

POLITY AND NEIGHBOURHOOD
IN EARLY MEDIEVAL EUROPE

THE MEDIEVAL COUNTRYSIDE

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Volume 21

POLITY AND NEIGHBOURHOOD
IN EARLY MEDIEVAL EUROPE

Edited by

Julio Escalona, Orri Vésteinsson,
and Stuart Brookes



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The FES2 Project group, 31 May 2012 (Photo: Gonzalo Viñuales).



Team-building
– the hazards
of field-trips in
Iceland! (Photo:
Stuart Brookes).

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ABBREVIATIONS

Throughout the volume charters are cited by number of the edition in which they are published, and in the case of Spanish archives by number within a *carpeta* (folder).

- ACLu Archivo de la Catedral de Lugo
- AHUS Archivo Histórico Universitario de la Universidad de Santiago de Compostela
- Ast *Colección documental de la catedral de Astorga*, ed. by Gregoria Cavero Domínguez and Encarnación Martín López (León: Centro de Estudios e Investigación 'San Isidoro' — Caja España de Inversiones — Archivo Histórico Diocesano, 1999)
- B *Colección Diplomática del Monasterio de Belmonte*, ed. by Antonio C. Floriano Cumbreño (Oviedo: Instituto de Estudios Asturiano, 1960)
- Ben *Colección diplomática de la Abadía de Santa María de Benevivere: (Palencia) 1020–1561*, ed. by Luis Fernández (Madrid: Escuela Gráfica Salesiana, 1967)
- C *Colección documental del monasterio de San Pedro de Cardena*, ed. by Gonzalo Martínez Díez (Burgos: Caja de Ahorros y Monte de Piedad del Círculo Católico de Obreros, 1998)
- Cel *O tomo de Celanova: estudio introductorio, edición e índices (ss. IX–XII)*, ed. by José Miguel Andrade Cernadas, Marta Díaz Tie, and Francisco Javier Pérez Rodríguez, 2 vols (Santiago de Compostela: Consello da Cultura Galega, 1995)

- CS *Cartularium Saxonicum: A Collection of Charters Relating to Anglo-Saxon History*, ed. by Walter de Gray Birch, 3 vols (London: privately printed, 1885–93)
- LaC *La Coruña. Fondo Antiguo (788–1065)*, ed. by Carlos Sáez and María del Val González de la Peña, 2 vols (Alcalá de Henares: Universidad de Alcalá de Henares, 2003)
- Li *Colección documental del archivo de la catedral de León (775–1230)*, vol. I, (775–952), ed. by Emilio Sáez (León: Centro de Estudios e Investigación ‘San Isidoro’ (CSIC-CECEL), Caja de Ahorros y Monte de Piedad, Archivo Histórico Diocesano, 1987)
- Lii *Colección documental del archivo de la catedral de León (775–1230)*, vol. II, (953–985), ed. by Emilio Sáez and Carlos Sáez (León: Centro de Estudios e Investigación ‘San Isidoro’ (CSIC-CECEL), Caja de Ahorros y Monte de Piedad, Archivo Histórico Diocesano, 1990)
- Liii *Colección documental del archivo de la catedral de León (775–1230)*, vol. III, (986–1031), ed. by José Manuel Ruiz Asencio (León: Centro de Estudios e Investigación ‘San Isidoro’ (CSIC-CECEL), Caja de Ahorros y Monte de Piedad, Archivo Histórico Diocesano, 1987)
- Liv *Colección documental del archivo de la Catedral de León (775–1230)*, vol. IV, (1032–1109), ed. by José Manuel Ruiz Asencio (León: Centro de Estudios e Investigación ‘San Isidoro’, Caja de Ahorros y Monte de Piedad, Archivo Histórico Diocesano 1987)
- O *Colección diplomática de San Salvador de Oña (822–1284)*, ed. by José Del Álamo, 2 vols (Madrid: CSIC, 1950)
- OA *Colección diplomática medieval de la Orden de Alcántara (1157?–1494): De los orígenes a 1454*, ed. by Bonifacio Palacios Martín (Madrid: Universidad Complutense, 2000)

- OD *Colección documental del monasterio de Santa María de Otero de las Dueñas*, vol. I, (854–1108), ed. by José Antonio Fernández Flórez and Marta Herrero de la Fuente, Fuentes y Estudios de Historia Leonesa, 73 (León: Centro de Estudios e Investigación ‘San Isidoro’, 1999)
- Ov *Colección Diplomática del monasterio de San Vicente de Oviedo*, (años 781–1200), ed. by Pedro Floriano Llorente (Oviedo: Instituto de Estudios Asturianos, 1968)
- OvC *Colección de documentos de la catedral de Oviedo*, ed. by Santos Agustín García Larragueta (Oviedo: Diputación Provincial de Asturias — Instituto de estudios asturianos — Patronato José Ma Quadrado, 1962)
- PMH-DC *Portugaliae Monumenta Historica a saeculo octavo post Christum usque ad quintumdecimum, Diplomata et Chartae*, ed. by Alexandre Herculano de Carvalho e Araujo and José da Silva Mendes Leal, vol. I (Lisboa: Academia Scientiarum Olisiponensis, 1867–73)
- S *Anglo-Saxon Charters: An Annotated List and Bibliography*, ed. by Peter H. Sawyer (London: Royal Historical Society, 1968); available online in a revised and updated form at <<http://www.esawyer.org.uk>>
- SantA *La documentación del Tumbo A de la catedral de Santiago de Compostela: Estudio y edición*, ed. by Manuel Lucas Álvarez (León: Centro de Estudios e Investigación ‘San Isidoro’, 1997)
- Sgi *Colección diplomática del monasterio de Sahagún (857–1230)*, vol. I, (siglos IX y X), ed. by José María Mínguez Fernández (León: Centro de Estudios e Investigación ‘San Isidoro’, Archivo Histórico Diocesano, Caja de Ahorros y Monte de Piedad de León, 1976)
- Sgii *Colección Diplomática del Monasterio de Sahagún (857–1230)*, vol. II, (1000–1073), ed. by Marta Herrero de la Fuente (León: Centro de Estudios e Investigación ‘San Isidoro’, Archivo Histórico Diocesano, Caja de Ahorros y Monte de Piedad de León, 1988)

- Sgiv *Colección diplomática del Monasterio de Sahagún, (857–1300)*, vol. iv, (1200–1300), ed. by José Antonio Fernández Flórez (León: Centro de Estudios e Investigación ‘San Isidoro’, 1991)
- Sob *Tumbos del monasterio de Sobrado de los Monjes*, ed. by Pilar Loscertales de García de Valdeavellano, 2 vols (Madrid: Dirección General del Patrimonio Artístico y Cultural, Archivo Histórico Nacional, 1976)
- T *Cartulario de Santo Toribio de Liébana*, ed. by Luis Sánchez Belda (Madrid: Archivo Histórico Nacional, 1948)



LOCAL PLACES AND LOCAL PEOPLE: PEASANT AGENCY AND THE FORMATION OF THE ANGLO-SAXON STATE

Alexander James Langlands

Using topographical evidence derived from Anglo-Saxon charters, this paper will explore the role played by local and supralocal agencies in defining the sense of place and location in the Anglo-Saxon landscape. In examining exactly the land that is the subject of a chartered grant, how the boundaries are described in the boundary clauses, and any references to the ritual of perambulation, local expressions of territoriality will be addressed along with the manner in which supralocal processes both impose upon and are influenced by the local scene.

It has long been acknowledged that, for the high and late medieval periods, peasants should no longer be perceived as a passive and helpless element within medieval society but that they were very much capable of defining their own goals, with a capacity for conscious and rational decision making in order to achieve these objectives.¹ For the high and late medieval periods, these frameworks of understanding derived from trawling through a relative wealth of

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¹ DeWindt, 'Historians and Peasant Agency'; Freedman, *Images of the Medieval Peasant*, pp. 296–99.

Alexander James Langlands is a senior lecturer in History and Heritage whose current research interests include early medieval landscapes, the history and archaeology of craft, and the role of heritage in the regeneration of place and the fostering of well-being.

detailed estate records, an approach less afforded to the student of the early Middle Ages. Peasant agency for the early medieval period has, therefore, perhaps best found itself framed through the paradigm of the ‘peasant-mode’ of production even if, by *c.* 800, England in particular was moving towards a ‘feudal-mode’ society.² The broader context for this process of social transition is seen to be state building, a process in itself closely related to the development of a landowning aristocracy,³ which, in turn, is well evidenced through the corpus of Anglo-Saxon charters. But whereas discussions of agency in general have tended towards resistance, of both the visible and less-visible variety,⁴ in the culture of Anglo-Saxon charters, and especially in their reliance on Dense Local Knowledge, can be detected a more collaborative form of agency. It is therefore argued that far from remaining passive recipients of increasingly centralized bureaucracy and state control, local people, through their own archives of local knowledge and sense of local identity, contributed significantly towards the more functional elements of Anglo-Saxon charters — the boundary clauses — and thus their successful operation as instruments of state administration amongst the people and on the ground.

The perennial problem associated with working from Anglo-Saxon charters is the ‘centripetal thrust’ of the surviving evidence:⁵ the fact that they were produced by royal authority for royal authority. We must proceed cautiously when attempting to explore the reality of what can be at times aspirational documents, a self-legitimizing dataset,⁶ and how they relate to the vernacular geographies of people in the localities. Although charters are very much instruments designed to reinforce the power structures of Anglo-Saxon England, we are also invited to consider them as the products of a negotiated sociopolitical position, and in doing so, understanding the interaction between local and supralocal bodies (and their intermediaries) is facilitated. The ‘locals’ might just as well be seen to fall into the category of people described by Paul Hyams as ‘individuals equally keen to defend and perhaps further their own opposed

² Wickham, *Framing the Early Middle Ages*, pp. 304–05.

³ Wickham, *Framing the Early Middle Ages*, pp. 303–79.

⁴ For example, Scott, *Weapons of the Weak*.

⁵ Nelson, ‘Rulers and Government’, p. 115.

⁶ A particularly coherent group of charters from the first half of the tenth century, attributed to a single scribe ‘Æthelstan A’, project both a sense of grandeur and illustrate the aspirations conveyed in the royal style. See Keynes, ‘Church Councils’, p. 54.

interests', however lowly these interests may appear in contrast to those of royal ambition and design.⁷

Boundary clauses can provide a window into the way in which local people perceived their surrounding world. They furnish us with the 'dwelling perspective' and give us insights that have proven elusive in more traditional, positivist, and top-down approaches to landscapes.⁸ They demonstrate a clear 'local sense of place' and illustrate what those who were tied to the land 'thought of the landscape in which they lived' and worked.⁹ In fact, the very local nature of certain boundary marks suggests that these were documents that, although primarily serving the aristocracy, were designed from the outset to speak to the people on the ground. The 'on morð crundel' ('to murder quarry')¹⁰ and 'oð ðat hit cymð tar mon tane chiorl sloh for tan buccan' ('to where the *ceorl* was killed on account of the he-goat')¹¹ are likely to have been locations of only the mildest interest to the Anglo-Saxon king and his court, but to the people who drew up the boundary clauses within which these places featured, these were events of a most intrinsically local nature containing stories that embedded the landscape with meaning and memory. In reflecting a type of 'mental map', a vernacular geography of place and space, boundary clauses provide the clearest evidence that Anglo-Saxon charters were necessarily having to mean all things to all men — and women — and to function correctly across the full spectrum of Anglo-Saxon society, they had to ground their integrity and authority on archives of local knowledge.

A Brief Introduction to Anglo-Saxon Charters

Broadly speaking, the form and content of the surviving corpus of Anglo-Saxon charters suggests a derivation from the late Roman private deed, and the earliest examples follow many of the conventions present in sixth-century Italy, using the legal terminology of the late Roman classical jurists.¹² Attention, however, has also been drawn to the uniqueness of the diplomatic pattern, and although still very much modelled on Italian exemplars, an apparent evolution of style prior to our

⁷ Hyams, *Rancor and Reconciliation in Medieval England*, pp. 72–73.

⁸ Thomas, 'The Politics of Vision'.

⁹ Howe, *Writing the Map of Anglo-Saxon England*, pp. 31–32.

¹⁰ S 767 (968).

¹¹ S 582 (955).

¹² Levison, *England and the Continent in the Eighth Century*, pp. 31–33.

first reliable surviving examples is suggested.¹³ In a recent overview of the corpus, Simon Keynes argues that whilst charters prior to the early tenth century share many characteristics, at the same time they exhibit a range of traditions distinctive from each other, reflecting kingdoms and dioceses with their own styles and approaches. In the second quarter of the tenth century, however, a clearer position can be observed. This is a so-called golden age, where the charter, or more correctly, the diploma, is at the 'peak of its development as an instrument of royal government', exhibiting a uniformity of purpose both in formality and symbolism.¹⁴

What complicates our use of these documents is that many cannot be taken at face value. Of the 1500 or so surviving documents, around only 300 are 'originals' and the remaining *c.* 1200 survive as copies into later cartularies.¹⁵ Whilst for the most part copies remain faithful to the sense and detail of their exemplars, a significant number exhibit anachronisms and later interpolations that undermine their credibility to varying extents, and there are, of course, a significant number of outright forgeries. Whilst the church is the beneficiary in the case of the very earliest charters, by the late eighth century, laymen begin to appear as the recipients of grants, and by the end of the Anglo-Saxon period, grants made out to secular individuals vastly outnumber those made out to ecclesiastic foundations. The fact that charters survive only when an estate has passed into the hands of the Church (and thus the charter into its archive) is believed to indicate that the existing corpus represents only a small proportion of the total number of charters that were issued.¹⁶ Furthermore, the argument for a state 'chancery' in the later Anglo-Saxon period serving as the production centre for charters recognizes the fact that granting land 'by book' was sufficiently widespread to be desirous of central control.¹⁷

Chronologically, the overwhelming majority of charters derive from the middle decades of the tenth century.¹⁸ With the exception of two wills,¹⁹ boundary clauses appear only in grants and leases of land and primarily those of the

¹³ Chaplais, 'Who Introduced Charters in to England?'. For Frankish influences, see Scharer, *Die Angelsächsische Königsurkunde*, and for Celtic influences, see Wormald, 'Bede and the Conversion of England', pp. 623–29.

¹⁴ Keynes, 'Church Councils', pp. 42–43, 53.

¹⁵ Figures quoted in Kelly, 'Anglo-Saxon Lay Society', p. 39.

¹⁶ Kelly, 'Anglo-Saxon Lay Society', p. 45.

¹⁷ Keynes, 'Royal Government and the Written Word'.

¹⁸ Hill, *An Atlas of Anglo-Saxon England*, p. 26, fig. 36.

¹⁹ S 1486 (1000x1001); S 1513 (*c.* 900).

tenth and eleventh centuries. There are 710 perambulations surviving as discrete clauses within charters. A further 63 survive as stand-alone documents, while for certain estates multiple sets of bounds exist.²⁰ The earliest reliable boundary surveys (i.e. those attached to contemporary copies or originals) are short, simple, and written in Latin. They make use of the cardinal points of the compass referencing prominent topographical features such as rivers, hills, valleys, and woods, or adjacent territories. In the last quarter of the eighth century, however, a fundamental change takes place in the form of the clause, marked by four charters dated to between 774 and 801. For the purposes of discussion, these shall be referred to as ‘transitional’ boundary clauses. The first two are concerned with land granted in Somerset whilst the other two describe land at Little Bedwyn (Wiltshire) and Crux Easton (Hampshire).²¹ What marks these examples out is that whilst the main text of the boundary clause is written in Latin, the boundary features or ‘marks’ are described in Old English (OE). Furthermore, the use of the cardinal points of the compass is eschewed in favour of more detailed directions. The surveys begin at a point on the boundary and work in a clockwise direction around the estate — as if physically perambulating the boundaries themselves. Much more care is taken to describe the actual course of the boundary as it lies in the local landscape, resulting in a lengthier clause. From this style of clause there develops the detailed perambulations written entirely in OE that feature in around half of all tenth- and eleventh-century charters.

The Veracity of Anglo-Saxon Charter Boundary Clauses

Detailed OE boundary clauses often interpolate or are appended to copies of earlier charters, and in an attempt to circumscribe these anachronisms and gain a clearer understanding of the introduction and development of vernacular boundary clauses, Kathryn Lowe selected the entire corpus of contemporary single-sheet diplomas (i.e. ostensibly original documents) for detailed study.²² She demonstrated that a mere four charters with vernacular/OE bounds derive from the ninth and earlier centuries and that it is only in the mid-tenth century that they become a standard feature of the Anglo-Saxon diploma.²³ This is a

²⁰ Reed, ‘Anglo-Saxon Charter Boundaries’, p. 263.

²¹ S 262 (766 for ?774); S 267 (794); S 264 (778); S 268 (801).

²² Lowe, ‘The Development of the Anglo-Saxon Boundary Clause’.

²³ S 298 (846/47); S 327 (?860 altered to 790); S 331 (862); S 350 (898); and Lowe, ‘The Development of the Anglo-Saxon Boundary Clause’, p. 74.

view shared by Michael Reed in his analysis of boundary clauses (although not only those from ‘originals’), and he concluded that ‘we can look at 200 years of landscape history (i.e. working back from 900) through no more than sixty documents and 32 of these relate to Kent’.²⁴

When arguing for chancery-based centralized charter production in the late Anglo-Saxon period, a strong case can be made for King Alfred’s (849–899) push for improved levels of learning and literacy amongst the secular community. Simon Keynes has observed that ‘any practical benefits of King Alfred’s educational programme would not be felt until the opening decades of the tenth century and thereafter, when the youth of his day had become the next generation of royal officials’.²⁵ This would coincide with the vast increase of chartered land grants with detailed OE boundaries in the mid-tenth century and may very well reflect the desires of an educated ‘thegnly’ class for a diplomatic tradition to reflect better *their* concerns, ones relating to the exact course a boundary takes in the landscape. Susan Kelly makes the point that the inclusion of a detailed vernacular boundary clause in documents from the ninth century onwards goes some way to indicate that charters were beginning to function ‘at least in some respects, as a true written word’ rather than symbolic title-deeds.²⁶

From its detail and prevalence in the wider corpus it is clear that the vernacular boundary clause is intended to serve as a working record of the bounds of the actual estate in question because, presumably, it has to stand up to the scrutiny of an increasingly literate community. An accurate and indisputable boundary clause must surely have gone some way to bolster the spurious claims of a forged charter and suggests, in turn, that we can be fairly confident that even in the most outrageous of forgeries, the boundary clause will contain a legitimate record of early medieval topography. That a number of boundary clauses survive as standalone documents led Lowe to suggest that these represent the original text of a survey before it was copied into a legal charter — a separate provenance that may derive from a writing ‘in the field’ at the point of the actual survey.²⁷ Indeed, some charters, it has been argued, may have been forged to provide a ‘title deed’ for an estate for which a perambulation already existed, further suggesting that boundary clauses may have had a role independ-

²⁴ Reed, ‘Anglo-Saxon Charter Boundaries’, p. 274.

²⁵ Keynes, ‘Royal Government and the Written Word’, p. 231.

²⁶ Kelly, ‘Anglo-Saxon Lay Society’, p. 46.

²⁷ Lowe, ‘The Development of the Anglo-Saxon Boundary Clause’, p. 65.



ent from the issue of land transfer.²⁸ It is highly likely, therefore, that the surveys that survive from the tenth and eleventh centuries are accurate descriptions of early medieval boundaries made, very possibly, in the field at the point of perambulation by those with the most vested interest in ensuring an accurate legacy. Removed from the diplomatic, legal, and political arena that has for the most part served as the focus of study for scholars of Anglo-Saxon charters, the boundary clauses themselves describe a landscape — a very real place — in a pragmatic and practical fashion.

Why Do Boundary Clauses Appear in Some Charters and Not in Others?

The issue as to why boundary clauses appear in some charters and not in others might be seen to hold the key as to their function, and it has long been debated whether the more numerous charters from the tenth century onwards reflect a process of subdivision in the tenurial landscape at that time.²⁹ In the case made for a large-scale ‘fragmentation’ of earlier larger units, detailed vernacular boundary clauses of the tenth and eleventh centuries might be seen to reflect new divisions in the landscape, and the requirement of written confirmation in order to avert future disputes. Whilst there can be little doubt that ever smaller units of land were coming into existence in the later Anglo-Saxon period to furnish a thegnly class emerging in both the historical and archaeological record,³⁰ the evidence from charters suggests that it was not a simple transition from larger to smaller units of land. From two recent studies, for example, it is clear that changes in the nature and extent of estates and other territorial units were considerable and that the situation described by boundary clauses was anything but static.³¹ Nor is it always the case that the process is simply from large to small, as many later grants fuse together smaller parcels of land to create vast monastic estates and substantial royal holdings.³²

²⁸ Gelling, *The Early Charters of the Thames Valley*, nos 260, 263, 268; S 104 (759 for 777xc. 781); S 184 (821); S 402 (929).

²⁹ Sawyer, ‘Anglo-Saxon Settlement’, p. 108; Hooke, *Anglo-Saxon Landscapes of the West Midlands*, p. 88; Gelling, *Signposts to the Past*, p. 191.

³⁰ Bailey, *The English Manor*, pp. 12–13; Hamerow, *Rural Settlements and Society*, pp. 109–99.

³¹ Probert, ‘The Pre-Conquest Lands’; Stokes, ‘Rewriting the Bounds’.

³² For example, see S 582 (955) for the one-hundred-hide estate ‘At Chalke’ granted to Wilton and discussed below.

In some cases, charters can be explicit in describing the division of property. A good example is a reworking of a charter of Ecgerht, purporting to date to the ninth century and originally concerned with ten hides at Woolland (Dorset).³³ In the process of redrafting the text in the tenth or eleventh century, a boundary clause has been interpolated along with a narrative section describing the division of land between three sisters.³⁴ It is also clear that the boundary clause covers only the area of Stoke Wake, and as a consequence, it is believed that this charter was an attempt to create a title-deed for the five-hide part of the estate that was to belong to Ælflæd, one of the three sisters. Another similar example is a grant of land at Horton (Kent) dated to the ninth century.³⁵ At the point of fabrication, described by Susan Kelly as a ‘diplomatic travesty’, a new boundary clause was inserted into the copied text along with an account of the division of property. Like the Woolland example, this fabrication was seen to fulfil the requirement for a valid charter for a parcel of land recently severed from an earlier estate.³⁶ Despite their somewhat clumsy handling of the diplomatic tradition, both of these charters do seem to represent true proprietary arrangements and, to satisfy the needs of both recipients — members of the lesser nobility — the addition of a boundary clause was clearly integral to this ‘updating’ of the manuscript.

A group of charters concerning lands at Chiseldon (Wiltshire) provides another example of the variable complexities associated with the inclusion — or insertion — of boundary clauses in charters. *Cheseldune*, an estate valued at fifty hides, seems to pass back and forth between the king and Old and New Minsters, Winchester, in the late ninth and early tenth centuries.³⁷ The first charter to appear with a boundary clause, however, is a grant of fifty hides in 901 by Edward to New Minster.³⁸ But closer analysis of the boundary marks makes it impossible that the lands included in the survey amounted to anything remotely resembling fifty hides, and they in fact cover a smaller area known as Badbury.³⁹

³³ S 277 (833).

³⁴ *The Anglo-Saxon Charters of Shaftesbury Abbey*, ed. by Kelly, pp. 10–16.

³⁵ S 319 (874 for ?844); *The Anglo-Saxon Charters of St Augustine’s Abbey*, ed. by Kelly, pp. xciv–xcv.

³⁶ *The Anglo-Saxon Charters of Shaftesbury Abbey*, ed. by Kelly, p. 13.

³⁷ S 354 (878x99); S 359 (900); S 366 (901); S 370 (903, a blatant forgery); S 1417 (924x33); S 1507 (873x88).

³⁸ S 366 (901).

³⁹ Grundy, ‘The Saxon Land Charters of Wiltshire’, p. 201. Badbury is the named place in

The next charter of significance is a lease for three lives by New Minster to Ælfred, a minister of Æthelstan, dated 924×33 and believed to be a near contemporary copy.⁴⁰ Importantly, this charter stipulates a hidation of twenty hides of land ‘in loco qui dicitur Cyseldene’ (in the place which is called Chiseldon). So a clear subdivision is being made in the tenth century of an earlier ‘estate’ that King Alfred had bequeathed in its entirety in his will.⁴¹ Running with the theory that such subdivisions of estates and thus the creation of new boundaries are the *raison d’être* behind the drafting of boundary clauses, one might expect a clause to be attached to this latter charter. But this is not the case, and we are left with the paradoxical situation where a charter granting the full fifty hides of Chiseldon has a boundary clause describing only a section of this place, whilst a charter granting a lease of only a section of this place — a *de novo* subdivision — has no boundary clause at all.

Despite the issues of authenticity and the varied circumstances of production that arise in these and other charters, their success in stabilizing property demarcation in early medieval England is suggested by the extreme rarity with which boundary disputes feature in the historical sources for the Anglo-Saxon period. Whilst there are many records of disputes concerning the ownership of chartered land, there is only a single example of a dispute concerning the actual course a boundary might take, and interestingly, the charter recording the settlement is not furnished with a boundary clause.⁴² Perhaps more remarkably though, considering the prevalence of such laws in other parts of Europe at the time, there are no recorded penalties in the Anglo-Saxon law-codes for unsolicited boundary alterations. Chapter 55 of the Burgundian law-codes issued by King Gundobad during the late fifth century details that the removal or destruction of a boundary marker would result in the forfeiture of property for a freeman but death for a slave.⁴³ Similar laws of the Lombard King

a charter of 955 (S 568) with a boundary clause that, based on the script, is almost certainly a post-Conquest addition and, confusingly, according to Grundy, ‘The Saxon Land Charters of Wiltshire’, pp. 205–10, it circumnavigates the whole of Chiseldon.

⁴⁰ S 1417 (924x33).

⁴¹ S 1507 (873x88).

⁴² Kennedy, ‘Disputes about Bocland’; Wormald, ‘Charters, Law and the Settlement of Disputes’; Wormald, ‘A Handlist of Anglo-Saxon Lawsuits’; S 1481a is a miscellaneous document of 1055 recording the settlement of a dispute between Ælfwine, Abbot of Ramsey, and Leofric, Abbot of Peterborough, concerning the boundaries at King’s Delph, Northants.

⁴³ *Liber Constitutionum*, ed. by De Salis, pp. 90–91.

Rothair exist in the seventh century,⁴⁴ whilst detailed provisions are made for such offences in both the Bavarian law-codes of the mid-eighth century and the Visigothic Code.⁴⁵ Yet, for Anglo-Saxon England, such laws are conspicuous by their absence.⁴⁶

The Ritual of Perambulation

It may just be that disputes over boundaries rarely arose because the boundaries were themselves old and well known. The phrase ‘ancient boundaries’ occurs in many early charters,⁴⁷ and elsewhere in this volume it can be seen how the *terminis et locis antiquis* have been used as a source of local knowledge in the drafting of early twelfth-century charters.⁴⁸ It is imperative in the Anglo-Saxon material though that we entertain the possibility that perambulating — an early form of the later and well-documented ‘beating the bounds’⁴⁹ — existed as an ancient customary practice independent from the drafting of a written record. In one charter, involving a late ninth-century dispute over woodland belonging to Woodchester (Gloucestershire), Æthelwald ‘generously restored’ the contested land to the Bishop of Worcester and ordered his *geneat* to ride with a priest from Worcester along all the boundaries, as the priest read out from the old charters, ‘how they had been determined of old by the grant of King Æthelbald’. ‘In this manner’, we are told, ‘Æthelwald’s man showed him the boundaries, as the old charters directed and indicated to him.’⁵⁰

A similar scenario occurred in an early eleventh-century lawsuit, which was to be settled by a meeting of all witnesses on a chosen day to trace the boundaries.⁵¹ It was decided that the same people who had traced the boundaries for the bishop should do so again, and that if they were the same as they were when they were first traced, the bishop should be the rightful owner.⁵² Although by

⁴⁴ *Edictus Ceteraeque Langobardorum leges*, ed. by Bluhme, p. 59.

⁴⁵ *Lex Baiwariorum*, ed. by Von Schwind, pp. 398–405; *Lex Wisigothorum*, ed. by Zeumer, pp. 396–99.

⁴⁶ Hough, ‘Legal and Documentary Writing’, pp. 184–85.

⁴⁷ For examples, see S 125 (786); S 159 (804); S 173 (814); S 328 (858).

⁴⁸ See Margarita Fernández Mier in this volume.

⁴⁹ Winchester, *Discovering Parish Boundaries*, pp. 39–40, 46–49.

⁵⁰ S 1441 (896).

⁵¹ S 1460 (1010x23).

⁵² Robertson, *Anglo-Saxon Charters*, pp. 162–65.

the eleventh century boundary clauses were sufficiently abundant to have very likely been in attendance on the day, it seems curious that a copy was not made into the surviving document — if there was ever a need to furnish a charter with a boundary clause then this was it. Furthermore, there is no explicit mention of any ‘old’ charters used by the officials on the day, and it remains a possibility that what occurred here was a witnessed perambulation of the most traditional kind, relying on old-fashioned Anglo-Saxon expressions of deed and gesture, and conducted without the aide-memoire of a written clause.

Certainly, earlier in the Anglo-Saxon period, a number of charters suggest that physical perambulations were a fundamental part of land transfer. In our earliest surviving original charter, dated 679, King Hlothhere of Kent states that the land is to be held ‘according to the well-known boundaries demonstrated by myself and my officers.’⁵³ That such perambulations might have been a regular ritual is suggested in a mid-eighth-century grant of land in Higham Upshire (Kent) where it is held ‘in conformity with its boundaries, namely those ancient and most established by lasting tradition among the inhabitants.’⁵⁴ Local knowledge is explicitly invoked again in a 758 grant of thirty hides by Cynewulf to Malmesbury Abbey.⁵⁵ The land is described as being ‘ubi se duo latices junguntur Meardaeno et Reodburna et in circuitu eorum quemadmodum ipsi incola bene nosce dinoscuntur terminos et limites locorum illorum necnon et villam cui subjacent . paschua . prata . arida . irrigua . simul et silvestria loca.’⁵⁶ It is also made explicit in two charters that involving the inhabitants in this process meant that the bounds could be established ‘sine dubitationis scrupulo’ (without the involvement of doubt).⁵⁷

It is proposed here then that the Anglo-Saxon charter, in what might be considered its final form, one wherein a detailed vernacular boundary clause is integral, represents a coming together of two very distinct traditions of land conveyance: the late Roman private deed, and the customary tradition of perambulation. In such a scenario, the ‘transitional’ boundary clauses represent an

⁵³ S 8 (679).

⁵⁴ S 31 (748x62): ‘rebus iuxta terminos uidelicet antiquos et indigenis certissimos.’

⁵⁵ S 260 (748x62).

⁵⁶ ‘where two streams join themselves in the Mearcden and Reodburn and in their neighbourhood, as their inhabitants acknowledge that they know the boundaries and limits of those places, and also the vill to which they are subject, the pastures, dry and water-meadows, and also the wooded places.’


⁵⁷ S 28 (762/63); S 105 (764).

important step:⁵⁸ they represent the evolution from the short boundary indications of early charters to the detailed vernacular clauses of later ones. One can see the transition most vividly in the text of the boundary clause for a late eighth-century grant of ten hides on the River Parrett (Somerset).⁵⁹ In the first three lines, those responsible for the names of the landmarks that make up the boundary are referred to:

1. ‘Ab Oriente habet terminum in orientalem plagam agri illius quem accolae *Ham* vocitant’ (a part of land which the inhabitants call *ham*);
2. ‘Deinde ad meridiem vergit in unum aquosum locum qui a notis *Swanmore* vocitatur’ (a watery place which the neighbours call *Swanmer*); and
3. ‘Item a loco [*blank in MS*] ad septentrionem terminus tendit usque in rivulum lutosum quem homines loci illius Hollow Brook appellant’ (in a muddy brook which the people of that place call *holobrouk*).

These nomenclators — local people — are dropped for the remaining thirteen boundary marks presumably because the scribe realized that such information was in danger of being both repetitive and ultimately extraneous to the sense of the clause. What is important here though is that there was an understanding that its success was based upon an accurate writing down of places as known to the inhabitants and their neighbours, presumably some of whom were in attendance at the point the boundary was being recorded. It might justifiably be suggested that this format did not become popular because of the bilingualism that was required to comprehend exactly how the boundary related to the boundary marks listed. Extending that logic, it is easy to see how a clause written entirely in OE was to become the standard method of consigning a physical perambulation to the written word.

In a number of charters reference is made to the individuals carrying out the perambulations. The party charged with recording the bounds of Chalke in south Wiltshire (discussed below) tell us that they travelled to ‘*tþær we ar forleten*’ (where we left from), and the term appears in this and similar forms in a number of charters, giving the clearest indication yet that, in their written recording, such boundaries were physically perambulated rather than a recital of key landmarks.⁶⁰

⁵⁸ S 262 (766 for ?774); S 267 (794);  S 264 (778); S 268 (801); and discussion of ‘transitional’ boundary clauses above.

⁵⁹ S 267 (794).

⁶⁰ For example, ‘*þær we her on fengan*’: S 517 (945); ‘*þær we ar onfengon*’: S 529 (947);

There is a sense though of a shift in emphasis between these (tenth-century) and the earlier perambulation concerning land on the River Parrett. Whereas the impression given in the earlier and transitional boundary clause is that an outside agency is recording the bounds as relayed by local rural people, here the use of the term 'we' implies a much more inclusive and involved group. Those recording and writing down the boundary marks see themselves as less apart from those relaying the course. This then reflects another way in which charters were increasingly moving towards the lower levels of the social order to become documents of 'local' significance. In a tenth-century world of an increasingly populous and literate laity, the traditional late Roman private deed was necessarily having to flex its format to incorporate, in textual terms, a physical ritual that represented the most meaningful confirmation of rightful tenure at that time: a perambulation.

Locals and Loci

In around forty charters, it is the name applied by the *ruricola* ('the rural people') that is used to identify the place, or *locus*, where the land is being granted. King Eadwig's grant of three hides to Mæglsothen, for example, is given 'in illo loco ubi ruricole antiquo usu nomen indiderunt at Mortune' (in the place that the country people give the ancient name 'at Morton').⁶¹ Likewise, in another of King Eadwig's grants, the land is given 'in loco ubi antiquorum relatu nominatur at Fordain' (in the place that is called in the account of old men 'at Ford').⁶² In Ordulf's exchange with the *familia* at Malmesbury of five hides at Mannington for four hides at Chelworth, we are given the name of Malmesbury in both the *antiquo vocabulo* and in *nostra lingua* as, respectively, *Malduberi* and *Maldumesburg* whilst *Choellewrthe* is given as the name so-called by the *ruricola*.⁶³ The categorizing 'us and them' character of this phrase is at its most denigrating in a grant of land in Cornwall where we are told the land is 'ubi ruricole illius pagi barbarico nomine appellat. PENDYFIG' ([the place] that the country people of that barbaric district call 'Pendavey').⁶⁴ In these occurrences we are invited to consider a vernacular geography of Anglo-Saxon England, a

'to þam heafod stoccum þær we ar forleten' and later 'þæ we ar onfengon': S 582 (955); S 586 (956 for 959); S 683 (960).

⁶¹ S 628 (956).

⁶² S 643 (957).

⁶³ S 1205 (901).

⁶⁴ S 522 (947).

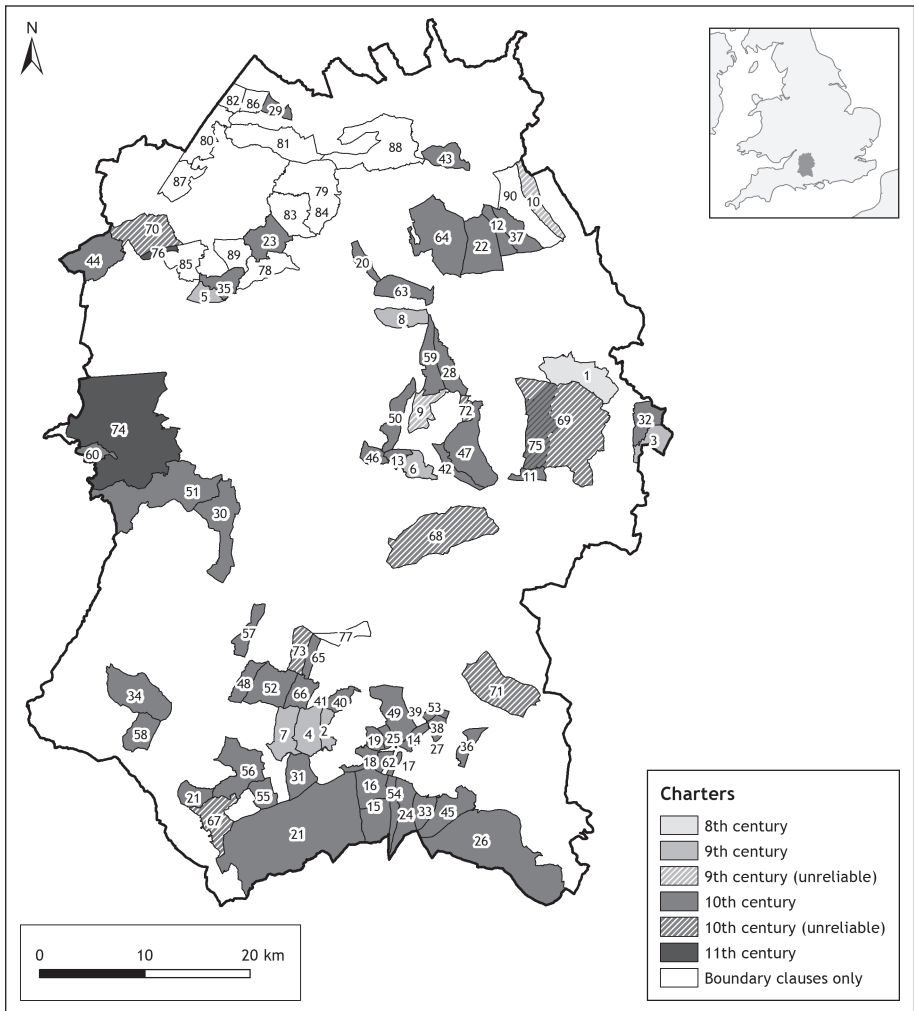


Figure 14.1. Boundary clauses in Wiltshire. Source: Author.
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‘sense of place that is reflected in ordinary people’s language’,⁶⁵ as opposed to the administrative and political geographies that are the preoccupation of much contemporary scholarship: kingdoms, shires, hundreds, and estates.

⁶⁵ Ordnance Survey Research, *Vernacular Geography*, The National Archives, Web Archive, 5 May 2010, <<http://webarchive.nationalarchives.gov.uk/20101108082752/http://ordnancesurvey.co.uk/oswebsite/partnerships/research/research/vernacular.html>> [accessed 13 May 2014].

Examining the *loci* in the Anglo-Saxon charters of a given area can further illuminate a sense of place that does not necessarily relate to the tidy administrative geography of late Anglo-Saxon. Figure 14.1 depicts all of the grants in a sample study area (Wiltshire) to which are attached detailed boundary clauses. Charters without boundary clauses have not been mapped because very often the name given to the land that is the subject of the grant is not specific enough to locate it with any degree of certainty. In fact, in many cases, it is only because of the topographical detail within the boundary clauses that the land subject to the grant can be located at all, a situation that, presumably, would have existed in the Anglo-Saxon period as well as today. The best example of this is the case of the lower Ebblesburnan, known in the tenth century as *at Ebblesburnan*.⁶⁶ In six charters the subject estate is referred to as *Ebblesburnan*, yet it is only because of the detail in the boundary clauses that these can be separated out into Bishopstone, Bishopstone (North), Stratford Tony, Coombe Bissett, and Homington. It is proposed here that these individual estates were part of a generic ‘place’ — a *locus* — of the type described by the *rusticola* above and one not necessarily relating to an administrative or tenurial geography but physically characterized by river and valley. Figure 14.2 presents the distribution of other charters where the place given is that of the generic area — the *locus* — and where it is only possible to determine exactly what part of the *locus* the grant refers to by using the landmarks mentioned in the boundary clause. For example, Manningford comprises three ‘strip’ estates preserved by the post-Conquest names of Manningford Bohun, Manningford Bruce, and Manningford Abbots. At least one of these divisions existed in the pre-Conquest period as the bounds of the Manningford charter very clearly describe the strip of Manningford Abbots.⁶⁷ What is clear from a number of *loci* is that river names are important in the naming of the area. The south Wiltshire river system is made up of five major rivers: the Wylye, Nadder, Avon, Bourne, and Ebbles. With the exception of the Nadder, four of these rivers form the names of proposed *loci*, and the same pattern can be observed in the instances of the *Defereal*, *Bedewindan*, (the northern) *Winterburnan*, and *Colingborne*. It is important therefore, to make a key distinction between estate names and the names of the places — the *loci* — within which land is being granted. Certainly in the case of the river-name *loci*, there is no evidence that any of them were held in their entirety as single holdings in royal hands or otherwise.

⁶⁶ See the Ebbles Valley case study below.

⁶⁷ S 865 (987).

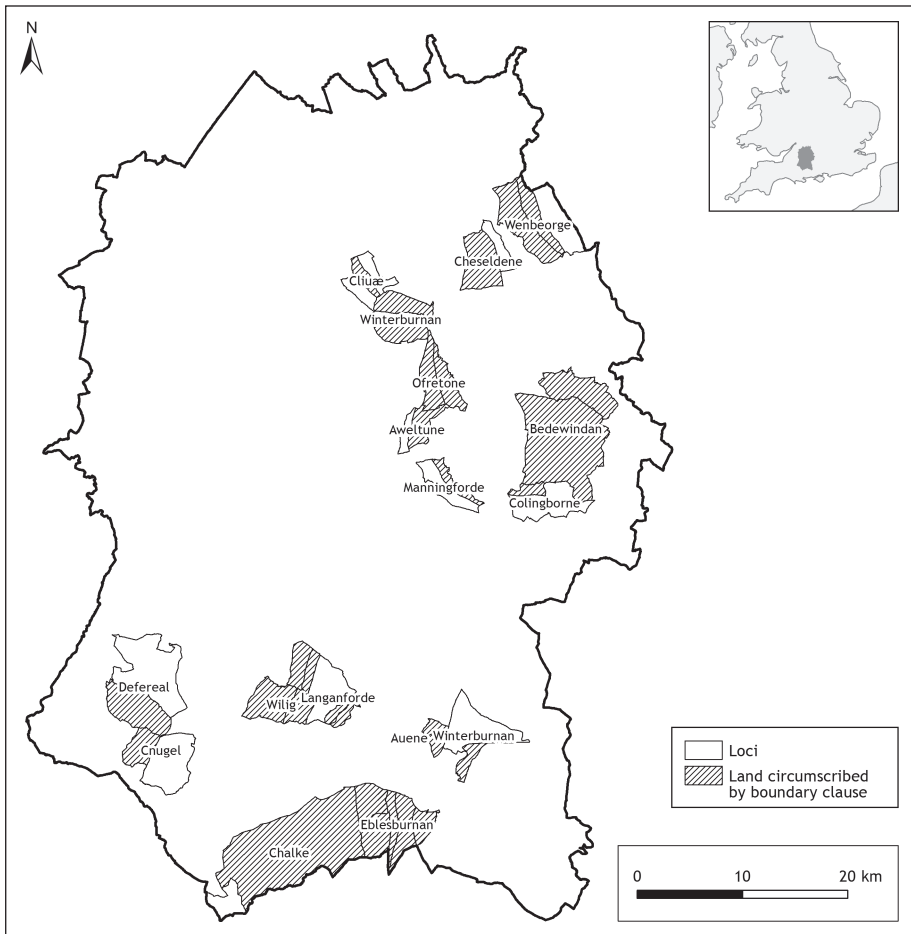


Figure 14.2. *Loci* and land circumscribed by boundary clauses. Source: Author.
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Returning to issues of fragmentation and subdivision in the Anglo-Saxon landscape and whether the increased number of charters surviving from the tenth and eleventh centuries is an accurate description of these processes, if anything, Figure 14.3 would seem to imply that the creation of smaller units of privately held land is a continuum from earlier times. The ninth-century charters from the Wiltshire study area, albeit a small sample, all concern grants of relatively small blocks of land. If we thought that fragmentation — manorialization — was a tenth-century horizon expressed through increased numbers of charters, might we not expect charters from the ninth century to describe larger

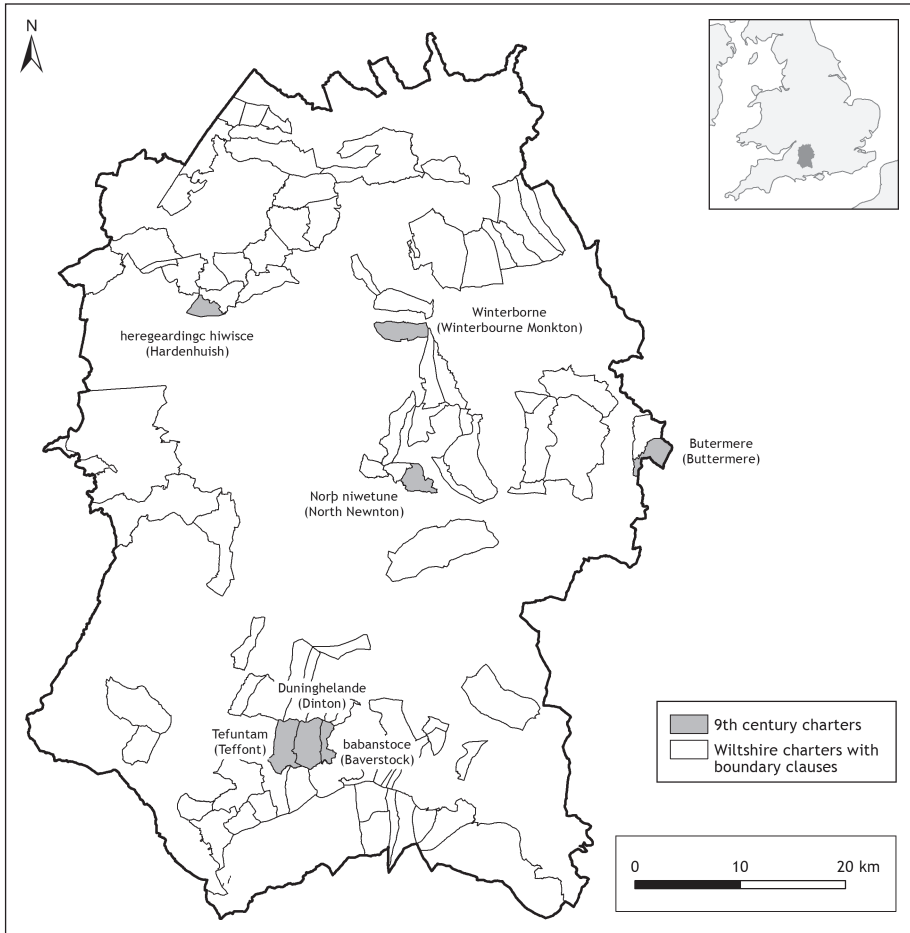


Figure 14.3. Ninth-century charters with boundary clauses. Source: Author.
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blocks of land? Also, of the seven examples, only one is located very generally in a *locus*: Winterbourne Monkton in *Winterburnan*. Otherwise, the places mentioned as the locations of the chartered land can be found and related to later estates and specific places by name alone and without having recourse to locational information in the boundary clauses. Finally, the one place where we might expect a *locus* name to feature is in the Nadder valley (as is the case for the other four rivers in the south Wiltshire river system), but instead, the three contiguous blocks of land for which we have charters with boundary clauses are referred to with references to the key settlements within them. Unlike the other

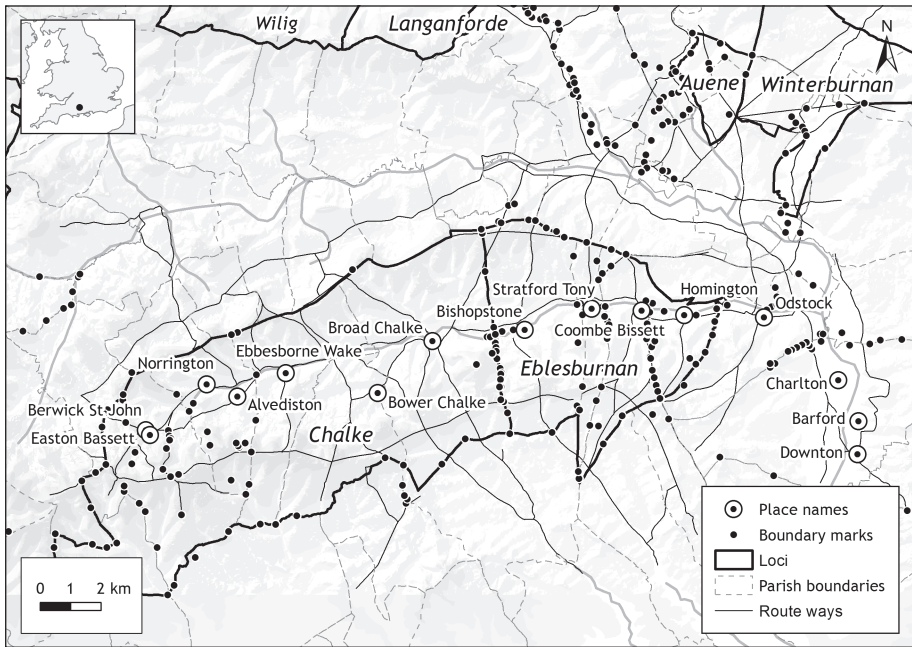


Figure 14.4. The *loci* of South Wiltshire. Artwork by Antonio Uriarte (IH-CSIC).
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river valley *loci*, this area seems, in the charters at least, to have already lost its *locus* name by the ninth century, perhaps because of its proximity to Wilton, the shire capital.

Case Study: The Ebble Valley

The Ebble Valley in south Wiltshire provides a good opportunity to examine both the administrative and vernacular geography of the tenth century in more detail and also to explore processes of fragmentation and amalgamation. Figure 14.4 illustrates the four estates that make up the conjectural *locus* of *Eblesburnan* (for which six reliable charters with boundary clauses survive)⁶⁸ and the landmarks that make up their boundaries. Land at *Cheolcum* is covered in a single one-hundred-hide grant made by Eadwig to the nuns of Wilton in 955, and here the landmarks circumnavigate the entire upper reaches of the Ebble Valley but also perambulate areas within Chalke that belong to Shaftesbury and Ringwood as well as an outlying parcel of meadowland at Semley to the north-

⁶⁸ S 522 (947), S 635 (956), S 640 (957), S 696 (961), S 861 (986), and S 891 (997).

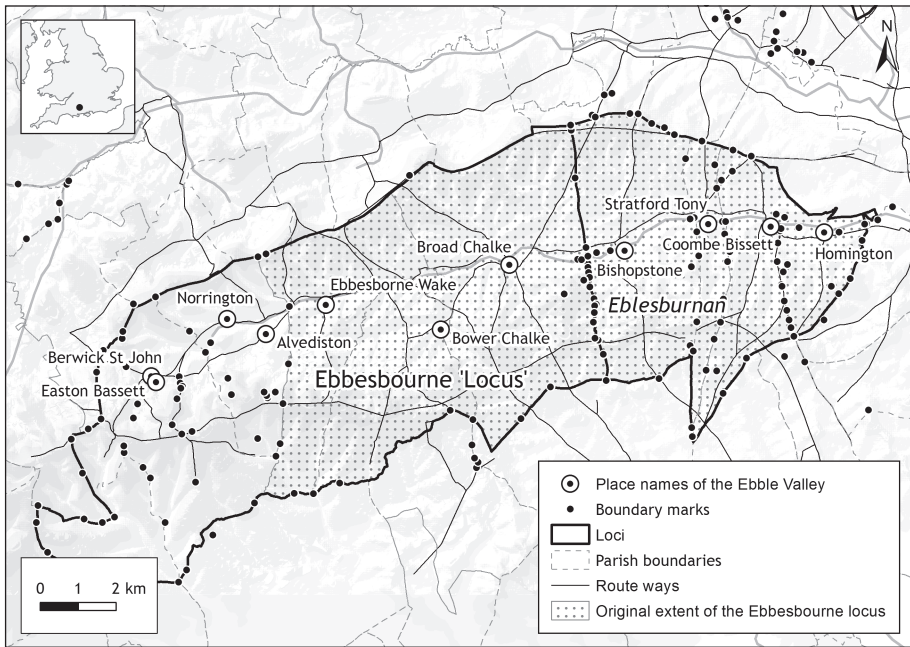


Figure 14.5. The conjectural extent of the Ebbesbourne *locus*. Artwork by Antonio Uriarte (IH-CSIC). Contains OS data © Crown copyright and database right (2018).

west.⁶⁹ We might consider, however, that the original extent of the *Ebbesburnan locus* extended further up the valley and that the place-name Ebbesbourne Wake is a remnant of this vernacular geography (Figure 14.5). From the mid-twelfth century 'Wake', the surname of the lords of the manor, was used as a suffix to distinguish it from Bishopstone further downstream which was known, until well into the later medieval period, as Ebbesbourne.⁷⁰ Chalke, not necessarily as the settlements of Broad and Bower but as a single large-scale holding, might therefore feasibly be conceived of as a later creation overlaying the earlier vernacular geography. This is further suggested by the character of the boundary that separates Bishopstone and Chalke and the way it is described in both charters. In the first instance, the density of landmarks over such a relatively short stretch of boundary implies that an unprecedented level of detail is required. The types of landmarks that are referred to also suggest a fresh setting out of tenurial arrangements; the boundary negotiates a series of agricultural features:

⁶⁹ S 582 (955).

⁷⁰ Gover, Mawer, and Stenton, *The Place-Names of Wiltshire*, pp. 3–19.

acres, lynchets, and land *gewyrpu* ('up-castings'⁷¹ or perhaps the land side edge of the open furrow slice). These terms give the impression of a boundary effectively dividing a pre-existing and operational field system.

Michael Reed has suggested that the five reliable charters referring simply to land at *Eblesburnan* represent five separate portions of an 'estate', one presumably in the mid-tenth century in the process of subdivision.⁷² Yet, there is no evidence that at an earlier date these blocks of land formed a whole unit in single ownership, and the case for a *locus* suggests that it is something less specific that land is being granted from within. Tentatively, we might evoke the problematic notion of *folcland*, a form of land tenure held perhaps in opposition to *bocland* (land granted by 'book' or charter), but the few references we have to *folcland* make it difficult to ascertain exactly how these types of property compared to each other.⁷³

It is in the boundary clause for the charter for land at *Cheolcum* that the voice of the local people comes through most emphatically and not only because it refers to events of only the most local intrigue (such as the unmentionable act conducted by a miscreant *ceorl* with a he-goat). At over a hundred landmarks and covering a distance of nearly a hundred kilometres, it is the sheer scale of the perambulation and the level of detail concerning each landmark that impresses on us how it was very likely that only with the dedicated help of local people and an archive of Dense Local Knowledge could such a document be achieved. If, as is conjectured, Chalke was a creation of the mid-tenth century and an amalgamation of smaller parcels of land, it is very likely that these smaller land units had their own ancient boundaries (*terminibus antiquitus*) sections of which would have needed compiling together — drawing on the accounts of local people — to make the composite perambulation in the Chalke charter.

Underpinning the validity of all of the Ebble Valley charters is an archive of Dense Local Knowledge. For Chalke, it is the volume and detail of landmarks, and in the case of *Eblesburnan*, detailed boundary clauses are the only way of knowing exactly what portion of the *locus* is the subject of the grant. This infor-

⁷¹ Chalke estate, Wiltshire County, *The Language of Landscape: Reading the Anglo-Saxon Countryside*, <http://www.langscape.org.uk/descriptions/glossed/L_582.1_000.html> [accessed 13 May 2014].

⁷² Reed, 'Anglo-Saxon Charter Boundaries', p. 263 (to which should be added S 635, land at Homington).

⁷³ John, *Land Tenure in Early England*, pp. 51–53; Lavelle, *Royal Estates in Anglo-Saxon Wessex*, pp. 4–11; Loyn, *Anglo-Saxon England and the Norman Conquest*, pp. 171–75; Wormald, 'Bede and the Conversion of England', pp. 630–34.

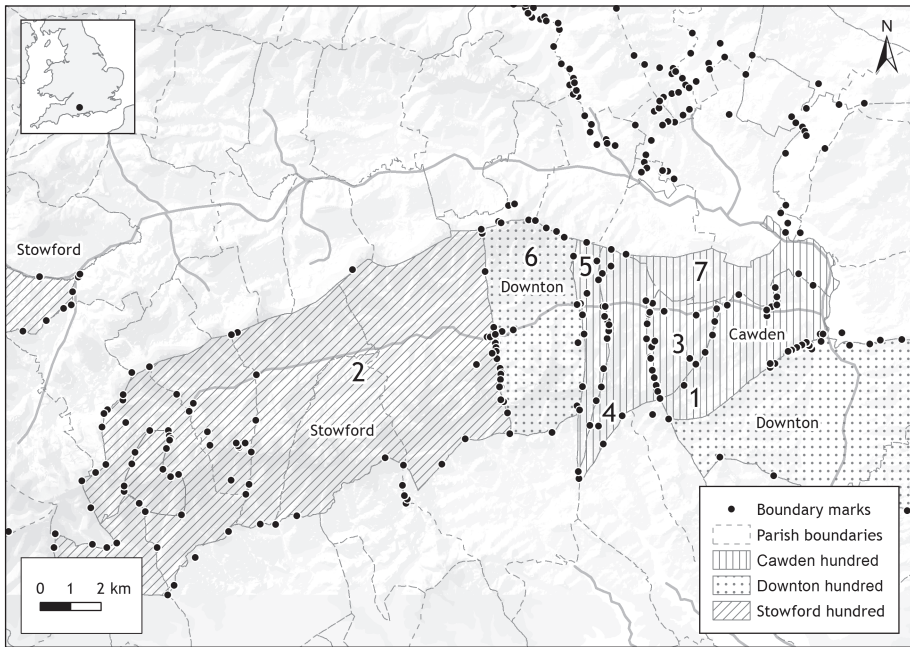


Figure 14.6. The hundredal geography of South Wiltshire. Artwork by Antonio Uriarte (IH-CSIC). Contains OS data © Crown copyright and database right (2018).

mation is crucial to the structure of the tenorial landscape. In turn, the tenorial landscape influences the administrative landscape. The hundredal system of administrative and judicial governance is believed to have its origins in the mid-tenth century at a time when the imposition of duties relating to the hundred court begin to appear in the law-codes of kings.⁷⁴ It is clear that the hundredal geography of south Wiltshire has been influenced by proprietorial arrangements (Figure 14.6). In Chalke and Downton we have examples of what have elsewhere been termed ‘private’ hundreds, if not the result of negotiation between Church and State, then evidence of how the royal ambition for the hundredal project had necessarily to bend to accommodate the interests of powerful landholders.⁷⁵ Cawdon hundred is composed of the remaining *at Eblesburnan*

⁷⁴ Loyn, ‘The Hundred in England’.

⁷⁵ Cam, ‘The “Private” Hundred in England’, presents the case for certain hundreds having their origins in private ownership, and for a particular example, see Brooks, ‘The Micheldever Forgery’, p. 244. See also Grenville Astill, this volume, for how the effectiveness of the administrative system of the state had, necessarily, to be grounded in local networks and the power of local magnates.

estates in the hands of secular individuals, along with an estate at Odstock (*at Stoce*)⁷⁶ — also in secular hands — and Britford, in royal hands in 1066.

What is noticeable about Figure 14.6 is how, in the adoption of this administrative geography, the *locus*-name *Ebbesburnan* has been dropped in favour of the names of two rather obscure meeting places and the estate centre of the larger landholding of the Downton and Ebblesbourne restoration to Old Minster Winchester.⁷⁷ Cawdon takes its name from the likely location of the hundred meeting-place on a stretch of downland between the Ebbles and Britford, whilst Stowford from a crossing of the upper Ebbles.⁷⁸ It may be significant that the location of the latter meeting place is almost exactly equidistant between Wilton and Shaftesbury, both with interspersed holdings in the hundred,⁷⁹ and another indication, along with the creation of Chalke, of a substantial reorganization of the landscape in the tenth-century. This serves as an illustration of the transience of vernacular geography, how local understandings of place and identity can drift from popular consciousness and find themselves obscured by the ‘top-down’ writing of histories. Elsewhere in this volume alternatively structured ‘spaces’ have been offered. In Iceland, in their allegiance to the Norwegian royal dynasty and in their desire to embrace state structures, we are invited to stretch our sense of what it meant to be Icelandic to incorporate a conceptual geography that extends far beyond the coastline and inner seas of the island itself.⁸⁰ In the central-west Iberian Peninsula, mortuary practices fit more comfortably within their own spectral geography and a space defined by social memory, rather than within the documented administrative and tenurial boundaries (in this case, the parish geography of the twelfth century) that contemporary scholarship is often guilty of being over-led by.⁸¹

There can be little doubt, however, that in the processes of change in the Ebbles Valley — the creation of a single one-hundred-hide holding at Chalke, the division of Ebblesbourne into smaller secular holdings, and the grouping of estates into hundreds — allegiances would have shifted, obligations and services would have been redirected, and personal and familial relationships up and down the valley would have jarred. Yet, if the hundredal system (at least in

⁷⁶ S 400 (928).

⁷⁷ S 891 (997).

⁷⁸ Anderson, *The English Hundred-Names*, pp. 144–46.

⁷⁹ *The Anglo-Saxon Charters of Shaftesbury Abbey*, ed. by Kelly, pp. 86–92.

⁸⁰ See Orri Vésteinsson, this volume.

⁸¹ See Iñaki Martín Viso, this volume.



this part of Wessex) was founded on a tenurial geography of estates, it was only by drawing on the Dense Local Knowledge of the *ruricola* and their archives of meaning and memory that the boundaries of those estates earned their coherency, integrity, and validity. The stability of the system, the efficacy of the Anglo-Saxon state that William of Normandy was so keen to lay his hands on in 1066, was as dependent on this rootedness in local foundations as it was on the political and judicial prowess of late Anglo-Saxon kings.

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