intermarrying in local communities, everyone would have been part of everyone else’s *sib*, or ‘feuding group’, and so would be reluctant to fight against one another. These pressures and conflicts of loyalty therefore encouraged the seeking of peaceful settlement rather than the pursuit of violence, and as such ‘feuding’ was not evidence of a disorderly and out of control society, but rather a society that was well ordered and structured.

It should be noted here briefly that not all twentieth-century scholarship on the feud subscribed to this view: for example, Otto Brunner, in his well-known *Land and Lordship* (first

³⁰³ For a discussion on the power of early medieval English earls and reeves, see Baxter, *The Earls of Mercia*, pp.61-124.

³⁰⁴ H.R. Loyn (1974), ‘Kinship in Anglo-Saxon England’, *Anglo-Saxon England* 3, p.209.

³⁰⁵ F. M. Stenton, *Anglo-Saxon England* (Oxford, 1955), pp.312-4.

³⁰⁶ J.C. Holt (1981), ‘Feudal Society and the Family in Early Medieval England: I. The Revolution of 1066’, *Transactions of the Royal Historical Society* 32, p.194.

³⁰⁷ M. Gluckman, ‘The Peace in the Feud’, *Past & Present* 8 (1955), pp.1-14; M. Gluckman, ‘The Peace in the Feud’, in Gluckman, *Custom and Conflict in Africa* (Oxford, 1955), pp.1-26; S. D. White, ‘“The Peace in the Feud” revisited: feuds in the peace in medieval European feuds’, in K. Cooper, K. Leyser (eds), *Making Early Medieval Societies: Conflict and Belonging in the Latin West, 300-1200* (Cambridge, 2016), pp.220-243.

³⁰⁸ Stephen White has highlighted the influence of Gluckman on the work of medieval historians such as Wallace-Hadrill and others, see: White, ‘“The Peace in the Feud” revisited’, pp.225-6, 228-9; see also J. M. Wallace-Hadrill, ‘The Bloodfeud of the Franks’, *Bulletin of the John Rylands Library, Manchester* 41 (1959), pp. 459-87.

published in 1939), suggested that the feud was utterly integral to medieval political culture and one of the key components of society's legal structure (although it was pursued by a range of actors larger than simply the kindred).³⁰⁹ While both Brunner and Gluckman recognised the importance of the feud, they differed in their vision of medieval Europe in that where Gluckman believed the feud to have been important mostly as a deterrent, Brunner saw the pursuing of feuds as a common and important process in the Middle Ages, not just as a theoretical deterrent but also as a physical action which was frequently carried out. Unlike Gluckman, Brunner believed that the obligation to participate in feuds (based on notions of upholding honour) would often have been too strong to ignore.³¹⁰ However, Brunner's sources were mostly from later medieval Austria, and Susan Reynolds has noted that there were differences between the feud in the later Middle Ages and the feud in the earlier centuries covered by this thesis.³¹¹ Furthermore, some more recent scholarship, in particular that by Gadi Algazi, has critiqued Brunner's more maximalist interpretation of the feud and its role in later medieval society.³¹²

Returning to Gluckman, whose ideas of the feud were very influential on the work of prominent twentieth-century scholars of the early Middle Ages such as J. M. Wallace-Hadrill, even if his theory of high levels of intermarriage and a very wide involvement of kin in the process of the feud were to be accepted (both of which are problematic), he also assumed that people's loyalties to different relatives would have been of equal value, and therefore peaceful settlement would have been sought.³¹³ As shown by chapters one and two, however, one relative was not always equal to another, and this is to say nothing about the very high levels of emotion these issues involved, which is also not effectively factored into these functional approaches which operate on an assumption of rationality. This is not to suggest that the pursuit of feuds was inherently *irrational*, or that feuding violence was out of control and unending in the Early Middle Ages (which is not likely either), but merely to point out that this model does not easily and readily fit onto contemporary English society, and that it ignores the role of emotions and

³⁰⁹ O. Brunner, *Land and Lordship: Structures of Governance in Medieval Austria* (trans H. Kaminsky and J. V. H. Melton) (Philadelphia, 1992), pp.1-94. For the influence of Otto Brunner's work, see J. V. H. Melton, 'Otto Brunner and the Ideological Origins of *Begriffsgeschichte*', in H. Lehmann, M. Richter (eds), *The Meaning of Historical Terms and Concepts: New Studies on Begriffsgeschichte* (Washington, 1996), pp.21-34.

³¹⁰ Brunner, *Land and Lordship*, pp.42-3

³¹¹ S. Reynolds, '[Review] *Land and Lordship: Structures of Governance in Medieval Austria*. By Otto Brunner', *History* 78 (253) (1993), p.294.

³¹² G. Algazi, *Herren Gewalt und Gewalt der Herren im späten Mittelalter: Herrschaft, Gegenseitigkeit und Sprachgebrauch* (Frankfurt, 1996); Algazi's interpretation of the feud has in turn been critiqued by Hilla Zmora, see H. Zmora, *The Feud in Early Modern Germany* (Cambridge, 2011), pp.9-17.

³¹³ White, 'The Peace in the Feud' revisited', pp.225-6, 228-9; see also Wallace-Hadrill, 'The Bloodfeud of the Franks', pp. 459-87.

variations in circumstances and personal relationships that were always significant in these kinds of situations.

Gluckman's theory therefore imagines kinship playing a reduced role in society, where people did not necessarily need to rely on their relatives for practical assistance in the feud as peaceful settlements were sought instead, family unity was often fractured, and within this theoretical framework it is difficult to see kin groups (or their members) acting with any kind of substantial social, political or economic influence within society: instead they become passive and reactive, rather than active, elements of society. While applying this theory to early medieval England therefore has many problems, it is nevertheless important to understand the kinds of ideas that were influencing scholars such as Stenton, Lancaster, and Loyn at the time they were writing: once their work is viewed with the anthropological influences of scholars such as Gluckman in mind, the reason behind their general pessimism about kinship's role in early medieval English society becomes clearer. Indeed, the influence of anthropology on Lancaster's work in particular is clear: in her essays she cites multiple anthropological works on kinship from Gluckman's era, especially those by Alfred Radcliffe-Brown, Robert Lowie and Raymond Firth.³¹⁴

As we have again seen in the introduction to this thesis, this historiographical narrative about kinship and political culture has not just been confined to England, either. Georges Duby, for example, linked the suppression and later resurgence in the importance of the family with the rise and fall of the Carolingian Empire, and Marc Bloch three decades earlier also argued that the decline of the family and the inability of the kindred to provide protection to its members was one of the factors that created the space for the feudal revolution.³¹⁵ As such, this narrative which sees the decline of the family within society and the rise of lords and kings to take its place is not just an English phenomenon, and must be viewed in the context of broader trends within European historiography more widely. Much of the existing historiography on the topic of kinship and political culture therefore envisages a zero-sum relationship between kings and the family – as the authority of the king increased, and political power became more centralised, the importance of the family within society decreased as a result.

³¹⁴ Lancaster, 'Kinship in Anglo-Saxon Society – I', pp.249-50.

³¹⁵ Georges Duby, *La société aux XIe et XIIe siècles dans la région mâconnaise*, 2nd ed. (Paris, 1971), p.122; see also H. Bresc, J.P. Cuvillier, R. Fossier, P. Guichard, P. Toubert and G. Duby (eds), *La Famille occidentale au Moyen Âge* (Brussels, 2005); Marc Bloch, *Feudal Society* (trans L.A. Manyon) (London, 1961), p.443; see also H. Hummer, *Visions of Kinship in Medieval Europe* (New York, 2018), pp.64-5.

However, as well-established and deeply rooted as this paradigm is, Thomas Charles-Edwards has been more confident than others in asserting the strength of early medieval kinship *vis-à-vis* lords and kings, and in an examination of the story of Cynewulf and Cyneheard (discussed below), Stephen White has argued that the story provides no evidence that lordship superseded kinship in eighth-century England, contrary to other interpretations.³¹⁶ Pauline Stafford has also expressed scepticism about this established narrative of the family by suggesting that the family never acted as the sole basis of society before the rise of lords and kings, and that older studies have underestimated the enduring importance of the family into later centuries.³¹⁷

It is this suggestion that this chapter aims to build and expand upon. Its central argument is that, contrary to the received wisdom outlined above, kings and kinship were not in opposition in early medieval England, but rather these two forces interacted with each other and their relationship evolved over time often in more mutually supportive ways than have previously been recognised. It will also question the existence of the ‘zero-sum’ relationship between kings and kinship that scholars such as Loyn and others, as discussed above, have posited, instead arguing that the growth and centralisation of power in English political culture over time did not necessarily, as has previously been assumed, occur at the expense of the family and its position within early medieval English society. Instead, this relationship was characterised, particularly in the later centuries of this period, by mutual interdependence.

The arguments outlined above will first be explored through an examination of the practice of feuding and wergild payments as a case study to explore the relationship between kings and the family: these processes were a prominent arena in which the two frequently interacted with each other in the laws, and so require careful attention. Second, other avenues of interaction in the laws will be explored, where it will be argued that we can detect a change in this relationship starting in the late ninth century, and some linguistic evidence will also briefly be considered. Finally, the case of Cynewulf and Cyneheard, as narrated in the *Anglo-Saxon Chronicle*, will be explored along with its wider Alfredian political context. This period requires separate and more in-depth consideration, given that some previous scholarship has suggested that there is evidence from Alfred’s reign of ties of lordship being actively promoted over those of kinship:

³¹⁶ T.M. Charles-Edwards, ‘Kinship, Status and the Origins of the Hide’, *Past and Present*, 56 (1) (1972), p.31; S.D. White, ‘Kinship and Lordship in Early Medieval England: The Story of Sigeberht, Cynewulf and Cyneheard’, in S.D. White, *Re-thinking Kinship and Feudalism in Early Medieval Europe* (London, 2006), pp.1-18.

³¹⁷ P. Stafford, ‘King and Kin, Lord and Community: England in the Tenth and Eleventh Centuries’, in P. Stafford, *Gender, Family and the Legitimation of Power: England from the Ninth to Early Twelfth Century* (Aldershot, 2006), p.12, p.18.

this section will therefore revisit this evidence, in light of the broader context considered throughout the rest of this chapter.

It should also be briefly noted before proceeding that this chapter treats kingship and lordship as being largely synonymous concepts. As Rachel Stone has shown, this marks an important difference between early medieval England and Carolingian Francia: in Francia, partly due to the Carolingian dynasty's history of usurpation, kingship and lordship were presented (and are often treated as such in historiography) as different and even opposing concepts, whereas this was not the case in England, where contemporaries (and especially kings) deliberately elided the concepts of kingship and lordship for their own benefit.³¹⁸ As such, while treating kingship and lordship as phenomena closely bound together may not be applicable to other early medieval societies, it is an appropriate approach to take in an English context.

Feuds and wergild payments

The importance of kinship feuds, and kings' attempts to define and limit the parameters of the violence caused by them, are to be found in law codes from across the entirety of the early medieval period, and it seems to have been a cornerstone of English legal culture. Wormald has highlighted that the concepts of the feud and wergild have no precedents in Roman law, and thus they must have evolved out of ancient legal customs that were also followed in regions such as Francia and Scandinavia.³¹⁹

The proposed operation of the feud itself was relatively straightforward. Once a killing had occurred, the perpetrator had a choice: either they could pay the victim's wergild price (outlined in the law codes) to the victim's kinsmen, or the perpetrator could open themselves and their family up to retributive violence. If the wergild had not been paid, the victim's family were then permitted (and often socially pressured) to pursue a feud against the perpetrator and their family, with any family member being a valid target for revenge.³²⁰ It could sometimes become difficult for the feud to permanently end at this stage without outside intervention of

³¹⁸ R. Stone, 'In Search of the Carolingian 'dear lord'', in P. J. Fouracre, D. Ganz (eds), *Frankland: the Franks and the World of the Early Middle Ages: Essays in Honour of Dame Jinty Nelson* (Manchester, 2008), pp.165-6.

³¹⁹ Wormald, *The Making of English Law*, p.39.

³²⁰ P.R. Hyams, *Rancor and Reconciliation in Medieval England* (Ithaca, 2003), p.11; also see for example 'Ine', no.35, in Liebermann, *Die Gesetze*, pp.104-5 for an exception where the kinsmen of a slain thief must swear an oath not to pursue a feud against the slayer's kinsmen, which implies that in other circumstances the victim's kinsmen would have had a right to pursue vengeance; see also S. Esders, 'Wergeld und soziale Netzwerke im Frankreich', in S. Patzold, K. Ubl (eds), *Verwandtschaft, Name und soziale Ordnung (300-1000)* (Berlin, 2014), pp.141-159.

some kind (such as from a local lord or member of the church), as each family engaged in what Guy Halsall has referred to as ‘cyclical, reciprocal violence’, perhaps over generations.³²¹

Arguably the most famous example of this reciprocal violence in the early medieval West comes from Gregory of Tours, who in his *Historia Francorum* tells of the feud between Sichar and Chramnesind, which involved the deaths of many (notably, it was not in this case a local lord or the king that brought this feud to an end, but clerics).³²² John D. Niles has questioned the validity of viewing early medieval England as a ‘feuding society’, suggesting that there is little evidence for open ended vendettas, and that the politically and economically developed nature of the English kingdoms, as well as the influence of the church, ensured that there was a pressure to settle for peace over violence.³²³ Regardless of the true extent of feuding violence within English society, however, legal texts do discuss issues relating to the feud and wergild payments with significant frequency, and the way in which they deal with these issues can tell us important things about the relationship between the family and kings and their laws.

One of the most significant observations that can be made about laws relating to wergild payments and the kinship feud in early medieval England is the extent to which kings attempted to insert themselves and their authority into this process. Part of this process involved kings defining wergild values and on occasion when and how the wergild should be distributed to the victim’s kin or paid by the perpetrator’s kin. For example, Ine’s law grants a Welshman with five hides a wergild of six hundred, and Alfred’s law provides detailed provisions for how to deal with a man seeking sanctuary in a church when fleeing from a feud.³²⁴ As part of this, Alfred also instructs that the kinsmen of the man seeking sanctuary should be notified of the events, thus implying that they held some responsibility for the man’s actions.³²⁵ As another example, Æthelberht’s law code stipulates in clause 23 that if the perpetrator of a killing departs from the land, then the perpetrator’s kinsmen must pay half of the wergild. Not only do these examples show the involvement of the king in attempting to standardise and regulate the feud and wergild payment process, they also demonstrate that family members were often held responsible for helping their relatives in a feud and with the payment of wergild where necessary.³²⁶

³²¹ G. Halsall, ‘Violence and Society in the Early Medieval West: An Introductory Survey’, in G. Halsall (ed.), *Violence and Society in the Early Medieval West* (Woodbridge, 2002), pp.19-20.

³²² Gregory of Tours, *Historia Francorum*, VII.47, in L. Thorpe (ed. and trans), *Gregory of Tours: The History of the Franks* (London, 1974), pp.428-30.

³²³ J.D. Niles, ‘The Myth of the Feud in Anglo-Saxon England’, *The Journal of the English and Germanic Philology* 114 (2) (2015), pp.199-200; on the feud see also S. D. White, ‘Clotild’s Revenge: Politics, Kinship and the Merovingian Blood Feud’, in S. D. White, *Re-thinking Kinship and Feudalism in Early Medieval Europe* (Aldershot, 2005), pp.107-30.

³²⁴ ‘Ine’, no.24.2 in Liebermann, *Die Gesetze*, pp.100-1.

³²⁵ ‘Alfred’, no.5-5.3, in Liebermann, *Die Gesetze*, pp.50-3.

³²⁶ ‘Æthelberht’, no.23, in Liebermann, *Die Gesetze*, p.4.

John Michael Wallace-Hadrill suggested that clause 30 of Æthelberht's law-code, which states that the perpetrator should pay the wergild with his *agene gelde* ('own money'), is an attempt by the king to forbid the kin intervening in the process of the feud.³²⁷ However, Lisi Oliver found this interpretation unconvincing, noting that in the law of similar societies more widely, the kindred is almost always held responsible for the actions of its members.³²⁸ Oliver's view is also one that I share, not least because Wallace-Hadrill's inference is seemingly contradicted elsewhere in Æthelberht's law code, most notably by clause 23, mentioned above. In addition, it is more likely that, as with Edmund's law discussed below, this was an attempt to encourage greater personal accountability and limit the potentially large field of people drawn into wergild payments (which placed heavy burdens on affected relatives), rather than an attempt to outright forbid the involvement of relatives as Wallace-Hadrill suggested.

However, using royal authority to try to standardise and codify the feud and wergild system was not the limit of king's involvement – in fact some kings went further than this. The laws of Alfred stipulate that if an abducted nun bears a child, and that child is then killed, the child's paternal kin are entitled to their usual share of the wergild, but the maternal kin's share instead is paid directly to the king.³²⁹ This could be interpreted as the king alienating the rights of certain parts of the kindred, but key here is the fact that the mother of the child was a nun. Upon entering into monastic orders, monks and nuns were expected to renounce their connections to the outside world, including their connections to their family in the secular world: their new spiritual family could instead be found within the monastery itself, and through devoting their lives to God. In this way, at least theoretically the woman was separated from her family, and so any of her children were similarly separated from their maternal kin, leaving only their connections to the paternal side of their family intact. As such, this clause may not be compelling evidence of royal attempts to infringe upon family rights after all, and may actually say more about kings' relations with monasteries.

Nevertheless, there are other examples we could consider: the above clause is not the earliest example of a king possibly encroaching on the rights of the kindred to wergild payments. This phenomenon first appears in Ine's law from the late seventh century (it is not present in any of the seventh-century Kentish laws), where it is stated that if a foreigner is killed, the king is to receive two-thirds of the wergild, and any kinsmen of his were to receive only one-third.³³⁰

³²⁷ J.M. Wallace-Hadrill, *Early Germanic Kingship: In England and on the Continent* (Oxford, 1971), p.42.

³²⁸ L. Oliver, *The Beginnings of English Law* (Toronto, 2002), p.97.

³²⁹ 'Alfred', in Liebermann, *Die Gesetze*, no.8.3, pp.54-5.

³³⁰ 'Ine', no.23, in Liebermann, *Die Gesetze*, pp.98-9.

Furthermore, in both Ine's and Alfred's laws, we find situations in which kings acted in place of the kin when it came to wergild payments. In Ine's law, it is stated that if a man refused to recognise his illegitimate child, then they have no claim to the child's wergild, and it instead is to be divided between the child's lord and king.³³¹ In Alfred's law, it is ruled that if a man is killed that has no kinsmen, then half of the wergild is to be paid to the victim's associates (*gegildan*), and half is to be paid to the king.³³² The effect of these clauses that involved the king in wergild payments is that the king becomes part of the family system, at least in specific circumstances, and the king becomes a legal safety net for those who have no kin at all.

Clearly the king would gain financially from these laws, but it is doubtful that this was the sole motivation. Integrating the king into the family system also acted as a way of making the king's presence felt in his subjects' lives, and was a way of enforcing and enhancing royal legitimacy through association with the recognisably strong bond of kinship. Royal efforts to regulate and standardise the feud and wergild system would also have granted kings more control over the way families interacted with each other, which must have been another motivating factor behind these developments.

Another hypothesis was presented in 1985 by Winfred Lehman to explain why early medieval English kings became interested in regulating and involving themselves in the feud system, which was that the old Continental family groups were broken up during the process of migrating to Britain, thus necessitating the involvement of kings to settle feuds in their stead.³³³ Aside from the wealth of legal evidence demonstrating the involvement of kindreds in the feud system in later centuries, more recent archaeological work by Härke has also tentatively suggested that kinship groups did not break up during the process of migration as Winfred Lehman suggests. In fact, migrants may have sometimes been organised together in kinship groups while they travelled.³³⁴ It should also be pointed out here, that other works in turn, not least by Susan Oosthuizen, have challenged the very historicity of the *adventus* narrative itself: in other words, no matter what one believes about the so-called 'migration' period, there is little

³³¹ *Se ðe dearmenga bearn gestriened 7 gebiled nab se his deaðes wer, ac his blaford 7 se cyning*, in 'Ine', no.27, in Liebermann, *Die Gesetze*, pp.100-1.

³³² 'Alfred', no.28, in Liebermann, *Die Gesetze*, p.66-7; for more on guilds and the meaning behind the term *gegildan*, see R. Naismith, 'Guilds, states and societies in the early Middle Ages', *Early Medieval Europe* 28 (4) (2020), pp.627-662.

³³³ W. P. Lehman, 'The First English Law', *Journal of Legal History* 6 (1) (1985), pp.1-32.

³³⁴ H. Härke, 'Anglo-Saxon Immigration and Ethnogenesis', *Medieval Archaeology* 55 (1) (2011), p.13.

evidence to suggest that fractured kinship groups caused by migration drove lords and kings to involve themselves in processes from which they had previously been excluded.³³⁵

A final point worth considering here is the extent to which the rights of the kindred were violated by the insertion of the king in the wergild system. As we have seen, the laws of both Ine and Alfred involve the king taking a portion of the wergild for himself in specific circumstances. On the surface, this would seem to be an infringement on the legal rights of the family. However, upon closer investigation, it becomes apparent that it is only the maternal kindred whose rights are alienated under these laws, and only in the context of feud/wergild payments. In all of the examples given in this chapter so far, family rights are only taken over by the king or lord when either the maternal kin are those losing out in that context, or in the case of foreigners, when the victim's family are presumably not in the kingdom. There is not a single clause in any of the early law codes that I was able to identify that allows a king or lords to encroach upon the right of a victim's paternal kin, present in the kingdom, to the full wergild, nor any that allow a king or lord to encroach upon the rights of the maternal kindred outside the context of feuds and wergild payments.

Lancaster suggested, among others, that an emphasis was often placed on the paternal kin in early medieval English society, and that this is also demonstrated by some evidence in the law codes regarding to wergild.³³⁶ For example, the laws of Alfred state that a killer cannot be fully redeemed by his maternal kin alone if he has no paternal relatives – his associates and maternal kin must pay a share of the wergild, and the man must then flee.³³⁷ I have addressed the topic of maternal kinship and its place in English society elsewhere, in which I argue that this wider characterisation of maternal kinship is likely not accurate, so I will not rehearse all of these arguments here.³³⁸ The main point is that paternal kin do seem to have been emphasised, although not consistently, in issues relating to wergild payments, but there is little to no evidence of wider bias against maternal kin in any other regard, in fact, rather the opposite appears to have been the case.³³⁹ In addition, and in following on from Stafford's argument that the family is

³³⁵ S. Oosthuizen, *The Emergence of the English* (Leeds, 2019). See also N. Howe, *Migration and Mythmaking in Anglo-Saxon England* (New Haven, 1989) for evidence of the enduring importance of the *adventus* story for contemporaries.

³³⁶ Lancaster, 'Kinship in Anglo-Saxon Society II', p.372; T. Charles-Edwards, 'Anglo-Saxon Kinship Revisited', in J. Hines, ed., *The Anglo-Saxons from the Migration Period to the Eighth Century* (Woodbridge, 2003), p.179; T. Charles-Edwards, 'Kinship, Status and the Origins of the Hide', *Past and Present* 56 (1972), pp.16, 31; see also P. Stafford, 'King and Kin, Lord and Community: England in the Tenth and Eleventh Centuries', in P. Stafford, *Gender, Family and the Legitimation of Power: England from the Ninth to Early Twelfth Century* (Aldershot, 2006), p.13.

³³⁷ 'Alfred', c.27, in Liebermann, *Die Gesetze*, pp.66-7.

³³⁸ A. Traves, 'Genealogy and Royal Women in Asser's *Life of King Alfred*: Politics, Prestige and Maternal Kinship in Early Medieval England', *Early Medieval Europe* 30 (1) (2022), pp.101-124.

³³⁹ *Ibid.*

unlikely to have ever been the sole basis of society, there actually is no evidence that maternal and paternal kin were ever treated the same when it came to feuds and wergild, and so the representation of this disparity in some (though importantly not all) of the extant law codes does not give us any reason to assume this was an erosion of the maternal kin's rights by kings and lords: maternal kin may never have held equal rights with paternal kin when it came to the specific process of the feud and wergild payments.³⁴⁰ Rather than being 'stifled', then, these interactions actually demonstrate the enduring strength and place of kinship vis-à-vis early kings and lords in early medieval England: in general there appears to have been a fair degree of stability within this relationship.

This appears to largely continue into later centuries, with the rights of the family in terms of the feud remaining relatively consistent. However, there has been some historiographical debate about the status of the feud in the tenth and eleventh centuries, with historians such as Patrick Wormald suggesting that Edmund's law in particular represented an attempt by the king to prohibit kinship feuds altogether.³⁴¹ The evidence for this comes from a single clause (and 3 sub-clauses) from *II Edmund* (c.939-946), where it is decreed that the slayer himself must bear the feud, kinsmen can 'opt out' of a feud if they wish, and it also seemingly prohibits any member of the victim's kindred taking revenge on the slayer's kindred, rather than the slayer himself.³⁴² Lambert has convincingly disproven the theory that this presents Edmund attempting to prohibit the feud.³⁴³

A summary of Lambert's argument is that Edmund was attempting here to 'contain' the feud, and restrict the avenues of violence as much as possible, but still recognising that violence would most often be necessary to resolve the feud. For example, clause 1.1 states that the perpetrator's kindred could be exempt from the feud '*gif hine þonne seo mægð forlete*' (if then the kindred abandon him [the perpetrator]).³⁴⁴ This implies there was a default assumption that the kindred would come to the aid of their relative in the feud, and also that the perpetrator's family would remain, in the eyes of the law, valid targets in a feud unless they chose to disown their relative.³⁴⁵

³⁴⁰ P. Stafford, 'King and Kin, Lord and Community: England in the Tenth and Eleventh Centuries', in P. Stafford, *Gender, Family and the Legitimation of Power: England from the Ninth to Early Twelfth Century* (Aldershot, 2006), p.12, p.18.

³⁴¹ See P. Wormald, *Legal Culture in the Early Medieval West: Law as Text, Image and Experience* (London, 1999), pp.337-9; Wormald, *The Making*, p.311.

³⁴² 'II Edmund', no.1-1.3, in Liebermann, *Die Gesetze*, pp.186-9.

³⁴³ Lambert, *Law and Order*, *passim*.

³⁴⁴ 'II Edmund', no.1.1, in Liebermann, *Die Gesetze*, p.186-7; translation my own.

³⁴⁵ Lambert, *Law and Order*, p.231.

Lambert has also argued that although an ideal may have existed in which the feud was to be directed at the perpetrator rather than innocent family members, in practice there is little evidence to suggest this provision in Edmund's law code had any effect.³⁴⁶ Furthermore, there would have been a heavy social price to pay for abandoning a kinsman in need in the way outlined in Edmund's law, further reducing the amount of people likely to have chosen this option.³⁴⁷ As such, Edmund's law was both an attempt to contain, but not prohibit, feuding violence, and to enforce a particular ideal of the feud that may not have had much effect in practice. Indeed, these clauses do not appear in other later law codes, and clause 23 in *VIII Æthelred* from 1014 reiterates the responsibility of the perpetrator's kin to bear the feud and to help pay the wergild.³⁴⁸ This gives further cause to believe that Edmund's 'opt-out' provision was not widely used, and that the kindred was still very much involved in the process of the feud in later centuries too.

Another clause that requires brief consideration is from *II Æthelstan* (c.924-939), which states that should a man have nobody to stand surety for him, and he then resists imprisonment, he can be killed. Should the man's family then wish to pursue a feud against his killing, the family would also begin a feud with the king and his friends.³⁴⁹ While one could interpret this clause as restricting the family's entitlement to enter into a feud in a specific circumstance (as feuding with the king is not a particularly feasible option to choose), this does not appear to be the intended aim. The clause refers to an individual who is actively operating against the king's laws and the established legal process by resisting his imprisonment, and seems to be concerned with discouraging people to act in this way. In addition, relatives of the perpetrator were encouraged to stand surety, which actually demonstrates the involvement of the family in royal government structures and legal processes, and certainly does not suggest any diminishment of their rights or importance. Indeed, as will be discussed further below, the intention here seems to be to prevent people from powerful families resisting royal laws and creating general disorder: it would be impossible for people to effectively carry out 'justice' in accordance with the law if they were constantly fearful of reprisals from the criminal's relatives. As such, this kind of principle is necessary for the legal system to work. This is not to say that this law would have prevented people seeking such vengeance anyway, but the key point is that this clause is focused on

³⁴⁶ *Ibid.*, p.232.

³⁴⁷ *Ibid.*, pp.353, 232.

³⁴⁸ 'VIII Æthelred', no.23, in Liebermann, *Die Gesetze*, p.266.

³⁴⁹ 'II Æthelstan', no.20.7, in Liebermann, *Die Gesetze*, pp.160-1.

ensuring order and good governance, and should not be read as an attempt by the king to diminish family rights (or indeed those of anyone else) in the feud.

We could also look towards linguistic evidence in the laws, especially in relation to wergild payments and terms used for the family, for relative consistency in the position of the family within society. Although linguistic evidence alone is not particularly secure, and changes (or not) in word use does not *necessarily* indicate change or consistency in the actual meaning of the words (which could change independently of the words themselves), the use of language in law codes can be used to supplement the other kinds of evidence and analysis being used here.³⁵⁰ As such, I conducted an analysis of language use across the extant corpus of law codes referring to wergild payments and the family.

In terms of the latter, what is startling is that from *Æthelberht* to *Cnut*, there is no significant change or variation in vocabulary at all. In every single extant law code where the kindred is referred to, the word *mag* (or compounds such as *magburg* or *maglage*) is used to denote the family. In fact, there are only two alternatives to this that appear in the law codes, and that is the word *cnosl*³⁵¹ (possibly meaning ‘offspring’ or more generally ‘family’), which appears once, and the word *cynn*³⁵², which appears twice. A tempting explanation for this consistency in language use regarding the family is the tendency of kings to model their law codes on that of their predecessors, and in some cases simply copying clauses directly.³⁵³ In those cases, it would be very easy to see how language used in the earlier law codes could be transferred into later ones. In addition to this, in the prologue to Alfred’s law code, the king also states that he has collected together many of the laws observed by his predecessors, further indicating a tradition of lifting material from previous law codes.³⁵⁴ To test this theory as an explanation for this consistency in terminology, it is now necessary to consider the extent to which terminology describing other phenomena change over time in the law codes. If there was not much change, as with the terminology used for kinship, this would suggest that the explanation lies in the act of copying laws from previous rulers. If there was change, however, this would indicate that something else may be the reason behind this consistency in kinship terminology in the laws.

³⁵⁰ Susan Reynolds has demonstrated, using the example of a car, that concepts can change over time while the words that describe them may not. We must therefore be cautious when examining language use over time. See S. Reynolds, *The Middle Ages Without Feudalism: Essays in Criticism and Comparison on the Medieval West* (Abingdon, 2012), pp.194-7.

³⁵¹ ‘Alfred’, c.9, in Liebermann, *Die Gesetze*, p.54.

³⁵² VI *Æthelred*, c.12, in Liebermann, *Die Gesetze*, p.250; I *Cnut*, c.7, in Liebermann, *Die Gesetze*, p.290.

³⁵³ For example, Whitelock has suggested that *Cnut* copied clauses from *Wihtried*, *Alfred* and *Æthelred*, among others, see Whitelock, *EHD*, pp.419-30.

³⁵⁴ ‘Alfred’, Int. 49.9, in Liebermann, *Die Gesetze*, p.46.

Regarding terminology relating to wergild payments in the laws, a broader range of terminology was used in the seventh century, which had narrowed by the ninth and early tenth centuries. By the mid-to-late tenth century onwards, however, terminology began to diversify again. In the seventh-century law codes, we find words such as *leod*³⁵⁵, *wergelde*³⁵⁶, *bealsfange*³⁵⁷ (the first portion of wergild paid to close relatives), *wer*³⁵⁸ and *mægbot*³⁵⁹ (presumably compensation due to the kindred). By the ninth century, many of these terms appear to have been discarded in favour of others: Alfred uses only variations of the word *wer* to refer to wergild payments. The same is also true of Æthelstan's laws – *wer* is the preferred term. This begins to change in the reign of Æthelred II, where three terms begin to be used simultaneously – *wer* continues to be the most common, but a new term, *lahslit*, is introduced, and *bealsfange* reappears as well.³⁶⁰

Given that the early laws were codifying, and perhaps even standardising, the process of feud and wergild payments, one might expect that old or obsolete terminology would be filtered out over time, and a standard term of reference (in this case *wer/wergelde*) appears to have been settled on by the ninth century, at least in Wessex. It is not a coincidence that the moment we see this begin to change, under the reign of Æthelred II, was also a period of renewed Scandinavian activity in England. The term *lahslit* is most likely Scandinavian, introduced to help govern areas of England with a significant Scandinavian presence: Dorothy Whitelock suggested that this was 'the term given in the Danelaw to a fine varying with the rank of the offender', in which case, it would seem to be comparable to the English wergild payment.³⁶¹ This is further underlined by *II Cnut*, which states that compensation can be paid through fine, wergild or *lahslit*³⁶², and that *lahslit* should be paid among the Danes, and a fine among the English.³⁶³ As such, increasingly under Æthelred II, and even more so under Cnut, *lahslit* became a more frequently used term to refer to wergild payments, or fines of a similar nature.

The point here is that we may be able to trace some changes in political culture through the language of wergild payments in the law codes. In the first half of the period, we can see the process of kings codifying and potentially standardising the feud in the narrowing down of terms used into just *wer* by Alfred's time. Later in the period, we can also see the effects of renewed Scandinavian activity through the introduction of *lahslit*, beginning in the second part of the

³⁵⁵ 'Æthelberht', c.22 and c.23, in Liebermann, *Die Gesetze*, p.4

³⁵⁶ 'Æthelberht', c.31, in Liebermann, *Die Gesetze*, p.5.

³⁵⁷ 'Wihtred', c.11, c.12, c.14, in Liebermann, *Die Gesetze*, p.13.

³⁵⁸ 'Ine', *passim*, in Liebermann, *Die Gesetze*, pp.88-122.

³⁵⁹ 'Ine', c.76, in Liebermann, *Die Gesetze*, p.122.

³⁶⁰ See, for example, 'VI Æthelred', in Liebermann, *Die Gesetze*, pp.246-260.

³⁶¹ Whitelock, no.1, *EHD*, p.409.

³⁶² 'II Cnut', c.49, in Liebermann, *Die Gesetze*, p.346.

³⁶³ 'II Cnut', c.45.3, in Liebermann, *Die Gesetze*, p.344.

tenth century. While these changes do not indicate significant changes in the process of paying wergild itself, they do demonstrate that legal terminology in the law codes could adapt in visible ways in response to changes in political circumstances.

This point is especially important when returning to the language of the family in the law codes: it does not seem likely that the consistency in language use relating to kinship over time can be explained by rulers using older laws as models for their own. Stefan Jurasinski has suggested that, regardless of Alfred's supposed reverence towards his predecessors' legislation, Alfred's own law was actually substantially different from previous law codes.³⁶⁴ In addition, we have just seen how kings were not afraid to change or update the law codes when the political situation changed in the case of wergild payments. As such, the use of older law codes as a model for newer law codes is not an adequate explanation of the consistency in language relating to the family – kings could and did make changes when it was needed or desired. What is a more likely explanation is that the language used in the law codes was to some extent reflecting the state of political culture in England and the changes that occurred to this over time. Just as with wergild payments, if there were any substantial changes in the position and function of the family within society over time, we might expect this to be reflected in the language of the law codes. What we find instead is a high degree of consistency in language use relating to the family in law codes, which could suggest that the position and function of the family in society more generally had not changed significantly or been downgraded and eroded in the way that is often suggested.

Perhaps the most remarkable characteristic of the feud across the early medieval period, then, is not that the position and rights of the family were eroded, or that the feud itself was outlawed, but actually that the process of the feud in relation to the family remained reasonably stable and consistent over time: the same basic principles of the system first outlined in Æthelberht's seventh-century law code still appear in broadly the same form in Cnut's eleventh-century codes. As such, we should view the interaction between lordship and kinship in the feud not as a story of lordly domination and control, but as a story of the enduring centrality and importance of the family in the feud, which persisted across the early medieval period even in a heavily centralised political culture.

³⁶⁴ Jurasinski, 'The Old English Penitentials', p.15.

Change and Co-operation

While the process of the feud is of central importance to understanding the relationship between kinship and lordship, there are also other arenas in which these two social forces interacted in the law codes. This section will therefore explore the other ways in which kinship, kings and lords interacted with one another in the law codes outside of processes associated with feuds and wergild payments. Stenton drew attention to clauses in the earlier law codes that he argued sought to restrict the role of the family in oath-swearing.³⁶⁵ For example, Ine's law stipulates that anyone accused of homicide must include a man of higher rank as one of his oath-helpers.³⁶⁶ This would have had the effect of making it impossible for a *ceorl* to successfully swear an oath by relying on his family members alone, assuming they were all of the same status (which was not always certain). This could have been designed to curtail the influence of large or powerful kindreds, and prevent people from simply breaking the law in the knowledge that they could escape punishment by relying on their family members to act as oath-helpers. A similar clause can also be found in Alfred's treaty with Guthrum, which states that anyone of any status who is accused of manslaughter must have one oath-helper of the rank of a king's thegn.³⁶⁷ Again, this might have made it difficult for a *ceorl* to rely solely on his family (who would mostly have presumably been of the same status) to successfully defend himself against an accusation, although having said that it is certainly possible that a *ceorl* could have a relative who was a *thegn*, for example, and so we cannot see this clause as entirely ruling out the involvement of the family.³⁶⁸

While these clauses could have been motivated by a desire to curtail the influence of kinship and to assert the growing political authority of kings, as we have seen, such an interpretation would be at odds with other evidence, and it is more likely that such practices were introduced simply to ensure the better operation of the law. After all, being able to evade justice by relying on one's relatives alone would not be a particularly effective aspect of a legal system, and the requirement of having at least one oath-helper of a higher rank ensured that a man's defence would be supported by someone considered by contemporary society to be both

³⁶⁵ Stenton, *Anglo-Saxon England*, p.313.

³⁶⁶ 'Ine', c.54, in Liebermann, *Die Gesetze*, pp. 112-5.

³⁶⁷ 'Alfred and Guthrum', c.3, in Liebermann, *Die Gesetze*, pp.126-7; for more on the Alfred and Guthrum treaty, see P. Kershaw, 'The Alfred-Guthrum Treaty: Scripting Accommodation and Interaction in Viking Age England', in D. Hadley, J. Richards, *Cultures in Contact: Scandinavian Settlement in England in the Ninth and Tenth Centuries* (Turnhout, 2000), pp.43-64; see also R. H. C. Davis, 'Alfred and Guthrum's Frontier', *The English Historical Review* 97 (385) (1982), pp.803-10.

³⁶⁸ Stenton, *Anglo-Saxon England*, p.313.

reputable and innately trustworthy, due to their high social status. And as noted above, this rule did not entirely remove the possibility of receiving familial help anyway.

Despite the reasonably stable nature of the relationship between kings and the family in terms of the feud and wergild payments, we can detect changes in this relationship in other ways, beginning in the late ninth century in Alfred's laws. In this text, the kindred are charged with feeding a relative temporarily imprisoned in the king's estate if the man himself has no food.³⁶⁹ Families are then charged with more responsibilities in *II Athelstan*, where they must stand surety for the future good behaviour of a relative who had previously been convicted of theft, and are further charged with the new responsibility to locate a lord for any relatives who are lordless and of bad character.³⁷⁰ In these clauses we can therefore see the legal extension of a family's collective responsibility for each other: in these legal texts relatives were not just accountable for each other's actions with regards to the feud and wergild payments, but also became legally responsible for feeding one another if imprisoned, standing surety for each other's good behaviour, and were even made responsible for ensuring that a relative of theirs did not remain lordless.

The imposition of additional legal responsibilities therefore represents institutional recognition of the kindred, and a recognition from the king that this important social bond could be used to their advantage in terms of ensuring law and order. Had a zero-sum relationship between lordship and kinship existed, we would find the rights of the kin being violated and supplanted by lords and the king, particularly in the later law codes, as the English polity became increasingly centralised. However, this is not the picture we are presented with. Instead we are presented with an increasingly powerful political entity formally recognising the role of kinship within English law and society. Furthermore, *II Cnut* reasserts the rights of the kin *vis-à-vis* lordship, stating that the property of a man who dies suddenly should be divided among his wife, children and close family, and it explicitly states that the man's lord should not attempt to take any more than what he is owed: Cnut was thus actively protecting the rights of the family.³⁷¹ It is therefore difficult to see any substantial evidence to support the claim that kinship had been 'stifled' by kings and lords as Loyn suggested; indeed, in many cases the evidence actually

³⁶⁹ 'Alfred', c.1.2, in Liebermann, *Die Gesetze*, pp.48-9.

³⁷⁰ 'II Æthelstan', c.1.3, in Liebermann, *Die Gesetze*, pp.150-1; c.2, pp.150-1; Stenton has also noted the existence of these clauses, see Stenton, *Anglo-Saxon England*, p.312.

³⁷¹ 'II Cnut', c.70, c.70.1, in Liebermann, *Die Gesetze*, pp.356-7.

suggests that kings consistently acknowledged and respected the legal rights of the kin throughout the early medieval period.³⁷²

Perhaps, then, what we can see instead is that the relationship between kinship and lordship developed and changed over time - the two social forces interacted with each other, but were not always in direct opposition. Indeed, the examples cited already demonstrate how lordship and kinship could operate together to maintain law and order, and that over time kings increasingly attempted, in some ways, to integrate kinship into the exercise of royal government and political culture. There is, of course, evidence of tension, and it would be unusual were there not. Alfred, for example, also decreed that men were free to fight on behalf of their kin, but only if this did not force them to oppose their lord, which was forbidden.³⁷³ This will be discussed in more detail below, but this clause seems to acknowledge the rights of kinship, whilst at the same time asserting that lordship took precedence, and therefore in that situation, one would have to choose lord over kin. While this places theoretical limits on the bonds of kinship, secular laws appear in some ways to present an ideal image of how society *should* operate, and in practice it is difficult to assess the extent to which this clause was adhered to.

Perhaps the strongest evidence of conflict between lordship and kinship comes from *VI Æthelstan*, where the king expresses concern that some families (*mægð*), both noble and common, were so strong that they could refuse the rights of their lord.³⁷⁴ This clause makes it clear that conflict between lords and kin groups could still occur in tenth-century England. Such references are also at odds with any suggestion that the role and position of kinship within society had been stifled by lords or kings – instead, their appearance in legal texts suggests rather the opposite, even in these later centuries. Reading scholars such as Loyn, one would not imagine that families existed in tenth-century England that were capable of resisting the centralised power of the king and his lords and officials, and yet that is what this law implies. We also, of course, have a very famous eleventh-century example of this in action, which saw the Godwin family successfully coerce their way out of royally-imposed exile.³⁷⁵

Therefore, there certainly are some examples and evidence of conflict between families and kings, but this is definitely not the whole picture, and none of these examples speak of

³⁷² Loyn, 'Kinship in Anglo-Saxon Society', p.209.

³⁷³ 'Alfred', c.42.6, in Liebermann, *Die Gesetze*, pp.76-7.

³⁷⁴ 'VI Æthelstan', c.8.2, in Liebermann, *Die Gesetze*, p.178.

³⁷⁵ For more on this and the power and connections of the Godwin family, see D. G. J. Raraty, 'Earl Godwine of Wessex: The Origins of his Power and his Political Loyalties', *History* 74 (240) (1989), pp.3-19.

kinship as a ‘stifled’ entity, or of its importance and key functions having been supplanted by the king or lords, as prevailing narratives often suggest.

We can also look to tenth and eleventh-century charter evidence in the form of wills for further evidence not of competition and opposition, but of co-operation and interdependence. A number of the surviving wills were witnessed or had copies of them secured by the king, or include statements near the end imploring the king to uphold the contents of their will. For example, in the will of Ealdorman Ælfgar we find ‘I beseech whoever may then be king, for the love of God and all his saints, that let my children do what they may, they may never set aside the will which I have declared’, and in the will of Wulfric we find ‘Whoever perverts this, may God Almighty remove him from all God’s joy and from the communion of all Christians, unless it be my royal lord alone, and I believe him to be so good and so gracious that he will not himself do it, nor permit any other man to do so’.³⁷⁶ The king of course was not the only guarantor of a will, with many also, as we have seen in Chapter 2, enlisting God and threatening eternal damnation on those who would challenge or alter their will. Let us recall this particularly creative section from the eleventh-century will of Wulfgyth, first encountered in Chapter 2:

*‘he who shall detract from my will...may he be deprived of joy on this earth, and may the Almighty Lord...exclude him from the fellowship of all saints on the Day of Judgement, and may he be delivered into the abyss of hell to Satan the devil and all his accursed companions and there suffer with God’s adversaries, without end’.*³⁷⁷

Evidently, then, inheritance was something that people took very seriously, and we can see that the king often acted as an important guarantor of family inheritance. From rare surviving ‘sets’ of family wills (such as the family of Ealdorman Ælfgar discussed in Chapter 1 and the aforementioned Wulfgyth), it seems that the instructions contained within wills were in fact generally followed and implemented, although Andrew Rabin has shown that inheritance and landholding was not always without some controversy or dispute.³⁷⁸ We have also already seen law codes which guarantee the security of relatives’ inheritance explicitly against over-zealous and unscrupulous lords.³⁷⁹ As such, it is not the case that the rights of the family had been suppressed over time, nor is it the case that the rights of the king and the rights of the family sat in

³⁷⁶ ‘The Will of Ælfgar’, in D. Whitelock, *Anglo-Saxon Wills* (Cambridge, 1930), pp.6-9; Whitelock, ‘The Will of Wulfric’, pp.46-51.

³⁷⁷ Whitelock, ‘The Will of Wulfgyth’, pp.86-87

³⁷⁸ A. Rabin, ‘“Sharper Than A Serpent’s Tooth”: Parent-Child Litigation in Anglo-Saxon England’, in S. Irvine and W. Rudolf, *Childhood and Adolescence in Anglo-Saxon Literary Culture* (Toronto, 2018), pp.270-90; A. Rabin, ‘Anglo-Saxon Women Before the Law: A Student Edition of Five Old English Lawsuits’, *Old English Newsletter* 41 (3) (2008), pp.33-56.

³⁷⁹ See p. 126.

opposition to each other: in fact we find plenty of evidence which shows tenth- and eleventh-century kings themselves acting as key guarantors of family rights and family inheritance.

A final point worth making here is that we should not necessarily even view kingship and kinship as entirely separate entities, where one can rise at the expense of the other, because of course the two overlap. The king himself had not only a close family but also a wider dynasty to protect, cultivate, and sustain (although his dynasty could also be the source of potential rivals as well). He had no overwhelming motivation to suppress the status of the family or to try and usurp its rights and functions, because those were also the status of his loved ones, and his own rights and functions with respect to his own family. We can see this clearly in the aforementioned context of inheritance: the king would want to ensure that the stipulations set out in wills were regularly respected and followed closely, and that unscrupulous lords and other opportunists did not exact more than their fair share, because one day he himself, and his relatives, would come to write their own wills and would want those to be respected and followed, rather than constantly contested and debated. The same is also true for lords and other officials of the king: they all had families of their own, the same desire to support, protect and avenge their loved ones, and the same desire to leave their wealth and property to their descendants. We cannot, therefore, view kinship and a centralised political culture as being entirely separate and competing phenomena: the two were always entwined.

Cynewulf, Cyneheard, and the reign of King Alfred

Having established the way in which the relationship between kinship and lordship changed over time, it is important to try and pinpoint when and why this shift might have occurred. As mentioned previously, Alfred's law contains a clause which clearly outlines a person's right to fight on behalf of their kin, so long as this does not bring them into conflict with their lord: in this case, their responsibility towards their lord must take precedence over any perceived obligations to their family.³⁸⁰ Yet this is not the only piece of evidence surviving from Alfred's reign that discusses the interactions between lord and kin.

The so-called 'common stock' of the *Anglo-Saxon Chronicle*, produced during Alfred's reign (871-899), contains an entry for the year 755 that documents the deposition of King Sigeberht of Wessex by his rival Cynewulf, and Cynewulf's later conflict with Sigeberht's brother,

³⁸⁰ 'Alfred', c.42.6, in Liebermann, *Die Gesetze*, pp.76-7.

Cyneheard.³⁸¹ It is an unusual passage in the *Chronicle*, standing out from the rest for its length, style, and treatment of events spanning multiple years. Scholars have identified many different themes within the passage, including the importance of good lordship, kingship, loyalty, honour, and bravery.³⁸² The themes of the passage therefore fit well within late-ninth-century West Saxon concerns. For example, as discussed in more detail below, the tension between lordship and kinship is echoed in other texts produced during Alfred's reign.

Thomas Bredehoft has argued that the story should be connected to royal genealogies included in the *Chronicle*, and the looming succession crisis which must have been of real concern to Alfred and his court while the *Chronicle* was being compiled towards the end of his reign.³⁸³ Bredehoft suggests the inclusion of the genealogies alongside this passage could have been part of an effort to argue for a simplified system of succession, where eligibility was determined not by descent from Cerdic, but from one's relationship to the previous king.³⁸⁴ Conveniently enough at the time, this was none other than Alfred himself, and nobody else, certainly not Alfred's nephews, could be closer to the previous king than the king's own son, Edward. The story of Cynewulf and Cyneheard thus demonstrated the perils of having a less ordered system of succession, and therefore helped further Alfred's case for a more stable solution. The inclusion of the story of Cynewulf and Cyneheard in the *Chronicle* thus aligned with important political aims at the time, more of which will be discussed below.³⁸⁵ As a result of this, it is key for the present study on kinship that we negotiate the tension between the source's value as a record of how kinship and lordship might be perceived to interact, and the chronological disjuncture between the events it recounts and its compositional context. Having said that, the

³⁸¹ *Anglo-Saxon Chronicle* 755, *The Anglo-Saxon Chronicle: A Collaborative Edition, 3 MS A*, J. Bately (ed.) (Cambridge, 1986), pp.36-8 (Hereafter referred to as ASC); for more on the *Anglo-Saxon Chronicle* after the reign of Alfred, see P. Stafford, *After Alfred: Anglo-Saxon Chronicles and Chroniclers, 900-1150* (Oxford, 2020).

³⁸² T. Bredehoft, *Textual Histories: Readings in the Anglo-Saxon Chronicle* (Toronto, 2001), p.54; B. Yorke, 'The Representation of Early West-Saxon History in the *Anglo-Saxon Chronicle*', in A. Jorgensen (ed.), *Reading the Anglo-Saxon Chronicle: Language, Literature, History* (Turnhout, 2010), pp.141-59; Stephen D. White, *Re-Thinking Kinship and Feudalism in Early Medieval Europe* (Aldershot, 2005), pp. 1-18; F.P. Magoun, 'Cynewulf, Cyneheard and Osric', *Anglia* 57 (1933), pp.361-77; D. Scragg, 'Wifcybbe and the Morality of the Cynewulf and Cyneheard Episode in the *Anglo-Saxon Chronicle*', in J. Roberts and J. L. Nelson (eds), *Alfred the Wise: Studies in Honour of Janet Bately on the Occasion of her Sixty-fifth Birthday* (Cambridge, 1997), pp.179-86.

³⁸³ Alfred's preoccupation with securing Edward's succession towards the end of his reign has been noted in many places, for example see B. Yorke, 'Edward as Ætheling', in N. Higham, D. H. Hill (eds), *Edward the Elder, 899-924* (Abingdon, 2001), pp. 25, 37; D. Pratt, 'The Making of the Second English Coronation *Ordo*', *Anglo-Saxon England* 46 (2017), pp. 229, 232-3. Barbara Yorke has also noted that the Cynewulf and Cyneheard episode has more in common with the more detailed entries pertaining to Alfred's reign and the entry for 855 than with the other, much briefer, eighth-century annals, and that the placing of the passage in the *Chronicle* may therefore have been revisited during a period of editing with these other entries in mind, see Yorke, 'The Representation of Early West-Saxon History in the *Anglo-Saxon Chronicle*', p.148.

³⁸⁴ T. Bredehoft, *Textual Histories: Readings in the Anglo-Saxon Chronicle* (Toronto, 2001), pp. 58-9.

³⁸⁵ *Ibid.*, p.58

entry does still clearly have the potential to tell us much about the interaction between kinship and lordship.

Summarised, the episode takes place as follows: In the thirty-first year of his reign, King Cynewulf rode out to meet a woman at Merton, with only a small number of men with him. His rival Cyneheard learned of the king's journey, and, sensing an opportunity he may never get again, travelled with his men to ambush the king. Cyneheard and his men surrounded the woman's house, and fighting broke out between his men and the king, who was eventually slain. Being alerted to the commotion, the king's men arrived at the scene to find their lord dead. Cyneheard immediately offered them earthly riches, which they refused: instead, the king's men chose to fight in order to avenge their lord and uphold the oaths they made to him. After killing all but one of these men, Cyneheard then locked himself and his men inside the town behind the gates.

Upon learning of their lord's death, the king's remaining thegns rode out to the town the following day in pursuit of their lord's killers, and entered into fruitless negotiations with Cyneheard, who demanded they recognise him as the new king. The king's thegns refused, claiming that they would never follow their lord's murderer. As part of his attempts to avoid battle, Cyneheard then told the king's men that a number of their relatives were in his company, and they would not desert him, to which the king's men poignantly replied: *him nænig mæg leofre nære þonne hiera blaford* (no kinsman was dearer to them than their lord).³⁸⁶ When their kinsmen inside the town refused an offer of safe passage and chose to remain with Cyneheard, citing the example of honour and loyalty set by the king's men the previous day outside the woman's house, the king's men began fighting their way into the town. After a period of struggle, the king's thegns eventually managed to force their way through the gates, after which they killed Cyneheard and all but one of his men, thus bringing the cycle of violence and vengeance to an end.³⁸⁷

Scholars have previously argued that one of the core messages of this story is that of bonds of lordship triumphing over those of kinship: men on both sides chose to remain loyal to their respective lords, even though this meant fighting against their own relatives.³⁸⁸ The reply of the king's men at the town gates is symbolic of this sentiment: 'no kinsman was dearer to them

³⁸⁶ ASC 755, p.37.

³⁸⁷ ASC 755, pp.36-8.

³⁸⁸ F. Leneghan, 'Royal Wisdom and the Alfredian Context of "Cynewulf and Cyneheard"', *Anglo-Saxon England* 39 (2010), p.72; F.P. Magoun, 'Cynewulf, Cyneheard and Osric', *Anglia* 57 (1933), pp.361-77; Stephen D. White, *Re-Thinking Kinship and Feudalism in Early Medieval Europe* (Aldershot, 2005), pp.4-5; see also R. H. Bremner, 'The Germanic Context of "Cynewulf and Cyneheard" Revisited', *Neophilologus* 81 (1997), pp.445-65.

than their lord'. This story could therefore indicate that Alfred's law merely represented reality – ties of lordship were often more important to contemporaries than bonds of kinship. However, both Stephen White and Francis Leneghan have shown that it is not as simple as this.³⁸⁹ For example, from another perspective we could see evidence of the *failure* of lordship, in that Cynewulf as king was unable to attract the backing of Cyneheard's men, and Cynewulf was unable to garner sufficient loyalty from the important kin groups in his realm, which was one factor in his downfall.³⁹⁰ The deposition of Sigeberht, while supposedly carried out legitimately, also does not present an image of lordship that is especially strong and stable, to coin a phrase, and the apparent excesses of his rule do not cast lordship in a particularly positive or idealised light.

In addition, the passage presents the king's men outside the woman's house as behaving particularly heroically: their lord was dead, but rather than preserve their lives and receive riches, they chose to try and avenge him, even if it led them to their graves. The story is quite clear that it is this inspiring act of heroism that prompts Cyneheard's men to refuse an offer of safe passage when it is given to them by the king's men outside the town gates. The heroism of the king's men had given them a perfect example of honourable behaviour, and they wanted to live up to this example, having failed to do so previously.³⁹¹ They do not seem to have been particularly inspired by Cyneheard himself or motivated by their loyalty to him as their lord.

In fact, as Leneghan explains, while Cynewulf's deposition of Sigeberht is presented as legitimate in the story (with the agreement of the *witan*), Cyneheard's actions in killing the king and attempting to violently usurp the throne for himself were illegitimate.³⁹² As such, Cyneheard is not presented as a particularly sympathetic figure, and his men, having participated in this attempt at usurpation, also take a share of the blame.³⁹³ Their refusal at the offer of safe passage and their decision to make a final stand with their lord thus offers Cyneheard's men a path to moral redemption: they may have acted dishonourably earlier in the day, but now they were choosing to face their fates with honour and bravery. The fact that they were offered safe passage at all was also a result of the king's men learning that some of their relatives were on Cyneheard's side: this was an offer that otherwise would never have been extended, and ties of kinship thus prompted the king's men to stay their desire for vengeance and entertain a more peaceful resolution, to the point where their relatives on Cyneheard's side could apparently

³⁸⁹ White, *Re-Thinking Kinship and Feudalism*, pp.1-18; Leneghan, 'Royal Wisdom', pp.71-104.

³⁹⁰ White, *Re-Thinking Kinship and Feudalism*, p.10.

³⁹¹ Leneghan, 'Royal Wisdom', pp.99-100.

³⁹² Leneghan, 'Royal Wisdom', pp.91-3, 97-9.

³⁹³ Leneghan, 'Royal Wisdom', pp.97, 99.

escape vengeance all together.³⁹⁴ It was only the aforementioned refusal of this offer by Cyneheard's followers that in the end led to violence between the two groups. Again, this suggests that the king's men's loyalty to their lord over their kin was not as absolute as previous narratives have suggested: ties of kinship actually offered a way around their obligations to their lord.

It seems, then, that the traditional interpretation of this passage as simply showing ties of lordship triumphing over those of kinship is not as secure as it first appears. However, the message intended by the quote 'no kinsman was dearer to them than their lord' is still rather clear. It cannot be a mere coincidence that we find this story included in a text produced in the reign of the same king whose laws also contain this sentiment, that lord must come before kin. Why is it during the reign of Alfred in particular that we start to find this idea being expressed?

Leneghan, in placing the text in its wider context, argues that the inclusion of the story of Cynewulf and Cyneheard 'can best be understood as a measured response to wider Alfredian concerns with the fragility of power and the morality of rule' – the story speaks to the idea present in many Alfredian texts 'that royal authority is precarious for men who do not live by the moral precepts of the faith which it had become their sacred duty to defend'.³⁹⁵

We could also link this to other changes in the exercise of lordship in Alfred's reign and the ninth century more generally. For example, the ninth century is when we begin to see the first appearances of wills, which is perhaps a reflection of the growing power of kings and the increase of bookland within the kingdom (land available to the king to grant to his followers), which recipients could then dispose of as they wished, hence the need for wills.³⁹⁶ The increased availability of land for kings and lords to grant to loyal followers must have altered the dynamic of their relationship in ways that were favourable to lords and king: land was a very valuable gift (often far more so than physical objects or other portable wealth), and in return for such a substantial gift kings and lords may have been able to exact greater services from their followers. Nicholas Brooks argued that in executing his plan of defending Wessex against viking invasions, Alfred demanded much from his subjects, not least a dramatic mobilisation of their labour in constructing, maintaining, and manning fortified *burhs* across the kingdom, as well as in wider forms of military service.³⁹⁷ Asser does note resistance among elements of the population,

³⁹⁴ White, *Re-Thinking Kinship and Feudalism*, p.11.

³⁹⁵ Leneghan, 'Royal Wisdom', pp.103-4.

³⁹⁶ For more discussion on wills and bookland, see pp.31-2.

³⁹⁷ N. P. Brooks, 'England in the Ninth Century: The Crucible of Defeat', *Transactions of the Royal Historical Society* 29 (1978), pp.18-19.

though, claiming that some were ignoring the king's command to construct *burhs* due to laziness.³⁹⁸ So perhaps we can also see an eagerness during Alfred's reign, in response to some of these longer-term changes and more pressing political needs, to reiterate and reaffirm the supremacy of lordship and the necessity of respecting the needs and commands of one's lord. In this way, we can interpret both the appearance of the story of Cynewulf and Cyneheard in the *Anglo-Saxon Chronicle*, and the aforementioned clause 42.6 included in Alfred's law, as being less concerned with trying to denigrate ties of kinship and more with demonstrating and cementing the power of lords.

Indeed, the extent to which demoting ties of kinship was ever the intended aim of clause 42.6 in Alfred's law is doubtful. It reads: 'In the same way, a man may fight on behalf of his born kinsman, if he is being wrongfully attacked, except against his lord; that we do not allow'.³⁹⁹ The main, albeit potentially unintended, effect of the clause is to enshrine in law the right of people to fight on behalf of their kin in almost all circumstances: quite a remarkable development unheard of in previous laws. Although no doubt codifying existing social norms and practices, this does fit with the broader patterns discussed above which saw the rights and obligations of kin protected, and even extended, in secular laws from the late ninth century onwards. In addition, Wormald has argued that no similar clauses are found in any laws from across the early medieval west, and that the clause was subsequently dropped in every English law code produced afterwards.⁴⁰⁰ Therefore, we have to be sceptical about the extent to which the idea first introduced here of lord always coming before kin was followed or successfully enforced. We need only recall the aforementioned clause in Athelstan's early tenth-century code that implied the existence of powerful kin groups capable of resisting their lords: this clearly shows that attempts to establish the supremacy of lordship over ties of kinship in Alfred's law had not been successfully established as accepted practice in wider society.

As such, while we can recognise some of the ways lordship and the exercise of authority may have been changing in the ninth century, the evidence does not show that this was happening at the expense of kinship and its place within society. The examples mentioned above appear more concerned with establishing the supremacy of lordship, rather than being specifically aimed at denigrating the position of kinship. In addition, Alice Sheppard has argued

³⁹⁸ Asser, *De rebus gestis Ælfrēdi*, c. 91, in W.H. Stevenson (ed.), *Asser's Life of King Alfred: together with the Annals of Saint Neots erroneously ascribed to Asser* (Oxford, 1904), pp.76-9.

³⁹⁹ 'Æfter þære ilcan wisan mon mot feobtan mid his geborene mæge, biþ hine mon on wob onfeobted, buton wið his blaforde: þæt we ne liefað', 'Alfred', c.42.6, in Liebermann, *Die Gesetze*, pp.76-7. Translated in D. Whitelock (ed. and trans), *English Historical Documents, Volume 1: c.550-1042* (London, 1955), p.380.

⁴⁰⁰ P. Wormald, *The Making of English Law: King Alfred to the Twelfth Century* (Oxford, 2000), p.283.

that we can see a deliberate elision of the ties of kinship and lordship in texts produced from the late ninth century onwards, and in this way the two bonds should not be seen as incompatible or at odds with one another: instead they could be complementary and mutually supportive.⁴⁰¹

In any case, as has just been discussed, there is little evidence that the principle of the supremacy of lordship over kinship was successfully established in the ninth century, and it is telling that the relevant clause in Alfred's law is not repeated in any subsequent laws. If anything, the appearance of this clause fits within the wider phenomenon discussed above around kings enshrining (if not extending) the rights and obligations of the kin in their laws from the late ninth century onwards. Nevertheless, there clearly is some tension and perhaps even anxiety here about people fulfilling competing obligations, and what choices they might make. This further demonstrates the point made earlier that kinship and lordship did not exist in a zero-sum relationship: they could at times compete with each other, and at other times, as we have seen, they could co-operate with and complement one another. The result was not a simple oppositional relationship, instead these two social bonds were always interacting with each other, and although their relationship did change over time, as we have seen, one certainly did not fall away to make room for the other. Indeed, particularly from the tenth century onwards, one could argue that we can see kinship being increasingly involved in royal government, rather than 'stifled' by it.

Conclusion

Loyn has asserted that it is a 'generally accepted' trend that in particularly in the later centuries of early medieval England, 'the authority of the secular lord increases at the expense of the kindred'.⁴⁰² Through a re-interrogation of the law code evidence, and what this can tell us about the relationship between kings and kinship, this chapter has attempted to challenge this paradigm. This has been done through demonstrating that early kings were not able to significantly infringe on the rights of the kin in the feud, that kinship remained an influential force in English legal culture throughout the early medieval period, and that tenth and eleventh-century kings both recognised and sought to utilise this influence for the maintenance of public order. An analysis of the language used in the law codes could also be a further indication that there were no decreases in the status of the family or in the range of their responsibilities within

⁴⁰¹ A. Sheppard, *Families of the King: Writing Identity in the Anglo-Saxon Chronicle* (Toronto, 2004), pp.16-7.

⁴⁰² Loyn, 'Kinship in Anglo-Saxon England', p.199.

English political culture throughout the period: in terms of responsibilities and kinship's involvement in government, one could actually argue the opposite.

There is therefore little evidence to suggest that kings or lords in England was able to 'stifle' the institutional life of the kin, as Loyn has suggested.⁴⁰³ It is important to recognise that Loyn, as well as Lancaster, Stenton and others working during this era, had not had the benefit of subsequent scholarship on kinship such as the important work of Alexander Murray and Pauline Stafford, and so their image of kinship was still very much informed by now out-dated and discredited notions linked ultimately to the concept of the *Sippe*: of a sprawling kindred which fulfilled a great many social, legal, economic and political functions within society, in fact forming the very basis of society itself.⁴⁰⁴ From this point of view kinship in early medieval England would have certainly appeared diminished. However, as seen in chapter one and above, not only has the idea of the *Sippe* since been discredited, but there is also no evidence that this concept of the kinship (or, for that matter, that of 'tribes') ever applied to early medieval England. As such, the premise underlying this long-held narrative is flawed from the start.⁴⁰⁵

Loyn's argument also rests on the suggestion that kin groups were not 'territorial' in the sense of controlling defined sections of inalienable land, but this definition of an 'institutional life' is very narrow. The prominent place granted to kindreds in the law codes from across the period, as well as the granting of additional legal responsibilities in the later law codes, is in fact a strong testament to the well-established institutional position that the social bond of kinship held in early medieval England. We have also seen evidence of co-operation between families and the king both in assigning additional responsibilities to the family for certain aspects of public order, but also through the use of the king's authority to guarantee family inheritance rights. Once more, the idea that we can somehow separate kinship and secular government from one another so that they exist in opposition has also been challenged. It is also worth noting that this argument does not just apply to medieval England: Alice Taylor has similarly argued that royal power in medieval Scotland became more centralised in the twelfth century, but this did not happen at the expense of (aristocratic) kindreds, in fact quite the reverse, with kings and aristocratic families surviving through collaboration and co-dependence.⁴⁰⁶ This therefore shows

⁴⁰³ *Ibid.*, p.209.

⁴⁰⁴ A. C. Murray, *Germanic Kinship Structure: Studies in Law and Society in Antiquity and the Early Middle Ages* (Toronto, 1983); Stafford, 'King and Kin, Lord and Community', pp.1-33; see also P. Stafford, 'La Mutation Familiale: A Suitable Case for Caution', in J. Hill, M. Swan (eds), *The Community, The Family and the Saint: Patterns of Power in Early Medieval Europe* (Turnhout, 1998), pp.103-25.

⁴⁰⁵ This argument has also been made previously by Pauline Stafford, see Stafford, 'King and Kin, Lord and Community', pp.12, 18.

⁴⁰⁶ A. Taylor, *The Shape of the State in Medieval Scotland, 1124-1290* (Oxford, 2016), pp.445-55.

that the need to disregard old paradigms around the development of kinship and lordship is not just an English phenomenon, but one that is shared across a wider geographical and temporal space too.

To conclude, it is helpful to return to Lambert's criticism of the way in which previous scholars have conceptualised early medieval English law. He argues that law at this time was never designed to create a society completely free of violence, and we should not assume that this was ever the intention.⁴⁰⁷ As such, the continued existence of kinship feuds is not evidence of weak royal government, as royal law never intended to outlaw this type of violence. Equally, the existence of strong royal government does not mean that we must assume kings would have attempted to eliminate family rights and functions in processes such as the feud, or elsewhere. In other words, it is possible for historians to see early medieval England as having a strong, centralised political culture, that was able to exist without compromising the rights and the importance of the kindred. The evidence from the law codes suggests that we should not view these two social forces as being locked in a zero-sum game: instead we should view them as co-existing, interacting and even at times working together in a more nuanced relationship than has previously been recognised.

⁴⁰⁷ Lambert, *Law and Order*, p.7.

Chapter Four

The Nature and Function of Kinship: Identity, Emotion, and Obligation

So far in this thesis, we have explored the ways in which contemporaries perceived the boundaries and structures of their kin groups, how people managed and navigated their relationships with their relatives, and the important relationship between kinship, lordship, and kings. There is, however, an important element of the family which has thus far remained relatively unexplored, and that is the nature and function of kinship in early medieval England. 'Nature' here refers to how people felt about kinship: what did this concept actually mean to contemporaries? What kinds of emotions and thoughts were triggered in their minds when thinking about their kin? How did relatives generally feel towards one another? 'Function', on the other hand, refers to a more practical aspect of kinship: how did people use kinship relationships in practice, and what kind of roles and responsibilities were relatives expected to perform and fulfil by society, if any? Answering all these questions is the aim of this final chapter.

This will be done primarily through an exploration of three key themes. The first of these is the use of kinship as a method of social identification, where it will be argued that people's ancestry and relatives were frequently used by others to judge and evaluate people's character, and that people in turn incorporated their kinship bonds into their own representation of their identity. The second section will explore people's emotions and sense of connection, where it will be argued that one's relatives frequently acted as a person's primary social support network, and that the bonds of love and affection between relatives were often very strong. The final theme that will be examined concerns more practical social and legal obligations, such as participating in the feud and wergild payments, swearing oaths for one another, caring for the souls of deceased relatives, and coming to each other's aid and ensuring one another's safety and protection, particularly in dangerous or violent situations. It will be argued that there was a wide range of potential obligations relatives were expected to fulfil, either by the letter of the law or through social conventions, and it will also be suggested that some of these obligations were often expected to be fulfilled by specific members of the kin group in particular, rather than these burdens falling equally upon all family members.

Kinship and Social Identification

As already established in chapter one, kin groups were defined social units in early medieval England, and people were able to identify the boundaries of these groups, that is, they could identify who was and was not considered a relative. We have already explored the evidence which supports this, such as Beowulf's comments about Wiglaf being the last of their dynasty, and the *Brunanburh* poet suggesting that specific traits and abilities could be associated with particular families, and could therefore be passed down the generations.⁴⁰⁸ The extant royal genealogies also show a clear awareness of ancestry and family history and legend, as well as a recognition of the potential importance of this: these documents present their respective dynasties as discrete and defined lineages with named members going back into antiquity. Documents such as wills also show confidence in identifying relatives from non-relatives, using words such as *mæg*, *sunu*, *wif*, and other kinship terms for their relatives, while using separate terms to describe other types of connections and relationships with non-relatives, such as priest, friend, servant, lord, and so on. Although the boundaries of kinship were malleable and subject to individual circumstances, the evidence shows that there was a conceptual difference for contemporaries between kin and non-kin, and that they themselves were able to identify where they saw those boundaries lying, and that they viewed the 'family' or 'kin group' as a distinct social unit.

Because the family seems to have been understood as a distinct entity with its own members, kinship acted as an important method of social identification within wider society. For example, when Beowulf arrives at Heorot to seek an audience with Hrothgar, Hrothgar states that *Ic hine cude cniht-wesende / was his eald-fæder Ecgþeo haten / ... is his eafora nu heard her cumen, soþte boldne wine* (I knew him when he was a boy, his old father was called Ecgtheo...now his hardy heir has come here to seek a loyal friend).⁴⁰⁹ Beowulf is also then told that the king will permit an audience because *he eower æpelu can* (he knows your family, or origins).⁴¹⁰ As such, one of the reasons Hrothgar expresses a willingness to meet with Beowulf in the first place is because he had previous knowledge of Beowulf's father and his *æpelu*, that is, his background or lineage, and presumably he thought well of this family. As a result, Beowulf, now an adult, was judged by Hrothgar according to the actions of his kin, with the assumption that if Beowulf's family were good and trustworthy people, then Beowulf must also have been the same. It is not clear

⁴⁰⁸ See p.55.

⁴⁰⁹ ll. 372-376, *Beowulf*, in R.D. Fulk (ed.), *The Beowulf Manuscript: Complete Texts and The Fight at Finnsburg* (London, 2010), p.110. (Hereafter referred to as *Beowulf*).

⁴¹⁰ l. 392, *Beowulf*, p.112.

whether these positive traits were seen as a result of natural inheritance or nurture in this case, but what is clear is the idea that certain personality traits, both good and bad, would be carried through a family and down the generations. Because of this, at least Hrothgar seems to have believed that judging a person by who their relatives were was both a fair and reasonably reliable way of assessing a person's character.

People are also often identified in Old English poems through reference to a particular relative, usually their father. This occurs most frequently in *Beowulf*, where a character is referred to as 'son of', 'kinsman of', or 'offspring of' at least fifty-five times, and *Beowulf* himself is referred to as the 'offspring of Ecgtheow' at least twelve times. We also find this in other poems such as *The Battle of Maldon*, where a character is referred to as 'son of' or 'kinsman of' at least twelve different times. This also occurs once in the short surviving fragment of *The Battle of Finnsburh*, in which Garulf is described as *Gudlafes sunu* (Guthlaf's son).⁴¹¹ Interestingly, these references do not only occur when a character is first introduced, but are also at times made throughout a text to refer to characters the audience already knows – this is especially the case with *Beowulf*. This may have been because poems would often be recited aloud to an audience, and so this repetition would have helped the audience remember who key characters were.⁴¹² It is interesting, however, that it is relatives who were used for purposes of identification in some Old English poems, and not other pieces of biographical information. This provides further evidence that relatives and ancestors were often used as a method of evaluating a person's character, as well as for contextualising people and demonstrating their places within society. In this way, who your relatives were told wider society something meaningful about yourself – kinship acted as an important lens through which contemporaries viewed and identified each other.

We also see these ideas manifested not just in poetry, but also in royal genealogies from early medieval England. These texts present an elaborate and extensive array of ancestors for the various royal families of England, drawing on historical, mythological and biblical figures alike.⁴¹³ The West Saxon genealogy from King Alfred onwards was even extended all the way back to Adam.⁴¹⁴ The existence of these genealogies shows that who one's ancestors were mattered in

⁴¹¹ l.33, *The Battle of Finnsburh*, in E. Van Kirk Dobbie (ed.), *The Anglo-Saxon Minor Poems* (New York, 1942), p.4.

⁴¹² P. Wormald, 'Anglo-Saxon Society and Its Literature', in M. Godden and M. Lapidge (eds), *The Cambridge Companion to Old English Literature* (Cambridge, 2003), p.18.

⁴¹³ See for example, D.N. Dumville (1976), 'The Anglian Collection of Royal Genealogies and Regnal Lists', *Anglo-Saxon England* 5, pp.23-50; D. N. Dumville (1986), 'The West Saxon Genealogical Regnal List: Manuscripts and Texts', *Anglia* 104, pp.1-32.

⁴¹⁴ Asser, *Vita Ælfredi regis*, c.1, in W.H. Stevenson, *Asser's Life of King Alfred: together with the Annals of Saint Neots erroneously ascribed to Asser* (Oxford, 1904), p.2. For a discussion of the extension of royal genealogies back to Adam, see C.R. Davis, 'Cultural Assimilation in the Anglo-Saxon Royal Genealogies', *Anglo-Saxon England* 21 (1992), pp.

determining society's initial perceptions of people, and it was clearly thought that one's ancestry could say something about a person's own character, abilities, and personality as a product of their birth and family heritage. It also implies that any positive qualities possessed by ancestors could be passed down the generations (as the *Brunanburh* poet implies with Æthelstan and Edmund's martial prowess, as discussed in chapter one), making it all the more important to be able to demonstrate an impressive and prestigious ancestry, because the glory of ancestors could be reflected back on contemporaries.

These texts, and the poetic references to older relatives and ancestors, also further demonstrates the knowledge of, or at least perceived knowledge of, family history. The memory of a family's past also further underscores the family's existence as a distinct entity within society – its present and former members could not only be identified and distinguished from non-members, but also the deeds and attributes of ancestors were recalled and invoked in the present. As with Beowulf's last words, the genealogies acted as unfinished stories, with members of the same family also holding a shared stake in the future too, and as the *Brunanburh* poet suggests, they may also have been seen to share a set of similar traits. All of this suggests that contemporaries perceived of the kindred as a distinct and coherent social unit.

However, kinship did not just act as a key way for people to judge others; it also formed an important part of a person's own identity and how they chose to present themselves to wider society. For example, in *The Battle of Maldon*, Ælfwine states: *Ic wylle mine æpelo eallum gecypan / þæt ic was on Myrcon miccles cynnes / was min ealda fæder Ealhelm haten / wis ealdorman, woruldgesælig* (I am willing to reveal my lineage to all, that I was from a great family in Mercia, my old father was called Ealhelm, a wise ealdorman, blessed with worldly goods).⁴¹⁵ Ælfwine is clearly presented as being very proud of his lineage, and actively wanted people to know about this, presumably because his lineage is supposed to tell those listening to him something about himself; his *micel cynn* forms a key part of his identity and the way he wishes others to see him. Given that the poem was written to commemorate the battle and those who fought in it, it is also likely that this is how Ælfwine's own friends and family wished for him to be remembered, which further strengthens the link between identity, kinship and memory.

We also see kinship forming a central part of identity again in royal genealogies in the same way – in fact the first chapter of Asser's *Vita Ælfredi Regis*, which was produced under royal

23–36; see also A. Traves, 'Genealogy and Royal Women in Asser's *Life of King Alfred*: Politics, Prestige and Maternal Kinship in Early Medieval England', *Early Medieval Europe* 30 (1) (2022), pp.101-124.

⁴¹⁵ ll.216-19, *The Battle of Maldon*, in E. Van Kirk Dobbie (ed.), *The Anglo-Saxon Minor Poems* (New York, 1942), p.13. (Hereafter referred to as *The Battle of Maldon*); translation my own.

direction, is concerned with outlining King Alfred's prestigious ancestry.⁴¹⁶ We can infer from this that Alfred, like Ælfwine, clearly took pride in his ancestry, or at least imagined ancestry, and this was therefore one of the first, and possibly most important, pieces of information Asser tells his reader about the king – not Alfred's own personal attributes or actions, but his ancestry. From this, Asser's audience was therefore supposed to learn something about the king and the kind of ruler he was, just as Ælfwine's comments about his own lineage were also meant to tell his listeners something about his own traits and personal qualities.

Kinship, or in some cases the lack of kinship, also played an important role in demarcating socio-economic status in early medieval English society. To continue the above discussion of genealogies: in the Middle Ages, it was only the wealthy and powerful who possessed long and noble lineages, punctuated with famous and heroic ancestors.⁴¹⁷ There are no extant genealogies of non-noble families from across the period, which speaks in part to the exclusionary nature of their creation. While on the one hand genealogies were created to showcase who a person, or indeed who a family, was and where they had come from, on the other hand they also directly reinforced who they were *not*. This was even more pronounced in the earlier Middle Ages, where only the genealogies of royalty have survived, and indeed these are the only genealogies which seem to have been created at all, at least in England.

The creation of a genealogy marked a line in the sand within the social hierarchy: in the later Middle Ages only those of noble birth had a genealogy, and earlier than that only those in possession of royal blood could boast of their ancestry in this way. In addition, being able to draw on one's distant ancestry in the way detailed genealogies allow, was in effect a pre-requisite for acquiring and exercising royal power in early medieval England. As was touched on in chapter three and elsewhere, for much of this period, and at the very least until the late ninth and early tenth century, being able to trace one's descent from Woden was essential in being considered 'throne-worthy', and was a uniquely royal practice: there is no evidence of non-royal families or individuals claiming such descent. Claiming descent from the legendary founders of one's respective kingdom (such as Cerdic in Wessex) was also necessary, but the presence of Woden in one's genealogy became distinctly synonymous with royalty in this society, and therefore created a clear demarcation between those who were eligible for the throne, and there who were not.⁴¹⁸ While in practice such descent was likely to be retrospectively manufactured,

⁴¹⁶ Asser, *Vita Ælfredi regis*, c.1, p.2.

⁴¹⁷ For more on genealogies in the Middle Ages, see J. A. Holladay, *Genealogy and the Politics of Representation in the High and Late Middle Ages*, (Cambridge, 2019).

⁴¹⁸ On the presence of Woden in English royal genealogies, see J.M. Wallace-Hadrill, *Early Germanic Kingship in England and on the Continent* (Oxford, 1971), p.45; E. John, 'The Point of Woden', in Filmer-Sankey, Hawkes,

the importance of Woden for justifying one's position on the throne remained strong, arguably at least until the tenth century, as suggested by the survival of an updated tenth-century royal genealogy which included Woden, as well as Woden's own ancestors back to Adam.⁴¹⁹

We can also see evidence of kinship being used to exclude others and demarcate status at the other end of the social spectrum, most strikingly in terms of slavery.⁴²⁰ Enslaved individuals were in many ways denied access to kinship: something which, as we have seen, was a very significant part of the lives of those within free society. For example, although references to slaves and kinship in the laws are not common, the seventh-century Kentish laws of Hlothere and Eadric state that if a slave kills a man, the owner must give up the slave and pay the compensation owed to the victim's family.⁴²¹ In this scenario, had the killer been a freeman, the perpetrator's family would be stepping in here to pay the compensation to the victim's family. However, we can see that this is not the case for enslaved individuals: their family was removed from the process entirely, and it was the master, acting in place of the slave's kin, who had to pay instead. In this case, legally speaking, the enslaved person was seen to have no kin at all.⁴²²

A more complex scenario can also be found in Ine's West Saxon laws, also from the seventh century. Clause 24 states that if an enslaved Englishman (*Engliscmon*) escaped, he was to be hanged and the master received no compensation for this, and if someone were to kill this slave, nothing would be paid to the slave's kinsmen if they had failed to redeem him from slavery within a period of twelve months.⁴²³ This suggests there was actually some room for the enslaved individual to retain some connection to their family (and also that their family might reasonably do this), at least for the first year of their enslavement, after which these ties were seemingly severed, at least in a legal capacity, if their family were unwilling, or unable, to redeem them.

Campbell and Brown (eds), *Anglo-Saxon Studies in Archaeology and History* 5 (Oxford, 1992), pp.127-34; D.N. Dumville, 'The Anglian Collection of Royal Genealogies and Regnal Lists', *Anglo-Saxon England* 5 (1976), pp. 23-50; D. N. Dumville, 'The West Saxon Genealogical Regnal List: Manuscripts and Texts', *Anglia* 104 (1986), pp. 1-32; for Woden more generally see also: P.A. Shaw, *Uses of Wodan: The development of his cult and of medieval literary responses to it*, PhD dissertation, University of Leeds (2002).

⁴¹⁹ Cotton Tiberius B. v/1, f.23r.

⁴²⁰ On slavery, see D. A. E. Pelteret, *Slavery in Early Medieval England: From the Reign of Alfred until the Twelfth Century* (Woodbridge, 1995); J. M. Fontaine, 'Early Medieval Slave Trading in the Archaeological Record: Comparative Methodologies', *Early Medieval Europe* 25 (4) (2017), pp.466-488; B. Raffield, 'The Slave Markets of the Viking World: Comparative Perspectives on an 'invisible archaeology'', *Slavery & Abolition* 40 (4) (2019), pp.682-705.

⁴²¹ 'Hlothære und Eadric', c.1, c.3, in F. Liebermann, *Die Gesetze der Angelsachsen* (Halle, 1903), p.9. These clauses use the Old English word *esne*, which appears to have a vague usage meaning a man of low social status, often acting as a servant of some kind. In laws, it is often used to indicate servile status specifically. See entry for 'esne' in the *Dictionary of Old English*, <https://www.doe.utoronto.ca/pages/index.html> [accessed 24/10/2021]; see also the entry for 'esne' in Bosworth and Toller's *Anglo-Saxon Dictionary*: <https://bosworthtoller.com/search?q=esne> [accessed 24/10/2021].

⁴²² This links to Orlando Patterson's classic argument relating to the act of enslavement leading to an individuals 'social death', see O. Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge MA, 1982).

⁴²³ 'Ine', c.24, c.24.1, in Liebermann, *Die Gesetze*, pp.100-1.

Ine's law also dealt with enslaved people who killed others in a similar way to Hlothere and Eadric. Clause 74 states that if an enslaved Welshman killed a free Englishman, then the slave's owner had to surrender the slave to the lord and kinsmen of the victim, or pay a 60 shilling fine. If the master was not willing to pay this sum, then he instead had to free the slave, and then if the freed slave had free kinsmen, they could then pay the wergild to the victim's family: if not, he was to be given over to the victim's family to deal with him.⁴²⁴ Again, this suggests that the legal separation from one's family was not a permanent consequence of enslavement: instead it seems that this severing of kinship ties only applied during the actual term of enslavement itself, after which kinship ties could be legally restored.

However, the general principle at play in both of these legal texts is that of the master standing in for the slave where the kindred would usually stand for the freeman: it is the master who in the first instance is expected to pay compensation, not the enslaved person's family, as was the case with members of free society. Once more, even once a slave had been freed, only their free relatives could participate in the payment of wergild: again, those remaining in slavery were still excluded from this process. To be enslaved, then, was almost to be without kin at all, at least in a legal capacity. Instead, this role was fulfilled by the slave's master. In this way, a lack of kinship acted as one of the key markers of an enslaved individual's diminished socio-economic status, and access to kinship ties became an important dividing line between members of free society and the enslaved. The crucial point here is that often the evidence considered throughout this thesis explores the ways in which kinship acted as a tool of social cohesion, as a way of binding people together. However, kinship, as experienced by those at the very top and the very bottom of society, could also be used as a mechanism of social exclusion. It could be used to divide, to separate, and to demarcate certain groups from the rest of society: royalty from non-royalty, free from unfree.

In light of the above analysis, there are four main ways in which kinship seems to have been used as a tool of social identification. The first is that, as shown for example in *Beowulf* and through Beowulf's concern for the future of his dynasty, there existed a concept of the kindred as a distinct unit within society that possessed both a past and a future, and linked with this there also seems to have often been an awareness of family history, or at least an imagined family history. In addition, there appears to have been, as seen in *The Battle of Brunanburh*, a sense that certain traits could be shared among kin as well. Second, kinship acted as an important method of assessing and identifying others, as shown through the repeated reference to characters in

⁴²⁴ 'Ine', c.74, c.74.1, in Liebermann, *Die Gesetze*, pp.120-1.

Beowulf as ‘son of’, or ‘kinsman of’, through Hrothgar’s willingness to grant an audience with Beowulf on account of having prior knowledge of his background, and from the evidence of royal genealogies. Third, we have seen that kinship also became an important part of people’s own identity and the way they chose to present themselves to others, as exemplified by Ælfwine’s expression of pride in his lineage in *The Battle of Maldon* (and the fact that this is how people chose for him to be remembered), and, again, the proliferation of royal genealogies celebrating and promoting famous ancestors, both real and legendary. All of this suggests that kinship played an integral role in social identification in early medieval English society. Finally, kinship’s function as a tool of social differentiation, both in desirable ways for royalty and in undesirable ways for the enslaved population, has also been explored through a consideration of royal genealogies and claims of descent from Woden in particular, as well as through an analysis of the enslaved population’s lack of legal access to their family.

Emotional Connections and Support Networks

Frequently, Old English poetry demonstrates love for relatives indirectly, through characters expressing grief on account of the loss of, or separation from, their family. As such, it makes sense for us to consider the poetic expression of love and grief together here, as two connected emotions.⁴²⁵ Both *The Seafarer* and *The Wanderer* are perfect examples of this sense of loss, as both deal with exile and journeying away from one’s family and home, albeit in potentially different circumstances. Whitelock suggested that *The Seafarer* may have been written to express ‘the impulse that sent numbers of [the poet’s] countrymen to the schools of Ireland, to the mission fields of Germany, and to the shrines of distant saints’.⁴²⁶ It is therefore possible that the speaker in this poem is expressing the emotions of a voluntary religious exile, whereas the speaker in *The Wanderer* appears to be journeying away from his home and family (whether forced or voluntarily it is not clear) due to the death of his former lord, and also possibly because at least some of his family members died in battle.

Although the circumstances of their separation from family members appear different, the effects are presented as very similar. For example, lines 14-16 in *The Seafarer* state: *hu ic earmcearig iscealdne sæ / winter wunade wræccan lastum / winemægum bidroren* (how I, miserable and sad

⁴²⁵ For more on medieval emotions, see B. Rosenwein, *Generations of Feeling: A History of Emotions, 600-1700* (Cambridge, 2016).

⁴²⁶ D. Whitelock, ‘The Interpretation of *The Seafarer*’, in C. Fox & B. Dickins (eds) *The Early Cultures of North-West Europe* (Cambridge, 1950), p.272.

on the ice-cold sea, dwelt for a winter in the paths of exile, deprived of loving kinsmen).⁴²⁷ Lines 6-7 in *The Wanderer* also explore grief and unhappiness at the loss of relatives: *earfeþa gemyndig / wraþra wælsleabta, winemæga hryre* – (...[the speaker is] mindful of hardships / of fierce slaughter, the fall of loving kinsmen).⁴²⁸ This last example suggests the death of beloved relatives was seen as comparable to, if not worse than, the ‘slaughter’ of battle. The speaker in *The Seafarer* also expresses the pain of being separated from family members who are presumably still alive but separated from the speaker due to his exile, for example he says how ‘wretched and sorrowful’ (*earmceariġ*) he feels at being ‘deprived of loving kinsmen’ (*winemægum bidroren*).⁴²⁹

The poet of *The Wanderer* also adopts a very melancholic style towards the end of the poem, lamenting that *her bið feoh læne, her bið freond læne / her bið mon læne, her bið mæg læne / eal þis eorþan gester idel weorþeð* (Here wealth is fleeting, here friendship is fleeting, here man is fleeting, here kinship is fleeting / all this earth’s foundation becomes empty).⁴³⁰ The fact that the poet seems to refer to kinship as one of ‘earth’s foundations’ is particularly revealing – together with friendship and wealth, kinship is presented as forming one of the most important aspects of life in early medieval England, at least for the speaker, who we can presume is an elite male, a former warrior and follower of his lord.

It is interesting that lordship, which is often seen as the most prominent theme in *The Wanderer* more generally, is not mentioned here, although it is possible that this has been subsumed into just ‘friendship’. It is a reminder, though, that kinship, or the loss of kinship, is not the only focus of the poem, and indeed the speaker does lament the loss of other aspects of his former life, which have together contributed to his current melancholy. This suggests that although kinship was not everything, it was nevertheless an essential part of at least aristocratic life, and we can imagine this was the case in the lives of non-elites too. Having said that, one must remember that often these poetic texts do explore lives of elite members of society, and so do not necessarily reflect a totality of experience when it comes to kinship, although we have no evidence to suggest non-elite experiences of kinship were substantially different. In any case, in both *The Seafarer* and *The Wanderer*, the loss of this important bond results in an at times intense and persistent state of grief and sadness. This is therefore suggestive of the emotional

⁴²⁷ ll.14-16, *The Seafarer*, in G. P. Krapp and E. V.K. Dobbie (eds), *The Anglo-Saxon Poetic Records III: The Exeter Book* (London, 1936), p.143. (Hereafter referred to as *The Seafarer*).

⁴²⁸ ll.6-7, *The Wanderer*, in G. P. Krapp and E. V.K. Dobbie (eds), *The Anglo-Saxon Poetic Records III: The Exeter Book* (London, 1936), p.134. (Hereafter referred to as *The Wanderer*).

⁴²⁹ ll.14-6, *The Seafarer*, p.134.

⁴³⁰ ll.108-10, *The Wanderer*, p.137.

importance of kinship in everyday life, at the very least for elite members of society, and very likely for the rest of society too.

This is further supported by a particularly emotive scene in *Beowulf*, which states, when discussing a father whose son has been killed, that ‘he may tell a tale, a song full of sadness, when his son hangs to the raven’s delight, and he, old and decrepit, can offer him no help, is continually reminded every morning of his offspring’s departure...he will look sadly at his son’s chamber, the desolate wine-hall...’ (...*he gyd wrece / sarigne sang / þonne his sunu hangað brefne to broðre, ond he him helpe ne mæg / eald ond infrod anige gefremman / symble bið gemyndgad morna gehwylce eaforan ellor-sið...Gesyhð sorh- Cearig on his suna bure / win-sele westne...*)⁴³¹ This passage continues the way the loss of relatives is portrayed in *The Seafarer* and *The Wanderer*, and reinforces the idea that the impact of the loss of family members was often felt keenly and consistently. Indeed, the father in *Beowulf* is reminded of his son’s death ‘every morning’ – his strong love for his son during his life has been transformed into persistent and eternal grief in his death, and grief that is difficult for him to escape. The desolate wine-hall also indicates how the father’s life has been changed by his son’s death. There were no longer friends, relatives and companions in his hall, but instead it laid empty, which was also perhaps intended as a metaphor for the father’s life more generally after his son’s death, which, like the hall, now existed without joy, laughter or comradeship. Clearly, this passage from *Beowulf* shows that the loss of a close relative could have a profound effect, and result in a sense of grief that was difficult to deal with, which is also echoed in *The Wanderer* and *The Seafarer*.

Further parallels to this depiction of family relationships through grief and loss may also be found in the enigmatic Old English poem, *Wulf and Eadwacer*.⁴³² Interpretation of this poem has proven difficult, and different theories have been proposed, for example that Wulf was the female speaker’s lover, that the poem explores a mother’s anxiety about separation from her child, or that the poem documents maternal grief at the death of either her warrior son or infant child.⁴³³ It is these latter possibilities that are of importance here. Again, grief appears to be the

⁴³¹ ll.2446-56, *Beowulf*, p.246.

⁴³² ‘Wulf and Eadwacer’, in G. P. Krapp and E. V.K. Dobbie (eds), *The Anglo-Saxon Poetic Records III: The Exeter Book* (London, 1936), pp.179-80.

⁴³³ For the poem dealing with maternal loss, see D. W. Frese, ‘“Wulf and Eadwacer”: The Adulterous Woman Reconsidered’, *Notre Dame English Journal* 15 (1) (1983), pp.1-22; for separation of parent and child see Marijane Osborn, ‘The text and context of Wulf and Eadwacer’, in Martin Green (ed.), *The Old English Elegies: New Essays in Criticism and Research*, (London, 1983), pp.174-89, and for an argument that the poem deals grief associated with infant exposure, see J. A. Tasioulas, ‘The Mother’s Lament: “Wulf and Eadwacer” Reconsidered’, *Medium Ævum* 65 (1) (1996), pp.1-18.; for discussions revolving around adultery and the possibility of the speaker and/or named characters being lovers, see K. Malone, ‘Two English Frauenlieder’, in Stanley B. Greenfield (ed.), *Studies in Old English Literature in Honor of Arthur G. Brodeur*, (Eugene, 1963), p.108, and Peter S. Baker, ‘The ambiguity of Wulf and Eadwacer’, *Studies in Philology* 78 (1981), pp.49-50.

main theme of the poem, which is clearly demonstrated by the following passage: *þonne hit wæs renig weder ond ic reotugu sæt, þonne mec se beaducafa bogum bilegde, wæs me wyn to þon, wæs me hwæpre eac lað. Wulf, min Wulf, wena me þine seoce gedýdon, þine seldcymas, murnende mod, nales meteliste* (When it was rainy weather, and I sat tearfully, when the battle-strong one surrounded me with his arms, that was pleasurable to me, but it was also nevertheless painful. Wulf, my Wulf, my hopes of you have caused me to be sick, your seldom-comings, a mourning spirit: not at all a lack of food).⁴³⁴ The tears, the ‘mourning spirit’, and the sickness caused by a loved one’s absence are all indicative of the speaker feeling strong emotions of grief and loss, and while the interpretation of the poem as referring to a husband or child is not definitive, this representation of familial loss would certainly fit strongly with other representations of this theme in the extant corpus of Old English poetry more widely, as explored above.

Grief and loss are more common themes in the poems considered in this chapter than love. However, to grieve is to have loved, and the level of emotion evoked in these poems in response to the loss of relatives does demonstrate that a strong sense of love and affection for family members must have commonly existed, which is important for thinking about the strength and prominence of kinship as a social bond within English society more widely during this period. In other words, a relationship capable of eliciting such strong emotional connections between people would have been difficult to ignore both in daily life and wider political culture, and almost impossible for kings and lords to suppress, even if they wished to do so.

Another important feature of family relationships revealed in Old English poetry is the role of the family as an ‘emotional support network’. For example, shortly after *The Wanderer* discusses the fall of kinsmen in battle, the speaker states that *nis nu cwicra nan / þe ic him modsefan mine durre / sweotule asecean* (now there is none alive to whom I dare clearly speak my mind).⁴³⁵ This theme is also continued in *The Seafarer*, which states that, on account of the speaker’s exile, *...ne anig hleomæga / feascæftig ferð frefran meahte* (no cheerful kinsmen can comfort this poor soul).⁴³⁶ These lines indicate that people in early medieval England commonly looked first and foremost to their family for emotional support and comfort in times of difficulty, and the speaker in *The Seafarer* deeply laments his inability to access this support network.

This network also appears relatively exclusive. The speaker in *The Wanderer* states he has nobody to speak his mind to shortly after mentioning the death of his kinsmen, suggesting this is

⁴³⁴ ll.10-15, *Wulf and Eadwacer*, pp.179-80.

⁴³⁵ ll.9-11, *The Wanderer*, p.134.

⁴³⁶ ll.25-6, *The Seafarer*, p.144.

to whom he is referring. It is likely, given that his lord is also mentioned throughout the poem, that his lord would also have been included in this small and trusted group of people. However, it does suggest that the natural circle of people contemporaries felt they could trust and rely on for emotional support was both small and exclusive, and we cannot ignore that this line in *The Wanderer* also indicates that this circle was almost entirely made up of family members. The speaker later describes himself as *freondleasne* (friendless), which does suggest that friends could also have entered this trusted group. However, it is not necessarily clear who these ‘friends’ may have been. Indeed, Hyams argues that ‘in the Early Middle Ages, the semantic field occupied by the friendship words [e.g. *freond*] themselves referred primarily to immediate kin’, and may also have referred to lords.⁴³⁷ As such, even this reference to friends in the poem does not exclude kin, in fact it is likely that *freond* in this case is being used in a more general sense to mean ‘loved ones’ or ‘allies’, of which relatives were a central part.⁴³⁸ The impression both *The Seafarer* and *The Wanderer* leave us with is that the family formed the core foundation of a person’s social support network, and that lords and friends who were not relatives were often more peripheral within this group.⁴³⁹ Again, through this we can see the centrality of kinship to everyday life, the importance of the family for emotional support and comfort, and the great distress and unhappiness that separation from one’s kin could cause.

Obligations of Kinship

In early medieval English society, relatives were not just expected to provide emotional support and comfort, though this was very important: they were also had an obligation, whether socially, legally, or both, to provide more practical and tangible support as well. As discussed in chapter three, one of the most highly discussed obligations of kinship in this society was to support one’s relatives in the process of the feud, whether through physical fighting or through helping to pay wergild as a result of a relatives’ crime. Whichever route was chosen could have substantial consequences for a person’s relatives: wergild values were not cheap, even at the lower end of the social hierarchy, and for a family without much social and economic privilege, they would

⁴³⁷ P. R. Hyams, *Rancor and Reconciliation in Medieval England* (London, 2003), p.22.

⁴³⁸ Hyams also highlights the common contrasting by Old English writers of *feond* (enemy) and *freond* (friend), which further suggests that *freond* may have been used in a more general sense to mean an ‘ally’, someone who will stand with them against a *feond*. As such, a kinsman could easily, and indeed was very likely to, be described as a *freond*. See Hyams, *Rancor and Reconciliation*, p.22. Similarly, Gerd Althoff has also shown how on the Continent language which appears to refer to friendship and non-familial relationships did often still include relatives, for example the term *familiares* referred to a close group of people controlling access to a ruler and was most often comprised not just of friends, instead it was a more general term which often included relatives and close advisors as well, see G. Althoff, ‘Friendship and Political Order’, in J. Haseldine (ed.), *Friendship in Medieval Europe* (Stroud, 1999), pp.96-7.

⁴³⁹ 1.28, *The Wanderer*, p.134.

often have been difficult and ruinous to collect together. On the other hand, the violent route was potentially even worse, as theoretically any relative became a legitimate target for violence and even killing: again, this could take a heavy psychological and emotional toll on members of the kindred potentially over a long period of time.

We should not, therefore, underestimate the severity of the situation when either a violent feud was pursued or wergild paid: either would have been incredibly burdensome for relatives to participate in, and would have tested to varying degrees the sense of solidarity between relatives when placed in those situations. The fact that these ideals and social values of familial solidarity persisted across many centuries does suggest, therefore, that these were often burdens people were willing to bear when it came to supporting their relatives and fulfilling their social and legal obligations towards one another.

There has been much historiographical discussion over the prevalence (or not) of feuds in early medieval Europe, which has been discussed in chapter three, but in fact how commonly these events actually occurred is perhaps less relevant here than the pervasiveness of the idea of providing unwavering support and assistance to one's family which these laws helped to foster and promote within society more widely.⁴⁴⁰ As has already been seen, almost all secular laws from Æthelberht's seventh-century laws right up to Cnut's eleventh-century laws consistently note the expectation that people would support, defend and help their relatives no matter whether they were the perpetrator or the victim of a crime.

Additionally, as shown in chapter three, from Alfred's reign onwards these principles of collective responsibility within a family group were extended beyond the process of the feud, to incorporate the requirement of finding a lord for a lordless relative of ill-repute, feeding imprisoned relatives, and standing surety for one another in a legal capacity. Although not explicitly stated in laws, there also appears to have been an expectation that relatives would help swear oaths on behalf of one another when required in legal disputes.⁴⁴¹ All of this, together with the ideals expressed in poetry explored below, promoted the concept of unwavering loyalty

⁴⁴⁰ See for example: G. Halsall, 'Violence and Society in the Early Medieval West: An Introduction', in G. Halsall (ed.), *Violence and Society in the Early Medieval West* (Woodbridge, 2002), pp.19-20; J.D. Niles, 'The Myth of the Feud in Anglo-Saxon England', *The Journal of the English and Germanic Philology* 114 (2) (2015), pp.199-200; M. Gluckman, 'The Peace in the Feud', *Past & Present* 8 (1955), pp.1-14; S. D. White, 'The Peace in the Feud' revisited: feuds in the peace in medieval European feuds', in K. Cooper, K. Leyser (eds), *Making Early Medieval Societies: Conflict and Belonging in the Latin West, 300-1200* (Cambridge, 2016), pp.220-243; P. R. Hyams, *Rancor and Reconciliation in Medieval England* (London, 2003); P. R. Hyams, 'Feud and the State in Late Anglo-Saxon England', *Journal of British Studies* 40 (2001), pp.1-43; see also S. Esders, 'Wergeld und soziale Netzwerke im Frankreich', in S. Patzold, K. Ubl (eds), *Verwandtschaft, Name und soziale Ordnung (300-1000)* (Berlin, 2014), pp.141-159.

⁴⁴¹ F. M. Stenton, *Anglo-Saxon England* (Oxford, 1955), p.313. The argument Stenton makes here regarding the changing relationship between kings and kin groups has already been address in chapter three.

towards one another between relatives, and the idea of collective responsibility when it came to crimes or other transgressions. As seen in chapter two, these ideas were not always upheld by contemporaries, perhaps in part due to the burdensome nature of some of these obligations, as well as their own at times conflicting personal interests. On the other hand, as Tom Lambert has argued, ignoring these societal values would have been difficult, and would also have come with a heavy social, and in some cases legal, price to pay as a consequence.⁴⁴²

Another dimension to the feud which becomes relevant in the tenth and eleventh centuries is the issue of penance. The *Scriftboc* states that if a man killed another in revenge for his kinsman, he must fast for three years, and half a year if compensation had been paid to the family.⁴⁴³ This is clearly at odds with the provisions of secular legal texts, which allowed (and arguably encouraged) the seeking of violent vengeance. We could, therefore, see a tension between secular and ecclesiastical legislation on this issue, with clerical authorities encouraging a more peaceful method of conflict resolution. However, it is not clear which method would have been most commonly adopted by contemporaries, although, given that the feud consistently features in legal texts far older than the penitentials (the very earliest of which could be dated to the late ninth century), and also accounting for Lambert's argument mentioned above, it is likely to have been difficult for clerics to overturn these older traditions of vengeance and the desire to support and defend one's family, which I argue were strongly rooted in English society.

Indeed, legal texts are not the only arena in which we find the values of showing loyalty and providing assistance to one's relatives demonstrated. In battle poetry especially, kinship and its associated obligations also seem to have acted as an important motif, and we can perhaps see this expressed most clearly in *The Battle of Brunanburh*. Before proceeding, it is important to briefly consider the wider context of the poem, which was included in the *Anglo-Saxon Chronicle*. The poem documents a significant battle which took place in an unknown location known as *Brunanburh*, between the West Saxon king, Æthelstan, and the Scottish King, Constantine II, in 937.⁴⁴⁴ There had been an uneasy peace between the two parties since 927, which was shattered by Æthelstan's invasion of Scotland in 934, after which one of Constantine's sons was apparently given over to Æthelstan as a hostage.⁴⁴⁵ Æthelstan reportedly then took this son back with him to England, where he resided at his court. The reason behind this Scottish campaign is unclear: it may have been in response to Constantine himself breaking the peace agreement of 927, a desire

⁴⁴² T. Lambert, *Law and Order in Anglo-Saxon England* (Oxford, 2017), pp.353, 232.

⁴⁴³ R. Spindler, *Das Altenglische Bussbuch (sog. Confessionale Pseudo-Egberti)* (Leipzig, 1934), ll.329-31, p.186.

⁴⁴⁴ For an overview of potential locations of the battle, see A. Woolf, *From Pictland to Alba, 789-1070* (Edinburgh, 2007), p.171.

⁴⁴⁵ S. Foot, *Æthelstan: The First King of England* (New Haven, 2011), p.53.

to capitalise on new and fortuitous political circumstances, a dispute between the two sides over the fate of Northumbria following its ruler's death, or because of some combination of these factors.⁴⁴⁶ Æthelstan's success in 934 did not, however, bring an end to hostilities: instead it mobilised his political opponents into action.

In 937, allied forces including the Scots, vikings from Dublin, and forces from the British kingdom of Strathclyde, launched a joint force against England, seeking to inflict a decisive defeat on their common enemy, Æthelstan. The stage was thus set for a showdown to determine who would dominate Britain. The English army, comprised of Mercian and West Saxon forces and led by Æthelstan and his brother Edmund, quickly met the allied forces in battle at a site known as *Brunanburh* in late 937. The events of this battle, which appears to have been very large and ended in a resounding English victory, were documented in a poem incorporated into the annals of *Anglo-Saxon Chronicle*.

The new consensus around *The Battle of Brunanburh* is that it was written years after the battle, as opposed to the immediate aftermath for use in Æthelstan's court.⁴⁴⁷ If this was indeed the case, this may place its creation to some point during Edmund's reign or perhaps even those of his descendants, thus explaining the poem's emphasis on Edmund's role in the battle alongside Æthelstan. Indeed, Joyce Hill has argued that *The Battle of Brunanburh* 'sets the stage for Edmund' in this regard, and this may be the reason behind repeated references to the pair throughout the poem: Edmund's allegedly prominent place in this famous and important battle would have granted him, and his heirs, considerable prestige, legitimacy, and notoriety.⁴⁴⁸ The issue of legitimacy in particular may have been an issue for Edmund, given his status as Æthelstan's half-brother, and his succession may therefore have elicited potential challenges and competition from other claimants. This is not, however, how the *Brunanburh* poet depicts Edmund: Edmund's status as a half-brother is disguised, and he is instead presented as the natural successor to Æthelstan, with his closeness to the former king and his accomplishments taking centre stage.

However, this may not be the sole explanation behind references to Edmund in the poem. The poet repeatedly highlights the fact that Æthelstan and Edmund were brothers, and their victory is very much presented as a family victory. Indeed, in some ways, the entire poem is framed around kinship. The poet frequently emphasises the fact that Æthelstan and Edmund are two brothers, fighting in battle together. For example, the opening five lines of the poem

⁴⁴⁶ Foot, *Æthelstan*, pp.164-5; Woolf, *Pictland*, pp.161-5.

⁴⁴⁷ A. Jorgensen, 'Reading Emotion in 'The Battle of Brunanburh'', *Neophilologus* 100 (4) (2016), pp.670-1.

⁴⁴⁸ J. M. Hill, *The Anglo-Saxon Warrior Ethic: Restructuring Lordship in Early English Literature* (Gainesville, 2000), p.107.

emphasise their presence on the battlefield, stating: *Her Æþelstan cyning, eorla dryhten / beorna beabgifa, and his broþor eac / Eadmund æþeling, ealdorlangne tir / geslogon æt sæcce sweorda ecgum / ymbe Brunanburh* (Here King Æthelstan, lord of earls, ring-giver of men, and also his brother, the ætheling Edmund, obtained with the sword's edge ever-lasting glory in battle at Brunanburh).⁴⁴⁹ The brothers are also referred to as the 'sons of Edward' (*afaran Eadwardes*) on two different occasions, and lines 57 and 58 refer to *...þa gebroþor begen ætsamme / cyning and æþeling* (...the brothers, both together, king and ætheling).⁴⁵⁰

We can also see this even more clearly when the poem states, as discussed in chapter one, that their martial prowess *him geæþele wæs / from cneomægum* (was natural to them from their ancestors).⁴⁵¹ The poem therefore does not just invoke their relationship as brothers, and the memory of their father Edward, but it also invokes their ancestors and the members of the royal family who had gone before them, as well as their military successes. It may well have been the English army that won the battle at Brunanburh, but the poem frames the battle as just as much a victory for the West Saxon royal dynasty as it was for the English kingdom more widely.

We also see the use of kinship in a similar way on the opposing side of the battle. Although the poet does not focus on this point as much as they do for the English side, the poem states about Constantine that *he wæs his maga sceard / freonda gefylled on folcstede / beslagen æt sæcce, and his sunu forlet / on wælstowe wundun forgrunden* (he was deprived of his kinsmen, friends felled on the battlefield, struck down in battle, and he left his son behind in the place of slaughter, ground to pieces with wounds).⁴⁵² In this way, the battle is presented as a victory for the West Saxon royal family and a defeat for the Scottish royal family, resulting in the death of Constantine's son. The fate of each kingdom is therefore reflected in the fate of their respective royal families, and it is perhaps a consequence of kinship's emotive power that the poet chose to use kinship in this way to demonstrate victory and defeat in battle. It also indicates, as evidenced by Charles-Edwards, an integral connection between the fate of a kingdom and its royal family.⁴⁵³ In this way, we could also suggest that the kingdoms themselves were in some ways simply reflections of their ruling dynasties.

⁴⁴⁹ Entry for 937, in J. Bately (ed.), *The Anglo-Saxon Chronicle: A Collaborative Edition: 3 MS A* (Cambridge, 1986), p.70. (Hereafter referred to as *ASC*).

⁴⁵⁰ *Ibid.*, p.72.

⁴⁵¹ 937, *ASC*, p.70.

⁴⁵² *Ibid.*, p.71.

⁴⁵³ T. Charles-Edwards, 'Anglo-Saxon Kinship Revisited', in J. Hines (ed.), *The Anglo-Saxons from the Migration Period to the Eighth Century* (Woodbridge, Boydell Press, 2003), pp.183-191.

It also seems that the death of kinsmen was a method used by poets to symbolise wider military defeat. For example, in *The Battle of Maldon* Byrhtnoth's nephew is shown dying in battle, which may have been intended to act as an omen to the poem's audience that Byrhtnoth was heading for defeat.⁴⁵⁴ As we have just seen, Constantine's defeat at Brunanburh is also symbolised by the death of his son in battle. Implicit here, especially in Constantine's case, is that there was a duty or responsibility to protect relatives in battle, and a failure to fulfil this responsibility also indicated wider military failure as well. Hill has also highlighted that the poet is notably silent when it comes to documenting the death of Æthelstan's kinsmen at Brunanburh, which further suggests that the death of relatives in battle often indicated defeat and held negative associations in Old English poetry, hence why they did not wish to refer to Æthelstan's fallen kinsmen, as it may have tainted perceptions of his success.⁴⁵⁵ Because of this, the poet ignores the deaths of Æthelstan's relatives and emphasises the death of Constantine's son, to illustrate victory and defeat respectively.

The use of language in describing the death of Constantine's son is also interesting for thinking about perceived obligations towards family members. The *Brunanburh* poet does not say that Constantine's son simply died, or was killed in battle, but the phrase is actually that Constantine *his sunu forlet on walstowe* (left his son behind in the place of slaughter).⁴⁵⁶ The verb *forletan* at best can be translated as 'to leave' or 'to leave behind', and at worst it can be translated as 'to neglect', 'to abandon' or 'to desert'.⁴⁵⁷ As such, it seems that this was a deliberate choice of words to indicate Constantine's failure to fulfil his obligations in protecting his son, and the poem's audience is invited to judge Constantine for his actions, and the fact that he was incapable, or unwilling, of defending and protecting his son.

This may have been all the more emotive and personal for an audience at the English king's court. As discussed above, one of Constantine's sons seems to have been given over to Æthelstan as a hostage for a time, who was kept at the royal court together with the children of other rulers Æthelstan was 'fostering'.⁴⁵⁸ The king, his lords, and his followers, were all therefore likely to have established some kind of personal relationship with Constantine's son, having seen

⁴⁵⁴ ll.114-5, *The Battle of Maldon*, p.10; for more on the presentation of this defeat and its wider political context, see L. Neidorf, 'II Æthelred and the Politics of The Battle of Maldon', *The Journal of English and Germanic Philology* 111 (4) (2012), pp.451-73.

⁴⁵⁵ Hill, *Anglo-Saxon Warrior Ethic*, p.105.

⁴⁵⁶ 937, *ASC*, p.71.

⁴⁵⁷ Entry for 'for-lætan', *Bosworth-Toller Anglo-Saxon Dictionary*, <http://bosworth.ff.cuni.cz/045795> [accessed 12/03/2020]. See also the entry for 'forlætan' in the *Dictionary of Old English*, <https://www.doc.utoronto.ca/pages/index.html> [accessed 14/10/2021].

⁴⁵⁸ For a discussion of the presence of other rulers' children at Æthelstan's court and their status, see Foot, *Æthelstan*, pp.52-6.

him and perhaps even spoken with him on various occasions while he resided at court. Although it is not clear that the son who died at Brunanburh is the same son previously taken by Æthelstan as a hostage, or one of Constantine's other sons who remained with him in Scotland, this point underlines another significant element of the poem, which is that this conflict was also very personal. Regardless of whether Æthelstan and the English court were well acquainted with Constantine's fallen son or with his brother, there was still a close connection there, and it is worth remembering as well that Constantine himself was an old enemy of Æthelstan's. Having reigned for forty-three years, and been the Scottish king for the entirety of Æthelstan's own reign, the two had a long history marked by conflict and uneasy truces. As such, while it is true that *Brunanburh* was about the fate of kingdoms as reflected in the presentation of their respective dynasties, the poet may also have been speaking to these more personal and individual connections which existed across the two sides of the battlefield through their reference to Constantine's son.

While Constantine appears to be judged negatively by the *Brunanburh* poet for his failure to protect his son, interestingly, Byrhtnoth does not seem to be shamed or criticised in the same way in *The Battle of Maldon*, most likely because Byrhtnoth is the tragic hero of this poem, whereas Constantine is clearly the antagonist of *The Battle of Brunanburh*.⁴⁵⁹ In addition, the *Maldon* poet tells the audience that one of Byrhtnoth's men avenges the death of Byrhtnoth's nephew during the battle, and in this way the social and legal obligations usually created during a feud were fulfilled.⁴⁶⁰ Because of this, his nephew's death becomes a foreboding tragedy of the defeat to come, as opposed to a criticism of Byrhtnoth – through the exacting of vengeance (albeit through the hands of one of his men) he has still fulfilled his obligations to his kinsman. This is not, however, the case with Constantine at Brunanburh – the death of his son was never avenged during the battle, creating a further stain on his reputation, which is used to underline the totality of the English victory and the military success of the 'sons of Edward', Æthelstan and Edmund.

We can also see the obligations of kinship clearly expressed through depictions of the feud and of relatives in need in *Beowulf*. When witnessing his lord and relative fighting the dragon alone, the poet says, referring to Wiglaf, that *hiora in anum weoll sefa wið sorgum; sibb' æfre ne mæg wiht onwendan þam ðe wel þenceð* (The heart in one of them seethed with sorrow; nothing can ever change kinship ties for one who thinks properly).⁴⁶¹ Wiglaf, acting alone, then later joins Beowulf

⁴⁵⁹ For a discussion of how Byrhtnoth's character is presented in the poem, see J. Halbrooks, 'Byrhtnoth's Great-Hearted Mirth, or Praise and Blame in the Battle of Maldon', *Philological Quarterly* 82 (3) (2003), pp.235-55; H. Gneuss, "The Battle of Maldon" 89: Byrhtnoð's *ofermod* Once Again', *Studies in Philology* 73 (2) (1976), pp.117-37.

⁴⁶⁰ ll.116-21, *The Battle of Maldon*, p.10.

⁴⁶¹ ll.2599-601, *Beowulf*, p.256.

in battle against the dragon, attempting to aid his kinsman. Although Beowulf is also Wiglaf's lord, and therefore Wiglaf owed allegiances and obligations associated with lordship to him, it is significant that none of Beowulf's other subjects come to his aid during the fight. Indeed, the passage quoted above suggests that it was the emotive ties of kinship, not lordship, that motivated Wiglaf's desire to support Beowulf against the dragon; the fact that Beowulf was their king and lord was not sufficient for any of the other warriors present to join the fight. It is also indicative of the sense of duty associated with kinship, particularly among the warrior elites who are the main focus of *Beowulf*. This sense of duty towards his relative motivated Wiglaf to put his own life at risk to defend his kinsman.⁴⁶²

Although this is just one example from a heroic poem, these findings tally with other evidence of the feud from law codes and elsewhere, as already discussed in this chapter and elsewhere in the thesis. Together this evidence suggests that people felt a strong sense of obligation to protect and defend their relatives, even to the point of their own death, in early medieval English society. The appearance of these obligations in contemporary poetry also shows that attitudes and obligations towards family members such as these were glamorised and actively promoted: they formed an ideal model of behaviour that people should strive towards in their everyday lives. As established in chapter one, families were definable as distinct and discrete social groups, and so it is also possible that Wiglaf was not seeking to just defend Beowulf, but he may also have been attempting to defend the future of their family more widely, given that they were the sole surviving members of their dynasty. Again, this may be indicative of relatives also being bound together through a collective interest in securing and protecting the future of their family.

In a similar way to how kinship was used as a device in battle poetry as discussed above, kinship is also central to the whole narrative of *Beowulf*, notably in the form of feuds and family discord. For example, although feuds are mentioned throughout the poem, in particular the desire of Grendel's mother to fulfil her obligations in avenging her son's death precipitates a significant part of the story in which Beowulf in turn seeks to kill Grendel's mother as well. Once more, the poet tells their audience that the only reason these monsters exist in the world in the first place is due to Cain's murder of his brother Abel.⁴⁶³ As such, the whole impetus of the poem can be traced back to an act of biblical fratricide. The fact that issues relating to kinship could be used in this way as one of the key foundations of the poem's narrative further

⁴⁶² For more on the developing relationship between Wiglaf and Beowulf, see Hill, 'Wiglaf's Rise to Dear Kinship', in *Anglo-Saxon Warrior Ethic*, pp.19-46.

⁴⁶³ ll.1261-8, *Beowulf*, p.168.

demonstrates kinship's emotive power within society, and perhaps also the near-universal ability of the poem's intended audience to recognise and identify with this from their own lives.

The use of kinship in this way in *Beowulf* also further underlines the importance of family relationships in everyday life, the strong desire to fulfil obligations to kin, and the dire consequences of Cain's betrayal of these obligations through his act of fratricide. It also speaks again to the ways in which obligations and loyalty to family in Old English poetry could be used to set a moral standard for society, an ideal model for how relatives should treat one another. Of course, we know that contemporaries would not have always lived up to these obligations in reality. Nevertheless, poems such as those considered here provided an ideal to live up to, and the existence of this ideal would have provided substantial social and moral pressure on contemporaries to fulfil their perceived obligations to their relatives, and this is therefore significant for understanding the importance of kinship ties within society and why these ties may have been as strong as the sources considered across this thesis suggest they were.

It is also important to acknowledge that these obligations were not just limited to providing physical (or indeed emotional) support to one's relatives: in fact, the evidence suggests that people were not relinquished from their obligations to their relatives even after they had died.⁴⁶⁴ Expressions of care and concern for the souls of deceased relatives and ancestors appear frequently in the corpus of Old English wills (see figure 1 in chapter one for a representation of this). For example, this concern for the souls of ancestors is an important theme of the will of Ealdorman Ælfgar, whom we have already encountered in previous chapters. In fact, Ælfgar mentions concern for either his own soul, the souls of his immediate relatives, or the souls of his ancestors, no fewer than eight times in his short will. Often this is regarding bequests of land to religious communities, or in one case land is left to a man named Ælfwold on condition that he pay a yearly food-rent to St Paul's for his ancestor's souls. Ælfgar's two daughters also inherit responsibilities in terms of the welfare of their relatives' souls, particularly Ælfgar's oldest daughter Æthelflæd.

Ælfgar states that he bequeaths three estates to her after his death 'on condition that she be the more zealous for the welfare of my soul and of her mother's soul and of her brother's soul and of her own'.⁴⁶⁵ Æthelflæd was also instructed to do what she could for the community at Stoke, for the sake of her father's soul and those of her ancestors, and she was to have use of

⁴⁶⁴ For an in-depth exploration of the relationship between the living and the dead in the Middle Ages, see J. Schmitt, *Ghosts in the Middle Ages: The Living and the Dead* (Chicago, 1998).

⁴⁶⁵ 'The Will of Ælfgar', in D. Whitelock, *Anglo-Saxon Wills* (Cambridge, 1930), pp.6-7; S 1483.

the estate at Greenstead as long as she does the best she can for her father's soul and the souls of two men named Æthelweard and Wiswith.⁴⁶⁶ These were all quite heavy burdens to inherit, and not ones that seem to have been passed on to the younger daughter as well. We could therefore suggest that perhaps these kinds of obligations and responsibilities towards the souls of ancestors and relatives were often expected to be fulfilled by the older members of the family, responsibilities which were then to be passed down the generations as time went by. Ælfgar uses his own will to fulfil these obligations, and his eventual death would have left Æthelflæd, his oldest daughter, as the 'head' of the family, so to speak, and so the responsibility for the welfare of the souls of deceased relatives and ancestors seems to have fallen to her.⁴⁶⁷

Another example of this comes from the will of Ealdorman Ælfheah, in which he bequeathed an estate containing a reversion clause, with the ultimate destination being the community at Glastonbury 'for the sake of our father and of our mother and of us all', and after his wife's funeral an estate was to go to Ælfheah's burial place for both of their souls.⁴⁶⁸ In addition, he also leaves all of his remaining estates to his wife for the duration of her life, with instructions that she is to 'remember God zealously [with almsgiving] from the property, and be zealous for the welfare of our souls'.⁴⁶⁹

It is significant that no such instruction is given to a male beneficiary in his will, and the phrasing here is strongly reminiscent of the instructions given by Ealdorman Ælfgar to his daughter Æthelflæd to be similarly 'zealous' (*gæornlice*) and to do what she could for their ancestors' souls during her lifetime. It is possible, therefore, given these parallels, that the obligations of ancestor veneration and the responsibility of caring for the souls of deceased relatives and ancestors were duties often expected to be fulfilled primarily by women within kin groups, rather than men. As such, we can see a gendered disparity here in familial obligations associated with deceased members of the kin group, with women often acting as the guardians of family memory. This was a responsibility Julia Crick argues women took very seriously.⁴⁷⁰ Across the entire corpus, the mention of a relative or ancestor's soul occurs forty-five times, which is very frequent indeed, and shows that for the living, this sense of obligation towards, and responsibility for, their relatives did not end with death: it endured even beyond the grave.

⁴⁶⁶ Whitelock, 'The Will of Ælfgar', pp.6-9.

⁴⁶⁷ Whitelock, 'The Will of Ælfgar', pp.6-9

⁴⁶⁸ Whitelock, 'The Will of Ealdorman Ælfheah', pp.22-5; S 1285; Mary Blanchard has discussed Ealdorman Ælfheah and his family in depth, see M. E. Blanchard, 'A New Perspective on Family Strategy in Tenth- and Eleventh- Century England: Ealdorman Status and the Church', *Historical Research* 92 (256) (2019), pp.244-66.

⁴⁶⁹ Whitelock, 'The Will of Ealdorman Ælfheah', pp.22-5.

⁴⁷⁰ J. Crick, 'Women, Posthumous Benefaction and Family Strategy in Pre-Conquest England', *Journal of British Studies*, 38 (4) (1999), pp.417-8.

The mention of concern for the souls of deceased relatives is, as mentioned above, often tied to the donation of land to religious communities in wills.⁴⁷¹ These posthumous bequests were designed to secure the prayers of those living inside the community, so that they could use their position to intercede on behalf of their deceased relatives and ease their passage into Heaven (and in this way, we can see kinship ties actually helping to drive donations of land to religious communities).⁴⁷² The most common occurrence of this is found towards the souls of deceased husbands and wives by their still living partners, followed by an also common reference to the souls of more generic ‘ancestors’. Though much less frequent, we also find expression of care for the souls of sons, daughters, siblings, parents, one case of a grandmother’s soul and another case of an uncle’s soul being mentioned, both possibly indicating an especially close relationship between the testator and the deceased. In other words, the caring for the souls of the dead was a duty most often fulfilled by the immediate family, a pattern which fits neatly with the emphasis on the immediate family more generally within society that was highlighted in chapter one.

Having said that, concern for ‘ancestors’ (*aldre*), who were presumably of older generations of the family, is also prevalent. This indicates that bonds of kinship were not severed after death, and supports the idea that the dead were, at least in some way, still considered part of one’s kin group. In a society dominated by a belief system such as Christianity, where a person’s physical form was temporally-bound but their soul was eternal, it makes sense that people would never really ‘leave’ a family: in some ways it may have been similar to a relative who was simply living abroad, in that their physical form was no longer present, and it was very difficult to communicate with them, but their soul, and people’s love for and connection to that person still remained. Indeed, Jean-Claude Schmitt has argued that kinship groups (as well as monastic communities) ‘formed the framework’ for the relationship between the living and the dead in the Middle Ages.⁴⁷³ This also meant that obligations towards deceased relatives did not end at the moment of death.

Partly in response to the work of Bernhard Jussen, who argued that in the post-Roman world responsibility for remembering the dead was no longer fulfilled by kin groups (and instead by religious institutions), Christina Lutter, Daniel Frey, Herbert Krammer and Judit Majorossy,

⁴⁷¹ For more on the connection between aristocratic families and religious communities, see A. Wareham, ‘The Transformation of Kinship and the Family in Late Anglo-Saxon England’, *Early Medieval Europe* 10 (3) (2001), pp.375-99

⁴⁷² These were the kinds of ‘spiritual benefits’ of bequeathing land to religious communities referred to in Crick, ‘Women, Posthumous Benefaction and Family Strategy’, p.401.

⁴⁷³ Schmitt, *Ghosts in the Middle Ages*, p.4. For more on kinship and the dead generally, see also pp.187-94.

in a similar vein to Schmitt, have suggested that medieval kin groups and religious communities were in fact ‘intricately entangled’ when it came to remembering and caring for the dead.⁴⁷⁴ Indeed, this is the picture we can see here, where the family and religious communities sit together at the centre of remembering and commemorating the dead: responsibility has not been transferred from one to the other, but rather it is shared between the two. In addition, together with the evidence of royal genealogies, the kinds of bequests mentioned above indicate that ancestors in early medieval English society were generally considered people to be honoured and venerated, and religious communities were an essential part of this process. As established above, a person’s ancestry was a key part of their social identity: ancestors formed the basis of a family’s history which its members identified with and took pride in. Ancestor veneration was not, therefore, just a simple act of respectful remembrance, but an active endeavour with earthly consequences in the present.⁴⁷⁵

However, caring for the souls of deceased relatives was not a one-way street, but rather it was reciprocal in terms of actions taken by relatives before they died. As established in chapter two, there was a social, and potentially legal, expectation for people to provide materially for their relatives, and especially their immediate family, after death. This kind of provision usually took the form of land and portable wealth left in wills, as seen for example in the will of Ealdorman Ælfgar and his desire to ensure that his daughters were well protected and provided for for the duration of their lives. Support was therefore provided to living relatives in the physical world via inheritance upon death, and this support was repaid to them in the spiritual world in turn by their living relatives securing intercessions for their souls on their behalf. This makes these arrangements sound rather contractual, which in a sense they were, but often contemporaries would not have viewed it in those terms. Caring and providing for each other was something done primarily out of love, and would not have usually been considered a burdensome and unwanted duty begrudgingly fulfilled. As mentioned above, the frequency with which people bequeathed land to religious communities for the benefit of their relatives’ souls is a testament to the importance placed on the veneration of deceased ancestors and relatives in

⁴⁷⁴ B. Jussen, ‘Erbe und Verwandtschaft: Kulturen der Übertragung’, in S. Willer, S. Weigel, B. Jussen (eds), *Erbe: Übertragungskonzepte zwischen Natur und Kultur* (Berlin, 2013), pp.37–64; C. Lutter, D. Frey, H. Krammer, J. Majorossy, ‘Kinship, gender, and the spiritual economy in medieval Central European towns’, *History and Anthropology* 32 (2) (2021), p.250, and more generally, pp.249–70.

⁴⁷⁵ Linked to this is also the practice, particularly from the tenth and eleventh centuries onwards, of elite families becoming significant benefactors of local monasteries and churches, where their deceased relatives and ancestors were buried and to whom significant amounts of land were bestowed. This was not just an act of pious devotion, but also, given the power and influence religious communities could wield in the secular world, part of wider family strategies geared towards shoring up regional bases of support. For more on this, see A. Wareham, *Lords and Communities in Early Medieval East Anglia* (Woodbridge, 2005).

this society, and demonstrates that there would also have been substantial social pressure to fulfil these kinds of obligations to kin which transcended the boundaries of life and death.⁴⁷⁶

Conclusion

The evidence considered in this chapter demonstrates that kinship fulfilled a number of important functions within society, and that relatives were often bound by social and, at times, legal, obligations to one another. In particular, we have seen the prevalent use of kinship and ancestry by contemporaries for the purposes of social identification, whereby a person's relatives and ancestors were used to judge and evaluate them as individuals, and in turn a person's family and ancestry were often incorporated into their own sense of identity and how they chose to present themselves to the rest of society. The result of this was that who your family were mattered a great deal: contemporaries believed that certain traits and abilities would be passed down and shared within a family group. If one's relatives were well-respected and known to possess qualities such as honour, bravery, or other highly-valued traits in early medieval English society, then one would be judged positively by others, and would be able to obtain friends and favours more readily. However, if the opposite were true, and one's relatives were considered people of ill-repute, this would also have consequences for how people judged and perceived you, making potential relationships with others more difficult. This did not mean that having dishonourable relatives would damn a person permanently in the eyes of society, but it was very important for people when forming first impressions and making initial judgements about a person's character and abilities: this is demonstrated both in Hrothgar's reception of Beowulf upon his arrival at Heorot, as well as the incorporation of impressive paternal and maternal genealogies of King Alfred at the beginning of Asser's *Life*. The king's prestigious ancestry was included with the intention of telling Asser's audience something about Alfred's own character and abilities as king, namely, that he had inherited some of his ancestor's impressive and famous qualities, rather like how the *Brunanburh* poet suggests that Æthelstan and Edmund had inherited their martial prowess from their relatives and ancestors.⁴⁷⁷

The significant role played by relatives in forming a person's emotional support network has also been demonstrated, as has the very close emotional bonds that often existed between

⁴⁷⁶ For more on kinship and the expression of concern for souls, see T. Kohl, 'Groß- und Kleinfamilien im frühmittelalterlichen Bayern', in S. Patzold, K. Ubl (eds), *Verwandtschaft, Name und soziale Ordnung (300-1000)* (Berlin, 2014), pp.161-75.

⁴⁷⁷ A. Traves, 'Genealogy and Royal Women in Asser's *Life of King Alfred*: Politics, Prestige and Maternal Kinship in Early Medieval England', *Early Medieval Europe* 30 (1) (2022), pp.101-124.

family members. Through an exploration of the prominent themes of grief and loss in Old English poetry, we have seen evidence of the severe emotional pain caused by separation (whether through exile or death) from one's family, thus revealing the great importance of these connections. Not only this, but relatives also appear to have often formed the heart of a person's emotional support network: the poetic evidence indicates that relatives were considered people to whom one could speak their mind and be their true self, people who would love, support and advise whenever necessary. This is not to say that everyone would have thought of their relatives in this way, indeed we have seen some prominent examples elsewhere in this thesis where that is likely not to have been the case. However, such relationships characterised by discord were very much the exception, rather than the norm.

Finally, we have also considered the plethora of practical obligations that relatives were either required by law or encouraged by society to fulfil.⁴⁷⁸ These included, but were not limited to, bearing the feud, paying (and receiving) wergild payments, fighting alongside relatives and ensuring their safety, swearing oaths to assist relatives in legal disputes, venerating and securing intercessions for the benefit of deceased relatives and ancestors, and, from the late ninth century onwards, feeding imprisoned relatives, standing surety for relatives of ill-repute, and ensuring that such relatives did not remain lordless. In essence, both the law and wider society promoted a sense of collective responsibility among family members, encouraged notions of providing mutual support and assistance, and demonstrated that the consequences of one's actions were rarely borne by oneself alone. No man or woman was an island in early medieval England, and this may in fact have acted as a deterrent against criminal behaviour: people may have been less likely to act outside of the law if they knew that there would be consequences of some kind, whether that be financial in nature or in the form of increased responsibilities, for their loved ones as well.

As this chapter has demonstrated, kinship came with lots of obligations in early medieval England, whether through the law or through social custom: these obligations could be physical, in the form of fighting and violence, emotional, in terms of providing emotional support to one another, financial, in the form of making or receiving payments as a result of a relative's behaviour, spiritual, in terms of seeking intercessions for deceased relatives, or in the form of increased legal responsibilities to support and care for one another in certain circumstances. However, despite the long list of potential obligations people had towards their relatives, the

⁴⁷⁸ On the expectation that relatives would help and protect one another in the Early Medieval West, see H. Goetz, "Verwandschaft" um 1000: ein solidarisches Netzwerk?, in S. Patzold, K. Ubl (eds), *Verwandschaft, Name und soziale Ordnung (300-1000)* (Berlin, 2014), pp.289-302.

evidence suggests that they were, in most situations, dutifully fulfilled, and examples to the contrary were in fact the exceptions to the norm. These obligations were often not fulfilled because it was the law or to simply give in to social pressure: they were fulfilled primarily out of love for each other. While people certainly did feel a sense of duty towards their relatives and their wellbeing, they did not necessarily always fulfil obligations to them simply because they *had* to, but rather because they *wanted* to. To borrow the words of Barbara Rosenwein, early medieval England was a society dominated by a strong sense of ‘family feeling’.⁴⁷⁹ It was difficult to truly ‘escape’ one’s family in early medieval England: their impact on one’s identity and how one was perceived by the rest of society, the strong emotional ties, as well as one’s actual and perceived obligations to relatives, appear to have been ever-present and incredibly durable.

⁴⁷⁹ Rosenwein, *Generations of Feeling*, pp.35-48.

Conclusion

This thesis has in places focused on exploring questions about internal family dynamics, such as how relatives ‘managed’ their interactions with one another, but also how they thought about and felt towards their relatives, and what mutual social and legal obligations relatives were expected to fulfil. However, internal family dynamics have always only been half the picture: other elements of the thesis have been concerned with understanding kinship’s place within wider society, asking questions such as how kings and family groups interacted with each other, where ecclesiastical institutions fitted into these relationships, what wider social functions could a person’s background and family heritage fulfil, and how people in early medieval English society actually *used* kinship. The aim of this thesis has thus been to reshape our understanding of the family and its place within wider society in early medieval England. A subject neglected in recent historiography, our understanding of kinship in this society has until now been dominated by a series of out-dated and unchallenged ideas and paradigms which do not accurately reflect the surviving English evidence. The aim of this thesis has therefore been to reconstruct an image of kinship that is more in tune with the extant English source material: an image that is less dependent on general models developed in other fields such as anthropology (for example the work of Max Gluckman), or on models developed to primarily describe non-English societies (such the ‘Germanic’ *Sippe*, or Celtic and Scandinavian ‘tribes’), which were then copied and pasted onto early medieval England, as opposed to being rooted in contemporary English evidence.

In order to answer the aforementioned questions, it was first necessary to consider what kinship actually meant to contemporaries: how did they perceive the size, structure, and shape of their family: who was in and who was out? This was primarily explored in chapter one, where I argued that the precise definition of one’s family was malleable and subject to change depending on circumstances. For example, in terms of inheritance, we can see a very strong and clear preference for naming immediate descendants, regardless of gender, as the primary beneficiaries in wills, with more distant relatives being substantially less provided for in general.

On the other hand, in public matters, particularly in processes connected to the feud and wergild payments, we can see that the law codes envisaged a far wider definition of one’s kin, expanding to include immediate and distant relatives alike, though the tenth-century text known as *W^{er}* demonstrates that even here immediate male relatives (plus one’s paternal uncle) were to receive the first tranche of payment ahead of any other relatives. We may infer from this that these same relatives may have been expected to contribute the largest sums when paying wergild

to a victim's family in turn. As explored in chapter one, this flexibility made a lot of practical sense, but it does mean that precisely defining who contemporaries considered their kin varied, not just from person to person, but also for the same person in different situations.

We have also seen that the position of godparents could be a blurred one, in which they at times participated in activities we would associate with kin, and at other times were seemingly excluded entirely. As such, godparents appear to have existed in a peripheral zone: not strictly speaking a family member, but also not entirely separate from the family either. In both chapters one and four we have also seen the importance of ancestors and deceased relatives, indicating, together with genealogical evidence, that death did not necessarily sever kinship ties, and that deceased relatives and ancestors were often still considered members of the family group.

One thing that the extant evidence makes repeatedly clear, however, is the enduring and unshakable importance of the immediate family. Even in circumstances where distant relatives were clearly included in the definition of the 'kin group', there is little evidence to suggest these definitions often extended particularly far, for example to distant relatives such as a second or third cousins. Rather like today, many people were probably oblivious as to who such people even were. Instead, we find immediate relatives taking centre stage. This is a pattern repeated across virtually all the evidence considered in this thesis, whether that be inheritance practices, clerical prohibitions on sexual relationships, obligations associated with caring for the souls of the deceased, or feuds and wergild payments. The size of the 'family' could expand or contract depending on circumstance, but the centrality of the immediate family (parents, siblings, and children) remained unaltered regardless of the situation or circumstance.

In light of this, and building on the work of Alexander Murray, referring to kin groups in England at any moment in the Early Middle Ages by using language such as 'tribes' or 'clans' is wholly inappropriate, as are allusions to the 'Germanic' model of the *Sippe* in an English context.⁴⁸⁰ Kin groups in England were not sprawling, expansive and unwieldy entities, and, as Pauline Stafford first argued, are unlikely to have ever acted as the sole basis of English society as the *Sippe* model would have us believe. The reality, inevitably, was far more nuanced and complicated than that. While precise details may have varied according to circumstance, immediate relatives formed the heart of kin groups in early medieval England, and in general

⁴⁸⁰ The use of the term 'tribe' or 'tribal' in the context of early medieval England is not just something which is confined to older historiography. Much more recent work, published since the late 1990s, continued to use these kinds of terms. For example, see E. John, *Reassessing Anglo-Saxon England* (Manchester, 1996), pp. 2, 33, 34, 71; see also R. Abels, *Alfred the Great: War, Kingship and Culture in Anglo-Saxon England* (London, 1998), pp. 8, 25, 124, 177; see also N. Higham, M. J. Ryan, *The Anglo-Saxon World* (New Haven, 2013), pp. 109-11, 126, 137-9, 141-3, 158, 164.

distant (horizontal) ‘relatives’ much beyond that of a first cousin were, for most people, likely to start slipping out of their concept of their family for all intents and purposes, and such people appear to have begun to simply blur into the rest of the population. Even the relatively expansive prohibitions on marriage imposed by the penitentials did not extend to include people such as second cousins. The main exception to this is perhaps royal dynasties, where, as seen for example with Wiglaf in *Beowulf*, distant relatives could become much more significant through a change in circumstances and events. However, as discussed in chapter one, royal dynasties represented a unique expression of kinship, with unique functions and meaning, that were not experienced by the vast majority of the population. While not entirely conceptually separate from non-royal family groups, evidence pertaining to royal dynasties alone cannot necessarily be taken to speak for the wider population’s general perception and experience of their kinship groups.

As a result of these conclusions, and in particular the emphasis this society often placed on the immediate family above other relatives, one must also now question some of the prevailing narratives around the family and the Norman Conquest of 1066. As already discussed, J.C. Holt made the argument that we can think of the changes kinship underwent in the wake of the Conquest as ‘the revolution of 1066’.⁴⁸¹ Although he does acknowledge that there may have been some continuities, his characterisation of a ‘revolution’ is based on the idea that pre-Conquest kin groups were generally conceptually larger than in the post-Conquest era, and partible inheritance involving a wide group of potential heirs was the norm: a tradition which rapidly changed into a system of primogeniture and a much more focused view of the family after 1066.⁴⁸²

While this headline statement of change is not necessarily false, it shrouds a much more complex picture. As I have argued, while the pool of potential beneficiaries of wills before the Conquest was potentially much larger than in the post-Conquest period, in practice people usually concentrated the vast majority of their wealth and property into the hands of only a very small number of direct descendants (as outlined in chapters one and two), which is a point previous scholarship arguing for significant change has often overlooked. This was also taking place against the backdrop of a society which emphasised the importance of immediate relatives more generally over those of more distant ones, as I have outlined throughout this thesis. This therefore undermines the characterisation of post-Conquest changes as ‘revolutionary’, which implies rapid and fundamental change compared with what had gone before. If people both

⁴⁸¹ J.C. Holt, ‘Presidential Address: Feudal Society and the Family in Early Medieval England: I. The Revolution of 1066’, *Transactions of the Royal Historical Society* 32 (1982), pp.193-212.

⁴⁸² *Ibid.*

before and after the Conquest placed an emphasis on their immediate relatives, and pre-Conquest wills concentrated inheritance into only a small pool of immediate descendants anyway, the move towards primogeniture, where one direct descendant is privileged, does not seem so dramatic a change after all. It did mark a change from pre-Conquest practices, to be sure, but I would not characterise such a change as so fundamental as to constitute a ‘revolution’.⁴⁸³ Indeed, although this thesis has not extended to include an analysis of post-Conquest evidence, in light of the above conclusions a reinterrogation of these post-Conquest sources may prove similarly beneficial in improving our understanding of this period of change.

Having explored the ways in which the extant evidence suggests contemporaries may have defined their kinship groups, chapter two turned to examining how people actually managed and navigated their relationships with their relatives. Through an exploration of will and penitential evidence we have seen that people’s experiences and approaches to managing their kinship relationships often varied by gender. Women were clearly held to higher standards and expectations than men, particularly within marriage, and faced a number of additional constraints on their actions, even during widowhood. While some of these restrictions may have been implemented to protect women from predatory relatives and opportunistic men, this was certainly not universally the case. Women also occupied a dual and at times contradictory position within the family: on the one hand they could be a parent and caregiver to their children, exercising authority over them and dispensing discipline as needed, yet on the other hand they could be a wife who was in the eyes of wider society supposed to be subservient and obedient to their husband, who acted as the ‘head’ of the household. Although both women and children were under the authority of the husband and father, women’s position in the household was not therefore comparable to that of children, but was not equivalent to their husband’s position either.

We have also seen the ways in which the relationship between parents and children was conducted and regulated. While parents, particularly fathers, appear to have exerted significant control over their children, and were actively encouraged by biblical passages to admonish and discipline their children, this control was by no means unrestricted. In fact, penitential evidence suggests that parents were also subjected to limitations on their actions, especially in terms of selling their children into slavery and altering their betrothal arrangements. In these scenarios, the children themselves were given a voice: the penitentials placed an emphasis on ensuring that

⁴⁸³ It is also worth noting that, in a recently published book, Björn Weiler suggests that even in Continental Europe after the eleventh century, primogeniture was not necessarily always the norm in terms of royal succession. See B. Weiler, *Paths to Kingship in Medieval Latin Europe, c. 950-1200* (Cambridge, 2021).

children's rights were respected, and older children were effectively given a 'veto' over such actions if they themselves did not consent to it. Children were not without responsibility towards their parents as well, as again in line with the biblical model of the family, they were expected to respect and obey their parents in turn. As seen through Asser's labelling of Æthelbald as a *pertinax filius* for resisting his father Æthelwulf's return to the West Saxon throne, early medieval English society appears to have generally taken a dim view of children who defied and disobeyed their parents, and perhaps even more so when this disrespect was directed at the father.

The final aspect of managing kinship explored in chapter two concerned wills and inheritance. This section showed that there were many different strategies that people employed to manage expectations and navigate their relationships with their relatives, while also factoring in their own wishes. These strategies could be employed to fulfil a range of objectives, such as protecting women's inheritance, 'eking out' limited resources over multiple generations, or even making public statements about the state of family relationships and personal feelings. The types of strategies chosen have also been shown to have varied according to economic and social status, thus revealing the inherent flexibility that existed in contemporary inheritance practices to account for people's differing circumstances.

We also saw in this chapter (and elsewhere) the roles played by secular and ecclesiastical authorities, in some cases complementing one another, and at other times directly contradicting. By studying external regulations relating to kinship, different areas of authority have been identified, with secular law often dealing with issues relating to public order (such as feuds and wergild payments), and penitentials and ecclesiastical law often taking on issues dealing with private affairs and matters of personal morality. In most cases, the two did not step on each other's toes, but instead complemented each other's provisions: for example, secular laws had nothing to say about parents selling their children into slavery, but clerical authorities certainly did. Secular law did not regularly stray into legislating on people's sexual morals, but such matters were of immense concern to clerics.

In general, then, although the concepts of 'public' and 'private' are contested in the Middle Ages, it seems that secular law was largely designed for the sphere of life which was external to individual kin groups, deliberately avoiding issuing decrees not pertaining in some way to external public order (even if there was naturally some cross-over), whereas ecclesiastical law was largely confined to the more personal sphere which was often internal to the family, and

rarely strayed into the public realm.⁴⁸⁴ However, such a dichotomy was not always followed, and appears to have changed over time. For example, as we have seen, Cnut's eleventh-century code imposed a particularly harsh punishment on women who had committed adultery, which was perhaps a consequence of the increasingly penitential nature of secular law seen from the reign of Æthelred II onwards.⁴⁸⁵ Indeed, the influence of Archbishop Wulfstan of York in particular was an important cause of this trend, given that he was responsible for the writing of many extant tenth- and eleventh-century legislative and homiletic texts.⁴⁸⁶ As a result of this, the division between secular and ecclesiastical spheres of authority became increasingly blurred in the later tenth and eleventh centuries.

Furthermore, as has also been discussed, there were areas where secular and ecclesiastical law were in direct conflict, most prominently when it came to the issue of whether or not one could kill another in an act of revenge. Secular law clearly allowed, and arguably at times encouraged, this course of action in the form of the feud, whereas the penitentials were clear that such an act, no matter the reason, could not be excused. On balance it appears that people behaved in a manner that matched more closely with secular law on this issue, but this demonstrates that there could be conflict and disagreement between secular and ecclesiastical law on matters connected to kinship, and this disagreement may have caused a dilemma for people in these situations: pursue revenge and fulfil the expectations of secular society at the risk of damaging one's soul, or maintain the purity of the soul yet suffer the indignation from wider society at having failed to avenge the death of a kinsman. The practice of penance may have actually offered a route out of this: although clerics clearly disagreed with killing, the system as a whole would allow somebody to fulfil their obligations and avenge their kinsman's death, and then perform the penance due for this act to atone for such a sin afterwards, such as fasting or

⁴⁸⁴ One area of historiographical discussion over the terms 'public' and 'private' in the Middle Ages has focused on the issue of performing penance and rituals, for example see J. Barrow, 'Demonstrative Behaviour and Political Communication in Later Anglo-Saxon England', *Anglo-Saxon England* 36 (2007), pp.127-150; L. Roach, 'Public Rites and Public Wrongs: Ritual Aspects of Diplomas in Tenth- and Eleventh-century England', *Early Medieval Europe* 19 (2), pp.182-203; B. Bedingfield, 'Public Penance in Anglo-Saxon England', *Anglo-Saxon England* 31 (2002), pp.223-55; S. Hamilton, *The Practice of Penance, 900–1050* (Woodbridge, 2001); and for the blurring of this distinction in terms of secular law in England in the tenth and eleventh centuries, see L. Roach, 'Penance, Submission and *Deditio*: Religious Influences on Dispute Settlement in Later Anglo-Saxon England (871-1066)', *Anglo-Saxon England* 41 (2012), pp.343-71.

⁴⁸⁵ Roach, 'Penance, Submission and *Deditio*', pp.343-71.

⁴⁸⁶ For more on the career of Archbishop Wulfstan of York and the contemporary influence of his work, see M. Townend (ed.), *Wulfstan, Archbishop of York: The Proceedings of the Second Alcuin Conference* (Turnhout, 2004); A. Rabin, 'The Wolf's Testimony to the English: Law and Witness in the "Sermo Lupi ad Anglos"', *The Journal of English and Germanic Philology* 105 (3) (2006), pp.388-414; A. Rabin, 'Law and Legal Culture in Anglo-Saxon England', *History Compass* 18 (2020), pp.1-13; A. Rabin, *The Political Writings of Archbishop Wulfstan of York* (Manchester, 2015); J. T. Lionarons, *The Homiletic Writings of Archbishop Wulfstan* (Woodbridge, 2010).

going on a pilgrimage.⁴⁸⁷ As such, even in areas where there was direct conflict between secular and ecclesiastical law, people may still have found ways to navigate these kinds of disagreements.

While it is clear that there was some form of external regulation (whether through social custom, law, or penitential texts) on people's family relationships, and it is also clear that people pursued many different strategies to help manage and navigate their relationships with their kin, we have also seen that not all of these regulations and strategies met with success. Indeed, we have encountered a number of examples where attempts to successfully manage kin relations failed, which therefore resulted in conflict, sometimes with dire consequences. It is a reminder that while being related to someone in early medieval England created a set of social (and sometimes legal) expectations and obligations, being related to someone in and of itself was never a *guarantee* of anything: relatives, and especially members of the same royal dynasty, were capable of falling out, coming into conflict with each other, failing to fulfil obligations to each other, and also just generally disliking one another.

Indeed, such a conclusion will hardly be surprising, but it is still important for historians to always bear this in mind when considering the potential meaning and consequence of individuals being related to one another, and when thinking about kin groups as a whole. Families were not monoliths: while they certainly were capable of acting with one voice and purpose (for example the Godwin family resisting their exile by Edward the Confessor), they did not always do so. As with any other social group, they were made up of individuals with their own emotions and ambitions which influenced their actions, even if this at times put them at odds with their relatives.

One of the popular myths about the Middle Ages, which requires brief consideration here in light of the above analysis of parents and children, is that people in the Middle Ages did not love their children as much, and were not as emotionally attached to them, as people do and are today. Such ideas were expressed as recently as 2019 in an article published in *The Economist* newspaper.⁴⁸⁸ The article proclaimed that for much of the Middle Ages, 'newborns were considered intrinsically evil', and the article then went on to claim: 'parents' relative lack of interest in their children in the Middle Ages may have been a rational response to a distressingly

⁴⁸⁷ Pilgrimages among the English were unusually taken to Rome as an act of penance, only for the most severe of sins. For more on England's connections to Rome, see F. Tinti, 'The English Presence in Rome in the Later Anglo-Saxon Period: Change or Continuity?', in S. DeGregorio, P. Kershaw (eds), *Cities, Saints and Communities in Early Medieval Europe: Essays in Honour of Alan Thacker* (Turnhout, 2020), pp.345-71.

⁴⁸⁸ 'In the Middle Ages there was no such thing as childhood', *The Economist* (Jan 2019), <https://www.economist.com/special-report/2019/01/03/in-the-middle-ages-there-was-no-such-thing-as-childhood> [accessed 15/09/2021].

high infant mortality rate...parents would not want to get too attached to a child who might not be around for long'. Even ignoring the author's blanket portrayal of parents in the Middle Ages as cold-hearted and emotionless husks, the plethora of evidence considered both in chapter four and across the whole thesis demonstrates that this idea is utterly false. Although the work of Barbara Rosenwein in particular has shown that emotions and their expressions could, and indeed did, change over time, all of the surviving evidence in this case suggests that parents were no less loving towards, nor any less attached to, their children as parents generally are today.⁴⁸⁹

As we have seen, the loss of a child could be devastating to contemporaries, and higher infant mortality rates do not seem to have done anything to assuage parental grief. Indeed, shorter life spans and higher mortality rates even among the adult population equally did nothing to lessen the love people felt for their family, and there is zero evidence to suggest that higher death rates among either adults or children resulted in people not forming loving attachments to their relatives. The pain and grief caused by the loss of, or separation from, family members was perhaps felt with more regularity throughout a person's lifetime than in the Western world today, but this pain does not seem to have been lessened in any way as a result.

The article also argues that it was only in the seventeenth century that children began to be viewed 'as innocents who must be protected from harm'.⁴⁹⁰ As we have seen from a range of legal and penitential evidence, whether that be Æthelstan's apparent anxiety in his laws around the appropriate age one should punish children for crimes, or in clerical attempts to protect children from being sold into slavery against their will or from suffering physical harm in the family home, children were recognised as individuals requiring special protections from harm in early medieval English society: they certainly did not have to wait until the seventeenth century for this. Clearly, misconceptions about the early medieval family are still commonplace in the popular imagination, and I hope that this thesis will go some way towards remedying that.

In chapter three we then explored the relationship between kinship and early medieval English political culture. Here it was argued that the old paradigm (which has dominated English and European historiography since the 1950's) that posits a zero-sum relationship existed between kings and the family should be discarded once and for all. Historians such as Henry Loyn long ago argued that kinship was far weaker in England than elsewhere, as a result of

⁴⁸⁹ B. Rosenwein, *Generations of Feeling: A History of Emotions, 600-1700* (Cambridge, 2016), especially pp.1-2 and pp.318-21.

⁴⁹⁰ 'In the Middle Ages there was no such thing as childhood', *The Economist* (Jan 2019), <https://www.economist.com/special-report/2019/01/03/in-the-middle-ages-there-was-no-such-thing-as-childhood> [accessed 15/09/2021].

aggressive, territorial lordship which ‘stifled’ the role of kinship. These scholars therefore envisaged the place of kinship being supplanted by kings and lords over time, as political culture became more centralised. This thesis has demonstrated, however, that at least in an English context this was certainly not the case. Not only is it unlikely that kinship ever formed the whole basis of society into antiquity, but this simplistic narrative which sees the decline of kinship to make way for an increased role for lords and kings also does not stand up against the evidence.

First, we have seen that kinship remained a strong and influential force within society, with its rights largely maintained and in some cases its responsibilities were even extended under the law, even into the tenth and eleventh centuries where English political culture was at its most centralised, and kings at their most powerful. Second, the oppositional nature of the relationship between kings and the family which is assumed by this older paradigm has also been challenged. In fact, the evidence indicates that a much more nuanced relationship between kings and the family, where they co-existed, interacted and evolved over time together. Sometimes the two forces could be in conflict with one another, but at other times we can see direct co-operation. For example, we can see this co-operation when Cnut enacted legislation to protect the inheritance rights of the family against unscrupulous lords, and also in the role of the king in ensuring the proper execution of people’s wills after their death, in addition to the previously discussed cases where kings and family members were expected to co-operate to guarantee the maintenance of law and order. The continuity in the customs of the feud and wergild payments across the period also further demonstrates that kings had not sought to suppress the role of the kindred, but the two were instead consistently co-operating within established legal and government structures. Historians need not view the enduring importance of kinship and the existence of strong royal government as mutually exclusive: this thesis has demonstrated that the two could, and indeed did, co-exist across the early medieval period.

This conclusion also points to potential avenues of future research in other regions of medieval Europe. As established in chapter three, this out-dated narrative has not just been influential in historiography on England, but has also been applied in European contexts as well. Given that this narrative does not stand up to scrutiny on the basis of the extant English evidence, questions must also be asked of the Continental evidence from this period, and whether these older narratives can be defended in those contexts, or, as in the case of England, whether they must too be discarded and revised. These conclusions also have important implications for our understanding of the development of political authority in the Early Middle Ages, given that traditional historiographical narratives on this issue have long argued that kinship and the growth of political authority were entwined phenomena. Having broken this link,

an important avenue of future research now lies open, which would re-examine the development of political authority during this period.

We must also discard once and for all another trope found in older scholarship on this topic, which is that kin-based societies can be seen as ‘primitive’, while societies ruled by secular governments can be seen as ‘civilised’. Not only has history as a discipline now largely moved away from thinking of the past in these terms, this thesis has also demonstrated that early medieval society was much more complicated than this simplistic dichotomy suggests: at least in an English context, both kinship and secular government continued to be important elements within society in conjunction with one another. This is not to say that there were not changes across the early medieval period (some of which have been explored in this thesis), just that any narrative which depicts early medieval English society as being dominated by one or the other is too simplistic.

Finally, chapter four considered the societal functions and obligations of kinship, as well as how people actually thought and felt about their kin. It was argued based on poetic and genealogical evidence that kinship was used as a key marker of social identification in this society, acting both as a way for people to define themselves as well as a mechanism for wider society to judge and evaluate individuals: who your family was mattered in early medieval England. We have also explored evidence which shows the family forming the core of a person’s emotional support network, as well as the very deep bonds of love and affection people generally had towards their relatives in the poetic evidence. Grief (and therefore, ultimately, love) is a prominent theme across many Old English poems, and the loss of, or separation from, family members is often a key cause of that grief. For example, we saw in *The Seafarer* the speaker’s sadness and misery at being separated from their kinsmen, and we also saw in *Beowulf* the extreme depths of depression and despair a parent could be forced to endure when faced with the death of their child.

The final focus of chapter four turned to examining an important aspect of kinship: that of obligations. Obligations could come in a concrete legal form, for example the obligations of relatives to participate in the feud and help to pay wergild when necessary has long been acknowledged and debated, and we saw in chapter three how kings used their law codes to begin placing additional legal responsibilities and obligations on relatives from the late ninth century onwards. However, I also argue in this chapter that society placed broader obligations on family members too, outside of those expressly outlined in the law codes. For example, it seems that relatives would be expected to offer their support in terms of oath-swearing and providing

assistance in legal disputes, and we have also explored the important responsibility of ancestor commemoration, which was an obligation primarily fulfilled by female members of the kin group. Legal and social norms therefore encouraged a sense of collective responsibility in early medieval England, which seems to have applied to most aspects of life in some capacity. Old English poetry also offered a model to contemporaries for how they should behave towards their relatives, stressing notions of loyalty, pride and camaraderie between relatives, ideals which were exemplified by Wiglaf's heroic foray into battle against the dragon in an attempt to aid his kinsman, Beowulf, in his final ill-fated battle. This is not to say that such obligations and ideals were always fulfilled and upheld, but the simple fact of being related to someone in early medieval England *did* create a set of legal and social obligations towards them: whether one chose to live up to them or not was another matter, down to individual choice, but it is worth noting that a failure to fulfil these actual and perceived obligations towards one's kin could come at a heavy price. As indicated above, we also cannot ignore the role of love and emotion here: we should not necessarily think that contemporaries always simply performed duties for one another because they were obliged to under the law or through social pressure and convention. In many cases, people would have *wanted* to fulfil these obligations because they loved and cared about their family, and this is an important point that should never be overlooked or ignored in academic discussions of kinship.

Kinship, Biology, and Theology

With all this in mind, it is perhaps useful to revisit some of the arguments put forward by Hans Hummer. In his *Visions of Kinship in Medieval Europe*, Hummer provocatively claimed that 'kinship did not exist' in medieval Europe.⁴⁹¹ In doing so, he appears to suggest that kinship did not exist as an ontological category, and that contemporaries did not think in these terms: instead, he argues that it is merely a back-projection from our own society. As this thesis has shown, the evidence from early medieval England at least does not bear this out, indeed the evidence suggests rather the opposite. We have seen how kinship was central to contemporaries' ideas of self-conceptualisation and to their social, emotional, and legal networks, how a range of obligations (both social and legal) existed between relatives, how it shaped their approach to inheritance, and how strong the emotional bonds between relatives could be. Where Hummer was right, however, was in his broader suggestion that modern conceptualisations of kinship

⁴⁹¹ H. Hummer, *Visions of Kinship in Medieval Europe* (Oxford, 2018), p.3.

centred around shared genetics and ‘blood’ were not relevant to medieval contemporaries in the same way they are to us.

While beliefs about sharing ‘flesh and blood’ were certainly intrinsic to how people in early medieval England thought about kinship, and were important in how they distinguished kin from non-kin, what they actually meant by ‘flesh and blood’ was different to how we think of this idea today. In an era before knowledge of genetics, contemporary perceptions of ‘blood’ appear to have taken on a more spiritual meaning than we usually think about today. For example, we have seen how the act of marriage could create kinship bonds through a religious union of two people, and we have also seen Gregory the Great outline the idea that married couples became ‘one flesh’ as a result of their union. This was important, because the joining of two people, and thus two families, into one ‘flesh’ extended the bounds of kinship in a real way, and we can observe this in contemporary marriage restrictions. Indeed, *VI Æthelred* makes clear that one was forbidden from marrying any relatives of a previous wife under consanguinity rules for exactly this reason: the act of marriage had created tangible bonds of kinship between the man and his previous wife’s family comparable to those kinship bonds which were created from birth.⁴⁹²

To further explain this point, while marriage to a sibling’s widow, for example, is legal in the UK today (though would assuredly raise a few eyebrows), as seen in chapter one, this kind of union was expressly forbidden in the Early Middle Ages. While such unions are not legally problematic today because the two parties are not genetically related to one another, early medieval society viewed things rather differently. As Gregory the Great again explained, since one was forbidden from seeing the nakedness of one’s kin, and in this case the brother and sister-in-law had become ‘one flesh’ through their marriage, viewing the nakedness of the sister-in-law was no different from viewing the nakedness of the brother. A similar situation existed regarding godparents. While marriage to a godparent in the Early Middle Ages was expressly forbidden, this is perfectly legal under UK law today since there is no genetic link. This demonstrates the point, which Hummer also argued, that genuine bonds of kinship could be created through social processes, and that describing such bonds as ‘fictive’ (as sometimes happens with godparents) potentially does a disservice to the value and ‘realness’ of these connections: there is no reason for us to think of non-genetic kin as ‘fictive’ because they do not meet our own standards of kinship today. In other words, when a person in the Early Middle

⁴⁹² ‘VI Æthelred’, c.12, in F. Liebermann, *Die Gesetze der Angelsachsen* (Halle, 1903), pp.250-1.

Ages thought about ‘flesh and blood’, they did not necessarily interpret this concept in the same way that we do today.

Another important issue in connection to this relates to kinship and slavery. As we have seen, through the act of enslavement, bonds of kinship, at least in a legal capacity, were severed and replaced by bonds to the slave’s master. This could be seen as demonstrating the constructed nature of early medieval kinship: it was not always an innate and permanent bond, but one dictated by (and liable to change according to) one’s position in society. Just as social process such as marriage could create blood-like bonds, social process such as enslavement could also break these same bonds created at birth (again, at least legally).

Having said all this, we must recognise that we do not have to choose between thinking of kinship as a solely biological *or* as a solely social phenomenon, which appears to have become the dividing line between scholars working on kinship. Hummer, for example, is very dismissive of the place of biology in medieval conceptualisations of kinship, and suggests it was created through social processes instead.⁴⁹³ However, this is a false dichotomy: both biologically and socially based kinship ties were important and co-existed in early medieval English society. As discussed above, medieval contemporaries certainly did not view ‘flesh and blood’ in the way people do today, and shared biology and descent was not at all a prerequisite for creating bonds of kinship between people. Nevertheless, it is still important to acknowledge that shared descent, ideas of heritability, and the concept of being physically related to somebody through birth *were* all concepts that existed in early medieval English society and were incredibly important.

We have seen examples of this time and again throughout this thesis, for example the heritability of character traits and abilities (as alluded to in the *Battle of Brunanburh* and in familial boasting found in *Beowulf*), the promotion of royal genealogies demonstrating biological descent, and also in Boniface’s letter when he evoked the concept of kinship and of shared bonds through his use of the phrase ‘one blood and one bone’ to describe the English and the Continental Saxons. As seen in chapter 4, being someone’s biological kin in and of itself also created lots of social expectations regarding behaviour, not to mention a range of legal obligations as well. Although distinctions between biological and non-biological kin are rare in the extant source material, one example can be found in Alfred’s law code. Clause 42.6 states that a person is free to fight on behalf of their *born* kinsman (using the Old English word *geborene*), presumably intending a contrast between kin who were not created from birth, such as

⁴⁹³ It is important to note that while Hummer does discuss historiography relating to England, he does not devote space in his book to analysing the early medieval English evidence itself.

in-laws.⁴⁹⁴ This therefore demonstrates that the idea a person could be one's kinsman purely through birth as a result of shared descent was a concept that existed in early medieval society, and not only that, such a bond could be incredibly important and meaningful.⁴⁹⁵

As such, while Hummer was correct to argue that bonds of kinship could be, and regularly were, created through social processes (especially through marriage), at the same time we must not let the importance of kinship bonds created from birth be ignored. Being born into kinship with somebody meant something very real and tangible in early medieval English society. This is not to say, though, that kinship created through social processes was less important, or that being born into kinship with someone was any guarantee of anything: we have seen already that relatives could still fight, oppose, and dislike one another. And in any case, outside of specific cases it is not likely that contemporaries would have regularly recognised a substantial distinction: as outlined above, references to 'flesh and blood' could have referred to relatives created through marriage, and did not necessarily exclusively refer to biological or 'genetic' relatives as we might understand this term today.

On this issue it is also useful to turn to another source of evidence on this matter, namely Isidore of Seville. In his *Etymologies* (which must have circulated widely in early medieval England, given its survival in several different manuscripts known in England), he repeatedly highlighted the importance of the father's seed being fostered inside the mother's womb for reproduction and the creation of life to occur, and suggested that whether the child looks like the father or the mother is determined by the relative strength of the paternal and maternal seed.⁴⁹⁶ Elsewhere the parents are also referred to as 'creators': the source of a child's physical essence.⁴⁹⁷

There is a clear recognition, then, that reproduction and the creation of life was in one sense a physical, biological process through which parents could pass down physical traits to their children, and through this physical process ties of kinship were seen as being created automatically. However, elsewhere Isidore also referred to God as the 'creator', and also drew a distinction between the 'body' (*corpus*) and the 'flesh' (*caro*): the latter being the living version of the former.⁴⁹⁸ He stated that it is a person's soul which gives the body life, and together these

⁴⁹⁴ 'Alfred', c.42.6, in F. Liebermann, *Die Gesetze der Angelsachsen* (Halle, 1903), p.76.

⁴⁹⁵ The importance of flesh and blood to ancient and medieval kinship is also explored in C. H. Johnson, B. Jussen, D. W. Sabeau, S. Teuscher (eds), *Blood and Kinship: Matter for Metaphor from Ancient Rome to the Present* (New York, 2013).

⁴⁹⁶ Isidore of Seville, XI.i.15, 102-4, 134-6, 145. *Isidori hispalensis episcopi: Etymologiarum sive originum, libri XX*, volume 1, W. M. Lindsay (ed.) (Oxford, 1911), pp. 436, 448, 452, 454 [Hereafter referred to as 'Isidore']; for the manuscripts known in England which preserve Isidore's *Etymologies*, see M. Lapidge, *The Anglo-Saxon Library* (Oxford, 2006), p.311.

⁴⁹⁷ Isidore, XI.i.14, p.436.

⁴⁹⁸ Isidore, XI.i.1-5, 14, pp.434, 436.

two aspects combine to form a human being.⁴⁹⁹ He then said that a part of the soul, the ‘mind’ (*mens*), is the reason why humans are said to be made in the image of God.⁵⁰⁰ In this way, God appears to be linked to the soul in a similar way to how parents are linked to a child’s physical form, although, as we have seen, parents and ancestors were also thought (at least in early medieval England) to be able to pass down character traits to their descendants too. There thus appears to be some overlap in contemporary understandings of the process of creation in which both God and the child’s parents were involved.

It is also worth noting that Isidore said that biological reproduction is not *always* necessary for the creation of life, particularly in the case of some animals. For example, he suggests that bees and wasps emerge from rotting flesh of other animals, vermin could be generated from earthy substances, and cicadas could be birthed from the saliva of a cuckoo.⁵⁰¹ This underlines the point that early medieval thought on the origins of life was not the same as ours today: clearly life was being created in these cases, but it was not thought to be through any recognisable process of biological reproduction. The origins of life were instead coming from another, likely divine, source in these cases.

The evidence from Isidore therefore corroborates the discussions above by showing that, while ideas of biological reproduction, heritability, and familial descent were certainly things contemporaries *did* perceive, this was firmly understood within a wider theological framework that differed fundamentally from how people often view these issues today. Biological connections were thus important to contemporaries for creating and maintaining ties of kinship, but so were spiritual and social connections and processes.

Indeed, as discussed above, in the minds of contemporaries these do not seem to have been regularly perceived as separate categories: as with the example of marriage, the language of physical biology (‘flesh and blood’) was used to describe relationships between non-biological kin created through such a union. The physical dimensions of kinship were thus interpreted, and even extended onto others, as part of a wider spiritual framework contemporaries used to think about kinship. The essential point here, as mentioned above, is to underline that historians (and, indeed, archaeologists) do not have to choose between viewing kinship as either a solely biological phenomenon *or* as something divorced from biology and created through social or

⁴⁹⁹ Isidore, XI.i.13, p.436.

⁵⁰⁰ Isidore, XI.i.12, p.436.

⁵⁰¹ Isidore, XII.v.1, viii.1-4, 10, pp.492, 514, 516.

spiritual processes: they all could, and did, exist alongside one another.⁵⁰² In early medieval England biology was important for kinship, but it was certainly not everything. Not only was biology understood within a theological context, but there were also other dimensions to kinship that were nothing to do with genetics. This is a fact that must be borne in mind if one is to obtain a holistic vision of kinship in this society.

Kinship, Archaeology, and DNA Testing

In light of this, it is important to consider the implications of this conclusion for recent studies which seek to reveal kinship connections through the use of DNA and genetic testing on excavated human remains. Such studies posit that one can identify kinship connections through establishing shared genetics, which can then be used to understand burial practices and wider societal behaviours and structures.⁵⁰³ For example, in December 2021 the *Guardian* reported on recent excavations which have taken place on the Neolithic site known as the Hazelton North long cairn. Here, archaeologists discovered 27 bodies which were all biologically related. The lead geneticist on the study is quoted as saying that the DNA evidence had allowed them ‘to uncover the oldest family tree ever reconstructed and analyse it to understanding something profound about the social structure of these ancient groups’, while another archaeologist is quoted as saying ‘it was difficult to imagine just a few years ago that we would ever know about Neolithic kinship structures’.⁵⁰⁴ The published paper itself does acknowledge that kin need not be biological and that the issue is more complex than this, but it still leads one to question the relevance of trying to ‘reconstruct’ old family trees and the extent to which DNA can really tell us about ancient social structures.⁵⁰⁵

While, as we have seen, biology could be an important marker of kinship, it is important to stress that this really was only part of the picture, and studies which simply equate close genetic relatedness with kinship therefore fail to grapple with what contemporaries themselves

⁵⁰² Similar debates have begun happening in archaeological studies of kinship, for example see J. Brück, ‘Ancient DNA, Kinship and Relational Identities in Bronze Age Britain’, *Antiquity* 95 (379) (2021), pp.228-37; see also R. J. Crellin, O.J.T. Harris, ‘Beyond Binaries: Interrogating Ancient DNA’, *Archaeological Dialogues* 27 (1) (2020), pp.37-58.

⁵⁰³ For examples of such studies see C.E.G. Amorim et al, ‘Understanding 6th-century Barbarian Social Organization and Migration through Paleogenomics’, *Nature Communications* 9 (1) (2018), pp.1-11; N. O’Sullivan et al, ‘Ancient Genome-wide Analyses Infer Kinship Structure in an Early Alemannic Graveyard’, *Science Advances* 4 (9) (2018), pp.1-8; H. Härke, ‘Anglo-Saxon Immigration and Ethnogenesis’, *Medieval Archaeology* 55 (1) (2011), pp.1-28.

⁵⁰⁴ ‘World’s oldest family tree revealed in 5,700 year old Cotswolds tomb’, *The Guardian* (Dec 2021), <https://www.theguardian.com/science/2021/dec/22/worlds-oldest-family-tree-cotswolds-tomb-hazleton-north-long-cairn-dna> [accessed 23/12/2021].

⁵⁰⁵ C. Fowler, I. Olalde, V. Cummings et al, ‘A high-resolution picture of kinship practices in an Early Neolithic tomb’, *Nature* (2021), <https://doi-org.sheffield.idm.oclc.org/10.1038/s41586-021-04241-4>

would have understood by ‘kinship’, which is imperative if the aim of such work is to draw wider conclusions about those societies. Kinship, as we have seen, was a much more complicated and multi-faceted phenomenon than just sharing genetics with someone. Indeed, this need for caution in interpreting the meaning of genetic evidence has very recently been highlighted by Joanna Brück.⁵⁰⁶

This presents a significant challenge to studying kinship in societies which lack extant textual records, as non-biological kinship ties do not leave archaeological traces. Fortunately, in the case of early medieval England at least, we do have textual records which clearly indicate that kinship was not always equivalent to biology and genetics, as this thesis has demonstrated. Scholars must therefore exercise caution when dealing with genetic evidence: shared genetics *could* indicate that individuals considered themselves kin, but equally, a lack of shared genetics would not be evidence of the absence of kinship ties. This makes, for example, dividing up individuals in burials into genetic groups (while excluding others lacking shared genes), or making arguments about ‘kinship structures’ based solely on genetic data, a potentially meaningless exercise. While such divisions may make sense to us, all this really does is reveal our own understanding of what kinship means, and does little to reflect the relationships contemporaries may have actually shared, which were likely not bound by strict boundaries imposed by genetics.

In addition, as we can see through comparing our own modern experience of kinship with those of early medieval England, the way people engage with and experience kinship changes over time (for example, we could point to differences in terms of the importance of ancestor veneration, or the kinds of bonds that were created through marriage, and many others), and this is again something which DNA tests cannot detect, measure, or account for. Given all of these challenges, modern genetic testing can only ever contribute to, rather than replace or dominate, our study of kinship. This does not mean that such work should not be done, or that it is not interesting, but it means that greater care must be taken when interpreting the meaning of shared genetics found in archaeological remains: sharing bonds of kinship and sharing genetics were not completely synonymous concepts, and this is not an understanding of kinship which people living in early medieval Europe would have necessarily recognised.

⁵⁰⁶ J. Brück, ‘Ancient DNA, Kinship and Relational Identities in Bronze Age Britain’, *Antiquity* 95 (379) (2021), pp.228-37, her work has been discussed previously on p.14.

Future Research

Having reviewed the main conclusions to this thesis, it is now important to consider the implications of these findings for future research. As we have seen, this thesis has argued on the basis of pre-Conquest evidence that the changes in family structure and inheritance practices brought about by the Norman Conquest were not as revolutionary as has previously been thought, and that there are continuities to be found. Given this, a new study which revisits the source material pertaining to kinship in a post-Conquest context and re-evaluates this paradigm from a Norman perspective would be a potentially fruitful endeavour: if we know that this traditional narrative is not accurate, exactly how *should* historians conceptualise this period of change? Only an examination of the post-Conquest sources will be able to tell us this.

One of this thesis' major themes has centred on the relationship between kinship and political culture, in particular the position and power of lords and the king. As has been shown, the idea that kinship and lordship were locked in a zero-sum game is one that has been prevalent in historiography both on England and on Continental societies in the early Middle Ages. However, this thesis has raised serious doubts about this characterisation, instead demonstrating a relationship marked by interdependence and at times co-operation, and most importantly it has been shown that the importance of the family within English society did *not* decrease because of the rising power of lords and kings, as has previously been supposed.

This conclusion opens two significant avenues of future research. First, if this characterisation of the relationship between kinship and the centralisation of political culture is not accurate in an English context, then it is possible that this traditional picture also does not stand against Continental evidence. As such, an investigation into Continental sources pertaining to kinship and its interactions with political culture over time would be worthwhile, and would place the findings of this thesis into a broader context: was kinship's position within English political culture unique, or can we see a similar picture on the Continent? Is the relationship implied by scholars such as Bloch and Duby still an accurate representation of the Continental evidence, or does our understanding require updating in light of new research and interpretations? While such work has been undertaken with regards to the relationship between kings and aristocratic families, to fully engage with these kinds of questions it is necessary to look beyond just the aristocracy, and instead examine (so far as the sources will allow) the social bond of kinship more broadly and its place within political culture.

The second avenue of research opened up by this rethinking of kinship's relationship to lords and kings relates to the development of political culture itself. As seen throughout this

thesis, kinship has often been placed at the centre of how historians have explained the development of early medieval society and the centralisation of political power. Yet if this narrative of lords and kings stifling kinship, supplanting its place in society and accumulating all political power for themselves is not reflected in the evidence, how else are we to explain this process of political centralisation and the rising power of lords and kings? A future research project (or, indeed, projects) examining this question would be very useful. The conclusions of this thesis do not therefore just provide us with a new and more nuanced understanding of kinship in early medieval England, they also reveal the need for a wider re-evaluation by historians of how political authority evolved and developed throughout the early Middle Ages more broadly. As such, I hope that this thesis will not be the final word, but will instead encourage the beginning of these important conversations.

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