1 Introduction: Defining Law

> Everything can be called into question in England except the fact that it was conquered in 1066. England is the land of law and of the most scrupulous respect for the law; but the law begins at that date only, or England as such ceases to exist.
> - Jean Anouilh, *Becket, or the Honor of God*

> "We learnt the dates of the kings and queens of England at school," said Morse. "Trouble is we started at William the First."
>
> "You ought to have gone back earlier, Inspector – much earlier."
> - Colin Dexter, *The Jewel that was Ours*

Sometime in the final decade of the tenth century, two wealthy landowners, Wynflæd and Leofwine, fell into dispute over a set of estates near Datchet in Berkshire. The charter recording the dispute tells us that Wynflæd initially presented her claims directly to King Æthelred (r. 978–1016) accompanied by Archbishop Sigeric of Canterbury, Bishop Ordbriht of Selsey, *ealdorman* Ælfric of Winchester, and the king's mother Ælfthryth as witnesses. Æthelred then ordered Archbishop Sigeric to summon Leofwine to court, but he – surprisingly considering the authority of those calling for his presence – refused to appear. Possibly pointing to the laws of King Edgar (r. 959–75) decreeing that royal appeals cannot precede local judgment, Leofwine demanded that the king withhold his ruling and recognize the jurisdiction of the regional shire-court.[1] Forced to yield, Æthelred sent his seal to the court judges along with the commission that they should resolve the dispute in a way "swa rihtlice geseman swa him æfre rihtlicost þuhte" (that ever seemed most just to them). In this second proceeding, Wynflæd produced an even more impressive array of witnesses including more than twenty-five members of the church and nobility, again led by Ælfthryth. Leofwine's witnesses are not recorded, but they too must have been impressive for the case ultimately ended in a compromise. Had it not done so, the judges predicted, "þær syþþan nar freondscype nære" (thereafter there would be no friendship).[2]

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[1] *III Edgar* 2 and 5–5.2. Old English royal legislation is referred to by the name of the king under whom it was issued. In what follows, when referencing the king's person, his name will be in roman font. When referencing his laws, the king's name will be italicized and, if he has issued multiple law codes, prefaced by a roman numeral. All quotations from Old English royal legislation are taken from Liebermann, *Gesetze.* Accessible translations are available in Attenborough, *Earliest Laws* and Robertson, *Laws of the Kings of England*. Unless otherwise noted, all translations in this Element, both from the laws and other documents, are my own.

[2] S 1454. Charters will be cited by their index number in Sawyer, *Anglo-Saxon Charters*. An updated version of Sawyer's index can be found online at https://esawyer.lib.cam.ac.uk. A selection of charters with accessible translations can be found in Robertson, *Anglo-Saxon Charters*. The text for S 1454 has been taken from Brooks and Kelly, *Charters of Christ Church Canterbury*, no. 133, vol. II, pp. 987–93.

The lawsuit between Wynflæd and Leofwine is striking, not just for what it reveals about early medieval dispute resolution, but also for what it suggests about the character of pre-Conquest legal culture more generally. Historians differ over the efficacy of early law and its role in the governance of the kingdom: some view legal authority during this period as diffuse and largely subject to the customs and practices of local communities, while others see an effective centralized bureaucracy ruled by a powerful and interventionist monarch.[3] Yet neither version of early English legal culture fully reflects the decisions, assumptions, and practices of the participants here. Rather, disagreements regarding jurisdiction, royal prerogative, land tenure and inheritance, judgment and compromise, and even the relative value of justice (*riht*) and friendship (*freondscype*) suggest that the king, court, witnesses, and disputants all approached the process of adjudication with very different perspectives on the law and the authority under which it was administered. The legal world of the dispute is neither entirely local nor fully centralized; instead, it consists of a series of complex negotiations between different centers of authority – the royal court, the church, the regional aristocracy, and the local courts – in which each seeks to assert its own view of law in order to claim precedence over the others. Within this context, Æthelred's command to the judges that the case be decided in the manner that seemed "rihtlicost" (most just) invites the reader to ask whether those involved in the dispute all understood what it meant to be "most just" in the same way.[4] What royal expectations (or demands) did Æthelred's commission imply? What did it mean to command that the dispute be settled according to *riht* as opposed to *laga* (law)? And to what degree were concepts of *riht* shaped by factors such as social class, regional background, gender, and (perhaps most importantly) self-interest? In offering a concise introduction to the legal world of Anglo-Saxon England, this Element will try to suggest at least the beginnings of an answer to these questions.

Any answer, of course, must start with the texts themselves. Arguably, more legal texts survive from pre-Conquest England than from any other early medieval European community.[5] These include approximately seventy acts of legislation along with well over a thousand charters, writs, wills, manumissions and royal diplomas. Also to be included are numerous quasi-legislative texts,

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[3] A summary of the case for a more centralized government can be found in Campbell, "The Late Anglo-Saxon State," 1–30; Wormald, "God and King," 333–58, especially 48–54., and more recently in Baxter, "The Limits of the Late Anglo-Saxon State," 503–515; and Reynolds, *Deviant Burial Practices*. For counter-arguments, see Hyams, "Feud and the State," 1–43; Rabin, "Capital Punishment," 181–200; Lambert, *Law and Order,* 1–26.

[4] See also Kennedy, "Law and Litigation, 182–183; Rabin, "Law and Justice," 86–91.

[5] For the most influential recent surveys of the laws and legal texts of pre-Conquest England, see Wormald, *Making* and Hudson, *Oxford History*.

legal formularies and rituals, and homilies derived from legal sources. The corpus ranges from the earliest Old English text of any substance, the laws of Æthelberht of Kent (r. c. 589–616), to the latest in the form of post-Conquest land grants. Legal compendia such as the laws of Alfred (r. 871–99) or Cnut (r. 1016–35) suggest a desire to comprehensibly regulate the legal activities of the kingdom and its subjects, while other texts, some as short as a sentence or two, represent limited rulings on specific issues. Some texts refer to the king as *imperator*, *casere*, or *basileus* – terms evocative of Roman imperial kingship[6] – while others embrace a language of rule grounded in the formulaic structure and phrasing of traditional Old English poetry.[7] Taken together, the laws, charters and similar documents demonstrate the breadth and diversity of pre-Conquest legal thought, yet they also indicate just how porous the boundary between "legal" and "non-legal" texts could be. Æthelred's later laws initially appear to be traditional legislation, but they also frequently lapse into the homiletic cadences of their putative author, Archbishop Wulfstan of York (d. 1023). Likewise, the great legal anthology Cambridge, Corpus Christi College MS 383 (C.C.C.C. 383) contains what looks like a treaty between King Edward the Elder and the Viking King Guthrum, yet the text is an eleventh-century fiction interpolated into the legal record nearly one hundred years after it claims to have been written. Also included in both C.C.C.C. 383 and the other major manuscript source for early English law, the *Textus Roffensis*, is a charm against cattle theft – a genre seldom considered "legal" by modern scholars and omitted from standard editions of pre-Conquest laws but which the anonymous compilers of the manuscripts nonetheless viewed as an appropriate text to accompany royal legislation. Elsewhere one finds passages of legislation that scan like verse, portions of saints' lives that read like charters, and religious rituals that echo royal legislation, among many other examples of cross-genre fertilization. Highlighting such overlaps is not meant to suggest that the Anglo-Saxons saw no distinction between the drafting of laws or charters and other forms of writing. Rather, it is to point out that legal composition frequently incorporated other genres and was incorporated by them in turn. Even though individual laws and charters are only rarely cited with any sort of specificity, the language and rituals of the law permeated the textual world of pre-Conquest England, shaping perceptions of authority and defining the parameters of early English society.

Yet recognizing pre-Conquest legal texts as both hybrid and normative should not detract from our view of Anglo-Saxon law as *law,* that is, as

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[6] It should be noted, however, that there is only limited evidence for pre-Norman lawmakers' familiarity with Roman law. See Winkler, "Roman Law"; Wormald, *Making,* 96–97; Porter, "Terminology," and section 2.1.

[7] See sections 2.3 and 2.4.

a regulatory instrument designed to ensure the stability and security of community and kingdom. It should, however, make us wary of imposing modern notions of law on premodern legal culture. The laws of pre-Conquest England differ from contemporary Anglo-American legal practice in significant ways, perhaps the most important of which being the absence of distinction between public and civil wrongs (in modern terms, between crime and tort). Likewise, pre-Conquest law also did not distinguish between what would come to be known as felony and misdemeanor.[8] Rather, wrongs to persons or their property were understood, particularly in the earliest texts, as violations against an individual and their family. Accordingly, the responsibility for pursuing redress lay with the kin group rather than a state-sponsored apparatus of legal enforcement. As a result, disputes over land ownership and accusations of theft or other forms of injurious behavior were often treated in similar ways: the accused would not be "arrested" in any modern sense; rather a complaint was brought by the aggrieved party to the shire court. Depending on the status of those involved, a certain number of witnesses – much like those martialed by Wynflæd – would be required of each side in order to testify to the truth or falsehood of the accusation. In certain circumstances, the court might also order the accused to undergo an ordeal to demonstrate innocence or guilt. Once the accusation had been proven to the court's satisfaction, it then assessed an appropriate penalty in the form of a fine, confiscation of property, the loss of a limb, exile, or death. Lawsuit records indicate that appeals were possible, though the frequency of appeals and their chances of success are unknown. That said, accusations were a tricky business in Anglo-Saxon England, and if the ownership of an estate could not be demonstrated unequivocally or its owner could not be fully exonerated of some misdeed, then it was not uncommon for the crown or church to snap up any estates involved for itself.

This brief account summarizes in broad terms how a pre-Conquest legal dispute might proceed, yet as the historian Patrick Wormald cautions, the "'typical' Anglo-Saxon dispute settlement (if there was any such thing) remains elusive."[9] In the absence of official court records, accounts of disputes were largely drawn up by those who benefited from the settlement or their heirs, and only then if they had access to scribes or were literate themselves. Under such circumstances, there can be little surprise that the majority of surviving lawsuits involve the church, and that the majority of those are cases in which the church profited in some way. Yet whether a dispute involved the church or the laity, for

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[8] O'Brien, "From *Morðor* to *Murdrum*," 321–357; Lambert, "Theft, Homicide and Crime," 3–43; Lambert, "Royal Protections and Private Justice," 157–76; and Kamali, *Felony and the Guilty Mind in Medieval England*, 20–24.

[9] Wormald, "Charters, Law, and the Settlement of Disputes," 292.

the legal historian the same problem remains: those recording a dispute were frequently invested in its resolution, and accordingly concepts of right (*riht*) and law (*laga*) were treated in a manner which reflected the perspective of the account's sponsor. In other words, those responsible for the production of royal legislation, lawsuit narratives, and ecclesiastical records treated the issues at hand – to recall Wynflæd and Leofwine – in a way "that seemed most just to them." The capacity to define *riht*, not just on its own but in a way that superseded other definitions, thereby became a means of claiming and defending legal prerogatives. And for those asserting their *riht* to privileges or property – whether the church, king, or laity – their use of the term was often framed in such a way as to preclude the claims of others. Thus, for Archbishop Wulfstan of York, writing in the early eleventh century, the phrase *Godes riht* encompassed both the dues owed to the church and, more broadly, the divinely ordained legal precedence that was the church's due.[10] In contrast, the laws of Alfred decree that those guilty of breaking bail must be punished as "riht wisie" (the law directs) and *I Æthelstan* (c. 925 × 939) commands the king's reeves to procure for him that which "mid rihte gestrynan magan" (may be rightfully obtained for [him]). Lower on the social scale, an otherwise unknown landowner named Toki was deemed to have "riht . . . gedon" (done right) to pursue a claim to properties that had been bequeathed to him by his wife for his lifetime but which had been prematurely appropriated by the church.[11] These are just three illustrative instances and analogous ones could easily be found depicting similar uses of other words for law such as *dom*, *æw*, and *laga*.[12] My point in highlighting these examples is not simply to observe that the semantic field of *riht* encompasses concepts such as law, justice, fairness, appropriateness, and the rightful claim to both loyalty and tax revenue. Instead, it is to highlight that in any given instance the claim to *rihtness* can be made by multiple parties representing diverse institutions whose views of *riht* may be, not just different, but at odds with one another.

The guiding principle principal of this Element is that pre-Conquest notions of law and justice were not necessarily objective, widely recognized, and with communally agreed upon standards, even if – indeed, especially if – they were often portrayed as such. Rather, claims of *riht*, especially when that *riht* is in dispute, represent moments when the definition of legal authority has become a matter of competition and negotiation. The capacity of an individual or

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[10] Rabin, *Political Writings*, 36–37.

[11] *Alfred* 3, *I Æthelstan* 5, and S 1474, ed. O'Donovan, *Charters of Sherborne*, no. 17, pp. 59–61.

[12] *Laga* poses a particular problem for the historian as it likely derives from Old Norse and was used initially to refer to legal practices in the Danelaw, in other words, laws that were not seen as "English." See, for instance, *IV Edgar* 2.1.

institution to define, issue, exploit, or circumvent the law served as an indicator
of their power and agency within pre-Conquest society. And as the following
sections will show, when views of the law came into conflict, determining what
was *rihtlicost* could be a very difficult matter indeed.

2 Making Law

Amid the growing turmoil of the early eleventh century, the homilist and
legislator Archbishop Wulfstan of York embarked upon an ambitious program
of political reform intended to encourage the spiritual and social renewal of the
increasingly fragile English kingdom. Wulfstan outlined his program in a series
of short, interconnected chapters referred to by modern editors as *The Institutes
of Polity.* The model of society set forth in the *Institutes* was grounded in
Wulfstan's view that the people of the realm each fell into one of three
categories:

> Ælc riht cynestol stent on þrym stapelum, þe fullice ariht stent. An is
> *oratores;* and oðer is *laboratores;* and ðridde is *bellatores. Oratores* sindon
> gebedmen þe Gode sculan þeowian and dæges and nihtes for ealne þeodscipe
> þingian georne. *Laboratores* sindon weorcmen þe tilian sculon þæs ðe eall
> þeodscype big sceall libban. *Bellatores* syndon wigmen þe eard sculon
> werian wiglice mid wæpnum. On þyssum ðrym stapelum sceall ælc cynestol
> standan mid rihte on Cristenre þeode. And awacie heora ænig, sona se stol
> scylfð; and fulberste heora ænig, þonne hrysð se stol nyðer, and þæt wyrð
> þære þeode eall to unþearfe.

> Each just throne that stands fully as it should rests upon three pillars: first,
> *those who pray* (*oratores*); second, *those who labor* (*laboratores*); and third,
> *those who fight* (*bellatores*). *Those who pray* are the clergy, who must serve
> God and fervently plead for all the people day and night. *Those who labor* are
> the workers who must toil for that by which the entire community may live.
> *Those who fight* are the warriors who must protect the land by waging war
> with weapons. On these three pillars must each throne rightly stand in
> a Christian polity. If any of them weaken, immediately the throne will
> tremble; and if any of them fail, then the throne will crumble to pieces.[13]

Wulfstan was by no means the first to reference the three orders trope – it first
appeared in the *Old English Boethius* and can also be found in works by his
contemporaries Ælfric of Eynsham and Adalbero of Laon – yet he was the first
to fully exploit its potential as a model of Christian governance.[14] For Wulfstan,
the spiritual revitalization necessary for a kingdom weakened by poor govern-
ment, Viking raids, and sinful behavior required the restoration of a social order

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[13] *Institutes of Polity*, ch. 4, ed. Jost, *Polity,* 55–57. Tr. Rabin, *Political Writings*, 106.
[14] See Powell, "Three Orders" and Moilenan, "Social Mobility."

in which king, priest and peasant all fulfilled the roles assigned to them by the divine intelligence. Underlying this claim was Wulfstan's recognition both that the full investment of each order was necessary to the stability of the kingdom and that each order was characterized by specific needs and obligations distinguishing it from the others. The governance of the realm was thus a delicate balancing act, for "if any of [the orders] fail, then the throne will crumble to pieces."

Yet for Wulfstan the three orders trope was not merely a hypothetical social model; rather, the tripartite division of society served as a metaphor for the relationship between a properly ordered state and the laws governing it. The three orders, Wulfstan wrote, must be "staþelige man and strangie and trumme hi georne mid wislicre Godes lare and mid rihtlicre woruldlage; þæt wyrð þam þeodscype to langsuman ræde. And soð is þæt ic secge: . . . arære man unlaga ahwar on lande oððe unsida lufige ahwar to swiðe, þæt cymð þære þeode eall to unþearfe" (diligently steadied, strengthened, and reinforced with God's wise teachings and with just worldly law; in that way they will bring lasting guidance to the people. And what I say is true: . . . if injustice is exalted anywhere in the land or evil customs anywhere too eagerly embraced, then the people will be brought entirely to ruin).[15] The enactment of just law accordingly plays a central role in ensuring the realm's political stability and moral virtue. This vision of a society predicated on the collaboration between different political communities offers a useful paradigm through which to understand the range and complexity of pre-Conquest legal practice. The distinct yet mutually dependent character of the three orders illustrates, albeit in broad strokes, the similarly balanced – and at times similarly fraught – relationship between the primary categories of early English legal authority: royal law, ecclesiastical *dicta*, and regional custom. Like the three orders, each category of law represents a different component of the Anglo-Saxon body politic – aristocratic, religious, and local – with its own character, expectations, and conception of authority. However, this appearance of difference cannot mask the fact that the various categories of law – like the different social orders – are never entirely distinct from one another: through comparison, contrast, and overlap, each category of law relies upon the others to ensure its effectiveness and define the boundaries of its jurisdiction. Individually, the different forms of law thus convey a partial sense of how the inhabitants of pre-Conquest England understood the social hierarchy and their place within it; when taken together, they reveal the extent to which Anglo-Saxon notions of identity, community, and social order rested upon the interaction of different, and sometimes opposing, political institutions

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[15] *Institutes of Polity*, ch. 4, ed. Jost, *Polity*, 57. Tr. Rabin, *Political Writings*, 106–107.

that defined both the explicit laws and implicit norms by which early English society was governed.

2.1 Royal Legislation

The earliest written legislation to survive from pre-Conquest England are the laws of King Æthelberht of Kent, which were promulgated in c. 603. Describing these laws just over a century later, the historian Bede wrote that they were composed:

> iuxta exempla Romanorum, cum consilio sapientium constituit; quae con-scripta Anglorum sermone hactenus habentur, et obseruantur ab ea. In quibus primitus posuit, qualiter id emendare deberet, qui aliquid rerum uel ecclesiae, uel episcopi, uel reliquorum ordinum furto auferret; uolens scilicet tuitionem eis, quos et quorum doctrinam susceperat, praestare.

> according to the examples of the Romans with the counsel of wise men. They are written in English and are still kept and observed by the people. Among these he set down first of all what restitution must be made by anyone who steals anything belonging to the church or the bishop or any other clergy; these laws were designed to give protection to those whose coming and whose teaching he had welcomed.[16]

For Bede, the principal accomplishment of Æthelberht's legislation was to legitimize the privileges of the church in a manner that echoed the Roman traditions of civil and canon law.[17] Yet the phrase "iuxta exempla Romanorum" (according to the examples of the Romans) hints at another purpose also. Æthelberht was the third in a line of kings to exercise dominance over the whole of southern England as well as a relative (by marriage) of the rulers of Merovingian Francia. As such, his decision to issue written laws "according to the examples of the Romans" can be seen as an ambitious attempt to associate himself with the royal lawmakers of old and his realm with the more powerful kingdoms of the continent.[18]

The importance of written law to the aspirations of Æthelberht and his successors in Kent, Mercia, and Wessex is reflected in the size and scope of the Anglo-Saxon legislative corpus. Nonetheless, historians have relatively little evidence for the processes by which laws were settled upon and the procedures involved in the composition of a legal text. Although the promulgation of law codes was frequently associated with assemblies convened by the

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[16] Bede, *Historia ecclesiastica,* II.5, ed. Colgrave and Mynors, *Bede's Ecclesiastical History,* 150–51.

[17] Wormald points out that, given the limitations of his sources, Bede may be mistaking Romans for Franks. *Making*, 97.

[18] See also Patrick Wormald, "*Iuxta exempla Romanorum*," 15–27.

king and his counsellors, the minutes of these meetings do not survive (if they ever existed at all). We do not know whether statutes were determined upon beforehand by the king or his advisors and then announced to the assembly, or whether the meeting itself served as the occasion on which laws were negotiated and established.[19] Indeed, with the exception of Wulfstan of York and possibly Alfred the Great, we know neither the "authors" of the laws – those responsible for their style, phraseology, and organization – nor the scribes who wrote them down.

Yet, if much about the circumstances of Anglo-Saxon lawmaking remains mysterious, the laws themselves do offer a few clues to the process whereby royal legislation was produced.[20] The earliest surviving prologue to royal legislation, that attached to the laws of Hlothhere and Eadric (c. 685× 686), merely relates that the kings "ecton þa æ, þa ðe heora aldoras ær geworhton" (added to the law that their ancestors made before).[21] More detailed is the prologue to the laws of Wihtred (r. 630–725), which recounts the meeting of "eadigra ge[þ]eahtendlic ymcyme" (a consiliary assembly of great men), who "fundon mid ealra gemedum ðas domas" (devised, with the consent of all, these decrees). Present at the assembly were "Birhtwald Bretone heahbiscop, 7 se ærnæmda cyning; eac þan Hrofesceastre bisceop, se ilca Gybmund wæs haten, andward wæs; 7 cwæð ælc had ciricean ðære mægðe anmodlice mid þy hersu-man folcy" (Birhtwald, archbishop of Britain, and the aforementioned king; also in attendance was the bishop of Rochester, which same was named Gemund; and each order of the church of that people spoke in accordance with the loyal people).[22] Wihtred's prologue suggests that the composition of written law in early Kent involved more than merely transcribing royal decree. Rather, the emphasis here seems to be on lawmaking as a deliberative process in which the church assumed a leading role, so much so that Archbishop Birhtwald comes before the king in the list of attendees. Likewise, considerable value appears to have been placed on unanimous consent, which the short prologue mentions twice in its final two sentences. That said, we must remember that legislative prologues were instruments of legal ideology as much as historical record, and the manner in which they portrayed events was influenced by contemporary political circumstances. Despite the prominence accorded Birhtwald, the depiction of law as primarily an expression of royal will in the

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[19] Roach, *Kingship and Consent,* 104–21.
[20] On the composition of the Kentish laws and their influence on subsequent legislation, see Oliver, *Beginnings*.
[21] *Hlothhere and Eadric* Pr.
[22] *Wihtred* Pr. On the laws of Wihtred, see also Jurasinski, "Royal Law in Wessex and Kent," 25–44 and Oliver, "Royal and Ecclesiastical Law," 25–44.

laws of Æthelberht, Hlothhere, and Eadric suggests that we should not discount Wihtred's role too much. The primacy attributed to the church may simply have been intended to signify the ecclesiastical orientation of the laws themselves.[23] Accordingly, notwithstanding its depiction here, it seems likely that the assembly was understood as more consultative than legislative. Nonetheless, the prologue's depiction of written law as the product of an advisory assembly consisting of king, church, and laity indicates that, whatever the source of the specific statutes may have been, the composition of the legislation likely reflected the collaborative efforts of the "eadigra ymcyme" as much as the spoken will of the monarch.

A greater emphasis on the royal lawgiver appears in early West Saxon legislation, though here again the advice of church and aristocracy seems to have exercised significant influence. The laws of Ine (c. 688 × 694) are composed in the voice of the king (the prologue's first words are "Ic Ine"), yet the royal speaker emphasizes that his decrees resulted from his "smeagende be ðære hælo urra sawla 7 be ðam staþole ures rices" (consulting, for the saving of our souls and the stability of our kingdom) with "Cenredes mines fæder 7 Heddes mines biscepes 7 Eorcenwoldes mines biscepes, mid eallum minum ealdormonnum 7 þæm ieldstan witum minre ðeode 7 eac micelre gesomnunge Godes ðeowa" (my father Cenred, my bishop Hedde, and my bishop Erconwald, and with all the ealdormen and the leading counsellors of my people, and with an assemblage of God's servants).[24] More so than the laws of Wihtred, Ine's legislation characterizes his decrees as a direct expression of the royal will; however, if law is only made when spoken by the king, this speech must reflect the moral and political values appropriate to rulership – spiritual salvation and governmental stability – as well as the counsel of church and aristocracy. The implication of this passage seems to be that the act of lawmaking, or at least the act of producing a formal written law code, involved an extensive deliberative process in which legal authority emanated from the voice of the king, but the validation of this authority demanded the advice and consent of the church and lay aristocracy.

Perhaps the most famous account of royal lawmaking is that found in the prologue to the laws of Alfred. Like the laws of Ine, this passage professes to be the voice of the king, yet here the act of composing law is described in language more redolent of individual authorship than collaborative legislation.[25] Despite the fact that the text refers to the laws having been "eallum minum witum þas

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[23]　Oliver, *Beginnings*, 264–65.

[24]　*Ine* Pr. On the use of the royal voice, see Richards, "Anglo-Saxonism," 43 and Rabin, "Witnessing Kingship," 219–36.

[25]　Wormald, *Making,* 416–30 and Oliver, "Who Wrote Alfred's Laws?" 231–55.