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WHO INTRODUCED CHARTERS INTO ENGLAND? THE CASE FOR AUGUSTINE¹

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IN an article published four years ago I suggested that a case could be made for crediting Augustine rather than Archbishop Theodore with the introduction of charters into England.² Some of the arguments put forward in support of this suggestion implied the tacit acceptance of the opinion shared by most Anglo-Saxon scholars from Bede to modern times that King Æthelberht I of Kent was converted to Christianity. Doubt has since been cast on the truth of that proposition,³ thus—if well-founded—weakening our claim on Augustine's behalf. Since a pagan king was unlikely to make generous grants of land to the Christian Church, it is evident that, if we reject Bede's statement that Æthelberht became a Christian, we can hardly accept without hesitation his story of the king's benefactions to Augustine and his colleagues. To say that a charter presupposes a grant is to state the obvious.

That the birth and evolution of charters in Anglo-Saxon England was intimately bound up with the introduction and progress of literacy is another obvious point. Even if we succeed in proving that Æthelberht adopted the Christian faith, this will not entitle us to suppose that his grants of land to the Church were necessarily set down in writing; they could have been made by word of mouth only. It would therefore help Augustine's case if we could be reasonably certain that the king was interested in literacy, and that he understood and valued the advantages of the written word over oral declarations. It is true that Augustine might have kept a record of the king's grants as a matter of course, simply because in his Italian homeland grants of land were normally written down, but it cannot be denied that much of the incentive for doing so would have been lacking if he had known that the king had no use for writings. In the article already cited I suggested that Augustine, presumably at the king's bidding, might have been somehow connected with the writing and drafting of Æthelberht's legal code. This was at any rate how I interpreted the Code's first article, which gives a list of penalties for stealing the movable goods of ecclesiastics. The introduction of charters, which protected the landed property of the Church, was in my view a natural complement to the provisions of the Code's first article. Recently, however, it has been argued that the Code may have been written before Augustine's arrival and that its first article is an interpolation.⁴

In view of these controversies it has seemed desirable to examine afresh and in more detail the question of the introduction of charters into England. In the following pages an attempt will be made to assess the results of Augustine's work in the fields of religion and literacy. Were those results conducive to the introduction of charters or at least compatible with it? If this question can be confidently answered in the affirmative, another point of decisive importance will still have to be resolved: does the form of the earliest Anglo-Saxon charters extant, those of the period immediately following Theodore's arrival in England, betray an early or a recent importation from Italy? If the pattern of these charters cannot be satisfactorily explained by reference to the conditions prevailing in Theodore's time, the case for Augustine will have been virtually won.

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When Augustine and his companions left Rome for Britain in the late spring of 596, they probably knew very little about the people they were on their way to evangelize. That grave dangers

¹ Professor T. J. Brown, Professor A. Campbell and Mr. J. M. Wallace-Hadrill were kind enough to make valuable suggestions on some of the points discussed in this paper. I am deeply grateful to them, while not wishing to commit them to any of the views expressed here.

² *Journal of the Society of Archivists*, III, 2 (Oct. 1965), pp. 49-52.

³ H. G. Richardson and G. O. Sayles, *Law and Legislation from Æthelberht to Magna Carta* (Edinburgh Univ. Press, 1966), pp. 162-4. Doubts had already been expressed by Suso Brechter, *Die Quellen zur Angelsachsenmission Gregors des Grossen* (Münster in Westf., 1941), pp. 241 ff.

⁴ Richardson and Sayles, *op. cit.*, pp. 7-12.

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might well lie ahead of them must have crossed their minds more than once as they advanced on their westward journey. When they reached south-eastern Gaul, they suddenly took fright—perhaps they had just heard some sinister tales about their intended flock—and they found themselves unable to proceed. 'Paralysed with fear' at the prospect of meeting a barbarous, cruel and heathen people 'whose language they did not even know', they all agreed that it would be safer to return home. Augustine retraced his steps to Rome to beg Pope Gregory I to release them from their hazardous mission. Gregory, although not unsympathetic, remained adamant: they were not to be deterred from their purpose by the hardships of the journey or by the wagging of evil tongues; the greater their toil, the richer would be their eternal rewards.⁵ The pope acknowledged, rather belatedly, that language problems were bound to arise, and to allay Augustine's fears in this respect, he arranged for a group of Frankish priests to join the missionaries as interpreters.⁶ Thus reassured, the party resumed its journey and eventually reached the island of Thanet in Kent early in 597.

Gregory and Augustine could have been misinformed about the state of learning and religion in Britain. In Wales and elsewhere in the neighbourhood of surviving British churches there may have been isolated pockets of christianity and semi-literacy. But there is no reason to doubt that the people of Kent as a whole were, at the time, as ignorant of the Latin tongue—apparently the only language known to Augustine⁷—as they were of the Christian religion. Their king, Æthelberht I, was at least aware of the existence of both, having some thirty-five years earlier married a Christian wife, Bertha, daughter of the Frankish king Charibert.⁸ With her husband's permission and under the spiritual guidance of Bishop Liudhard, her Frankish chaplain, Bertha had after her marriage continued to practise her religion, using for her devotions the ancient church of St. Martin in Canterbury.⁹ Not only was Bertha Christian, but Gregory I says of her that she was also *litteris docta*,¹⁰ meaning presumably that, like Liudhard, she could read and write, and that she had a tolerable knowledge of Latin. Through the queen, her chaplain and their Frankish retinue, Æthelberht and his court came into direct and daily contact with Merovingian civilization, in some ways a more developed one than their own. In some respects they were influenced by it, notably in the matter of coinage. This at any rate appears to be true of the gold coins struck, apparently in Kent, by the moneyer Abbo.¹¹ It does not seem, however, that the influence of Bertha and Liudhard on the Kentish royal court had, before Augustine's arrival, extended to the fields of religion and Latin learning. By 597 Æthelberht and his court were still pagan and in all probability illiterate. The only language they knew was their native tongue, and there is no satisfactory evidence that they could either read or write.¹² Nor

⁵ Bede, *Hist. Eccl.* I. xxiii (ed. Plummer, i, pp. 42–3).

⁶ *Ibid.* I. xxv (ed. Plummer, i, p. 45): 'Acceperunt autem, praecipiente beato papa Gregorio, de gente Francorum interpretes'; *Reg. Greg. I*, VI. 49 (*M.G.H., Epist.* i, p. 424): 'Quibus etiam iniunximus, ut aliquos secum e vicino debeant presbyteros ducere, cum quibus coram possint mentes agnoscere et voluntates ammonitione sua, quantum Deus donaverit, adiuuare'. It is generally believed that the vernacular spoken by the Frankish priests would have been understood in England (Bede, *op. cit.*, ed. Plummer, ii, p. 41). On the other hand, at the synod of Whitby (A.D. 664), Bishop Agilbert, a Frank by birth who had studied in Ireland for some time, declined to explain to King Oswiu of Northumbria the Roman usage concerning Easter and suggested that Willfrid should do so in his place, adding: 'et ille melius ac manifestius ipsa lingua Anglorum, quam ego per interpretem, potest explanare, quae sentimus' (Bede, *op. cit.* III. xxv; ed. Plummer, i, p. 184). We gather from Bede that King Cenwalh of Wessex *qui Saxonum tantum linguam nouerat* regarded Agilbert's speech as barbarous and procured the appointment of another bishop in Wessex, Wine, who spoke his own language (Bede, *op. cit.* III. vii; ed. Plummer, i, p. 140). See Brechter, *op. cit.*, pp. 225–6 and notes.

⁷ Like Gregory I he probably knew no Greek (*Reg. Greg. I*, XI. 55; *M.G.H., Epist.* ii, p. 330).

⁸ C. H. V. Sutherland, *Anglo-Saxon Gold Coinage in the light of the Crondall Hoard* (Oxford Univ. Press, 1948), p. 29, n. 1; Richardson and Sayles, *op. cit.*, pp. 164–5 and notes. The only solid argument for placing Æthelberht's marriage before his accession is based on the literal interpretation of the words used by Gregory of Tours to describe Bertha's husband, 'in Canthia regis cuiusdam filius' (*Hist. Francorum*, IX. 26; *M.G.H., Scriptores Rerum Meroving.* i, p. 382). Gregory's other reference to the marriage is unhelpful ('Porro Charibertus rex Ingobergam accepit uxorem, de qua filiam habuit, quae postea in Ganthia virum accipiens est deducta', *Hist. Francorum*, IV. 26; *M.G.H., op. cit.*, p. 160).

⁹ Bede, *Hist. Eccl.* I. xxv and xxvi (ed. Plummer, i, pp. 45, 47).

¹⁰ *Reg. Greg. I*, XI. 35 (*M.G.H., Epist.* ii, p. 304).

¹¹ Sutherland, *op. cit.*, pp. 31–2, 74–5.

¹² The arguments to the contrary put forward by Richardson and Sayles, *op. cit.*, pp. 158–62, are unconvincing. There can be little doubt that the Latin and runic alphabets were known to Bertha, Liudhard and their Frankish entourage, but the only inscription of English workmanship which can be ascribed to the period before 600, the Liudhard medalet, has some rune-like Latin letters which suggest that the engraver was copying from a model; he obviously knew the runic alphabet, but was not familiar with the Latin one. On the medalet, see P. Grierson, 'The Canterbury (St. Martin's) Hoard of Frankish and Anglo-Saxon Coin-Ornaments', *British Numismatic Journal*, vol. 27 (1955), pp. 39–51, especially pp. 41–2.

is there any indication that Bertha and Liudhard had made any serious attempt to convert the king and his immediate entourage to their Christian and literate way of life. In so far as religion was concerned, the policy on both sides seems to have been one of mutual tolerance.

For her failure to win her husband over to her faith Bertha may have deserved to be rebuked, as indeed she later was by Gregory I,¹³ but in 597 she atoned for this sin of omission by smoothing the path of the Roman missionaries. Without her good offices the landing in Thanet might not have been effected as peacefully as it was. Instead of the hostile reception which Augustine and his forty¹⁴ companions had anticipated, they met with nothing but courtesy. Understandably cautious at first, Æthelberht soon came to realise that he had nothing to fear from the Roman missionaries. He gave them shelter in his capital, Canterbury, and he granted them permission to preach the word of God. Before the end of the year a large number of conversions had already been made. On one single day, Christmas 597, more than ten thousand *Angli* had received baptism. Perhaps this figure, which is given by the pope in a letter sent to Bishop Eulogius of Alexandria in July 598,¹⁵ was an exaggerated estimate, but there is no reason to doubt that Augustine's efforts had, as early as 597, been amply rewarded. To make mass conversions by preaching through second-rate interpreters was no mean achievement, and it is hard to believe that this could have been done without a more tangible support from the king than his almost legendary tolerance. According to Bede, Æthelberht himself had been baptized during Augustine's first year in Kent and it was after this momentous event had taken place that the number of converts had risen to the spectacular level mentioned in the pope's letter of July 598 to Bishop Eulogius.¹⁶ By setting an example to his people, the king had struck a decisive blow for the future of Christianity in Kent.

Bede's story of Æthelberht's conversion and of its consequences makes sense, but, because it is not corroborated by the scanty sources of the early-seventh century, it has been called in question. On the basis of two letters of Gregory I it has been argued that the king could not possibly have been baptized as early as 597 or even by June 601;¹⁷ it has also been suggested that he might have died a pagan.¹⁸ Of the two documents quoted by Bede's critics one is Gregory's letter of July 598 to Bishop Eulogius of Alexandria,¹⁹ the other is his letter of June 601 to Queen Bertha.²⁰ How could the pope, it is asked, in a letter announcing to Eulogius the baptism of more than ten thousand *Angli*, have omitted to mention Æthelberht's own baptism, if this important event had already taken place? The answer may be that Gregory had every reason to suppose that the bishop would be far better pleased to hear of the conversion of a large number of pagans than of the baptism of one obscure king. In the eyes of the pope, Æthelberht's conversion was obviously a desirable end in itself, but it was above all the surest means of securing the evangelization of the whole Kentish nation. Gregory makes this point abundantly clear in his letter to Bertha:²¹

. . . Deum benediximus, qui conversionem gentis Anglorum mercedi vestrae dignatus est propitius reservare. Nam sicut per recordandae memoriae Helenam matrem piissimi Constantini imperatoris ad christianam fidem corda Romanorum accenderat, ita et per gloriae vestrae studium in Anglorum gentem eius misericordiam confidimus operari. Et quidem iam dudum gloriosi filii nostri coniugis vestri animos prudentiae vestrae bono, sicut revera christianae, debuistis inflectere, ut pro regni et animae suae salute fidem quam colitis sequeretur, quatenus de eo et per eum de totius gentis conversione digna vobis in caelestibus gaudiis retributio nasceretur. Nam postquam, sicut diximus, et recta fide gloria vestra munita et litteris docta est, hoc vobis nec tardum nec debuit esse difficile; et quoniam Deo volente aptum nunc tempus est, agite, ut divina gratia cooperante cum augmento possitis quod neglectum est reparare . . .

This passage does not prove, as it has been asserted, that Æthelberht had not been baptized by June 601. Nor does it prove conclusively that he had been baptized by then, but it suggests that, when Gregory wrote to Bertha, he had been informed that Æthelberht already believed in the true

¹³ *Reg. Greg. I*, XI. 35 (*M.G.H., Epist.* ii, p. 304): June 601.

¹⁴ Bede, *Hist. Eccl.* I. xxv (ed. Plummer, i, p. 45): 'Augustinus, et socii eius, uiri, ut ferunt, ferme XL'.

¹⁵ *Reg. Greg. I*, VIII. 29 (*M.G.H., Epist.* ii, pp. 30-1).

¹⁶ Bede, *Hist. Eccl.* I. xxvi (ed. Plummer, i, p. 47).

¹⁷ Brechter, *op. cit.*, pp. 241 ff.

¹⁸ Richardson and Sayles, *op. cit.*, pp. 162-4.

¹⁹ *Reg. Greg. I*, VIII. 29 (*M.G.H., Epist.* ii, pp. 30-1).

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God and behaved like a Christian. What the pope deplored was that Bertha had not acted sooner in converting her husband; by her procrastination the queen had delayed the conversion of the Kentish people. Now, obviously because the king had become a Christian, the time was ripe for Bertha to act and 'repair what had been neglected'. She must strengthen her husband's mind in his love of the Christian faith (*in dilectione christianae fidei . . . roborate*), increase his love of God (*augmentum in Deum amoris infundat*) and urge him to work for the fullest conversion of his subjects. This is the sort of exhortation which the pope might be expected to make to the wife of a newly-converted king, but not to the wife of a pagan.

Our conviction that by June 601 at the latest King Æthelberht had embraced the Christian faith becomes even stronger as we read the letter which Gregory I wrote to him on the 22nd day of that month. There the pope presses the king to speed up the spread of the Christian faith among all his peoples (*christianam fidem in populis tibi subditis extendere festina*) and to instil into the kings and peoples subject to his rule the knowledge of one God the Father, the Son and the Holy Ghost (*vestra gloria cognitionem unius Dei patris et filii et spiritus sancti regibus ac populis sibimet subiectis festinet infundere*).²² In his letter to Bertha the pope had referred to her husband as *gloriosi filii nostri*; in his letter to Æthelberht he addresses the king as *praecllentissimo filio* and *glorioso fili*, a choice of words which would have been hardly appropriate in a letter to a confirmed pagan. Although Gregory I and other seventh-century popes sometimes applied the term *filius*, possibly for political considerations, to princes of such doubtful catholicity as the Arian kings of the Lombards Agilulfo and Rotari,²³ they do not appear to have used it for pagan kings. One could quote as evidence the letter written by Boniface V to King Edwin of Northumbria, who was still a pagan at the time: here the king is addressed simply as *viro glorioso Aduino regi Anglorum*,²⁴ whereas in a letter of approximately even date Boniface writes to Edwin's Christian wife, Æthelberg, daughter of King Æthelberht of Kent, as *dominae gloriosae filiae Aedilbergae reginae*.²⁵ After Edwin's conversion, the tone of the papal letters changed: he, too, now deserved to be addressed as *domino excellentissimo atque praecllentissimo filio Aduino regi Anglorum* and *excellētissime fili*.²⁶

It would be pointless to repeat here other arguments of varying force which have been put forward in defence of Bede's account of Æthelberht's conversion.²⁷ What matters is that it has been established beyond reasonable doubt that Æthelberht became a Christian some time before June 601 and possibly as early as 597. From that time onwards the future of Christianity in Kent was assured, at least for Æthelberht's lifetime, and the way was open for the gradual infiltration of Roman literacy.

It may be broadly true to say that, through Augustine, Rome and her culture had returned to Britain in 597,²⁸ but the Rome of Pope Gregory was not the Rome of Caesar or even of Constantine the Great. In Gregory's vision of a world free from pagan idols there was as little room for the culture and literature of Ancient Rome as there was for the statues of her gods. He was an admirer of St. Benedict, who had given up the study of the liberal arts to devote himself solely to the service of God:²⁹

²² Bede, *Hist. Eccl.* I. xxxii (ed. Plummer, i, pp. 67-70).

²³ *Reg. Greg. I*, XIV. 12 (*M.G.H., Epist.* ii, p. 432): letter to Queen Teodelinda (Dec. 603), following a peace settlement with Agilulfo: 'petimus, ut excellentissimo filio nostro regi coniugi vestro pro nobis de facta pace gratias referatis'; in the same letter (p. 431) Gregory also calls Adoloaldo, son of Agilulfo and Teodelinda, 'excellētissimum filium nostrum Aduloualdum', but Adoloaldo had been baptized in the catholic faith ('catholicae cum fidei cognovimus sociatum'); compare *Reg. Greg. I*, IX. 66-7 (*M.G.H., Epist.* ii, pp. 85-8); *Codice diplomatico del monastero di S. Colombano di Bobbio*, ed. C. Cipolla, i (Rome, 1918), no. xiii (4 May 643; a dubious privilege of Pope Theodore for Bobbio, alleged to have been granted at the request of Rotari and his catholic wife Gundeperga), p. 108: 'Dum igitur excellentissimus filius noster Rotharit rex et gloriosissima filia nostra Gundibergera regina gentis Langobardorum . . .', cited in O. Bertolini, 'I papi e le missioni fino alla metà del secolo VIII', *La conversione al cristianesimo nell' Europa dell' alto medioevo (Settimane di studio del Centro italiano di studi sull' alto medioevo)*, xiv (Spoleto, 1967), p. 353, n. 71. For the alleged return of Agilulfo to the catholic faith, see Bertolini, *art. cit.* p. 345, note.

²⁴ Bede, *Hist. Eccl.* II. x (ed. Plummer, i, p. 100).

²⁵ *Ibid.* II. xi (ed. Plummer, i, p. 104).

²⁶ *Ibid.* II. xvii (ed. Plummer, i, pp. 118-19).

²⁷ R. A. Markus, 'The Chronology of the Gregorian Mission to England', *Journal of Eccl. Hist.*, xiv (1963), pp. 16-30.

²⁸ E. A. Lowe, *English Uncial* (Oxford, 1960), p. 6.

²⁹ *Gregorii Magni Dialogi*, ed. U. Moricca (*Fonti per la Storia d'Italia*, Rome, 1924), pp. 71-2. See P. F. Jones, 'The Gregorian Mission and English Education', *Speculum*, iii (1928), p. 337. On education in the Merovingian period, see P. Riché, *Education et culture dans l'Occident barbare, VIe-VIIIe siècles (Patristica Sorbonensia, vol. 4, Paris, 1962)*. For Gregory's attitude, see *ibid.* pp. 194-200.

... Romae liberalibus litterarum studiis traditus fuerat, sed dum in eis multos ire per abrupta vitiorum cernerit, eum, quem quasi in ingressum mundi posuerat, retraxit pedem, ne si quid de scientia eius adtingerit, ipse quoque postmodum in inmane praecipitium totus iret. Dispectis itaque litterarum studiis, relicta domo rebusque patris, soli Deo placere desiderans, sanctae conversionis habitum quaesivit. Recessit igitur scienter nescius et sapienter indoctus.

Because one could not praise God and Jupiter in the same breath, Gregory held that to study the liberal arts, *at least for their own sake*, was frivolous and blasphemous, and that it was shameful for a bishop to indulge in singing or to teach grammar.³⁰ He had nothing but contempt for the grammatical rules regarding metacism or barbarism or the correct use of moods and cases, because it was intolerable that the words of the heavenly oracle should be confined within the rules of grammarians like Donatus.³¹ There can be no doubt that Gregory would have made sure that his views on education were strictly put into practice in the abbey of Sant' Andrea al Clivo di Scauro, the monastery which he himself had founded on one of his own estates on the Coelian Mount.³² There the Scriptures would be intensively read as well as the writings of the Fathers, but little else. It was from among the abbey's inmates, whose minds had not been polluted by any trace of pagan learning, that Gregory had chosen some of his missionaries to Britain. Who was better fitted to lead them than Augustine, the prior (*praepositus*) of Sant' Andrea, a man described by Gregory as full of the knowledge of the Holy Scriptures?³³ Unlike Christ's apostles, who had been sent into the world to preach *sine litteris*,³⁴ Augustine was literate—otherwise, in Gregory's time, he would not have been admitted to holy orders³⁵—but his literacy could not be compared with that of Theodore, the last 'Roman' archbishop of Canterbury, who was versed in the profane as well as in the divine literature and who knew both Greek and Latin.³⁶

Augustine does not seem to have been the kind of man who would have brought to England with him books of a secular nature.³⁷ Nor was Gregory likely to have included any other books than

³⁰ *Reg. Greg. I*, XI. 34 (*M.G.H., Epist.* ii, p. 303): Gregory I to Desiderius, bishop of Vienne: '... Sed post hoc pervenit ad nos, quod sine verecundia memorare non possumus, fraternitatem tuam grammaticam quibusdam exponere. Quam rem ita moleste suscepimus... quia in uno se ore cum Iovis laudibus Christi laudes non capiunt. Et quam grave nefandumque sit episcopo canere, quod nec laico religioso conveniat, ipse considera... Unde si post hoc evidenter haec quae ad nos perlata sunt falsa esse claruerint neque vos nugis et saecularibus litteris studere constiterit, et Deo nostro gratias agimus, qui cor vestrum maculari blasfemis nefandorum laudibus non permisit...'. In condemning the study of profane literature Gregory was following the example of Bishop Caesarius of Arles (F. Lot, C. Pfister and F. L. Ganshof, *Les destinées de l'Empire en Occident de 395 à 888*, i (Glötz, *Hist. du Moyen Age*, Paris, 1949), pp. 332, 374–5 and notes). See also Jones, *art. cit.* pp. 338–9. Regarding the attitude of the Church towards pagan culture in the fourth and fifth centuries, see J. Gaudemet, *L'Eglise dans l'Empire Romain (Hist. du Droit et des Institutions de l'Eglise en Occident*, ed. G. Le Bras, iii, Paris, 1953), pp. 582–91.

³¹ *Reg. Greg. I*, V. 53a (*M.G.H., Epist.* i, p. 357): '... Nam sicut huius quoque epistolae tenor enuntiat, non metacismi collisionem fugio, non barbarismi confusionem devito, situs mosque et praepositionum casus servare contemno, quia indignum vehementer existimo, ut verba caelestis oraculi restringam sub regulis Donati...'. See Jones, *art. cit.*, p. 338. Cf. *Felix's Life of Saint Guthlac*, ed. B. Colgrave (Cambridge Univ. Press, 1956), p. 60. Another text of Gregory concedes that the teaching of the liberal arts may have some value: 'ad hoc quidem tantum liberales artes discendae sunt, ut per instructionem illarum divina eloquia subtilius intellegantur' (*M.G.H., Epist.* i, p. 357, n. 5). Gregory of Tours, unlike Pope Gregory, apologized for his insufficient knowledge of grammar: 'Sed prius veniam legentibus praecor, si aut in litteris aut in sillabis grammaticam artem excessero, de qua adplene non sum inbutus' (*Hist. Francorum*, Pref. to Book I, *M.G.H., Scriptores Rerum Meroving.* i, p. 33).

³² *Patrologia Latina*, ed. Migne, lxxv (Life of Gregory by John the Deacon), col. 65.

³³ *Reg. Greg. I*, IX. 222 (*M.G.H., Epist.* ii, p. 213): '... per Augustinum, quondam monasterii mei praepositum...'; Bede, *Hist. Eccl.* I. xxxii (ed. Plummer, i, p. 68): '... Augustinus episcopus in monasterii regula edoctus, sacrae scripturae scientia repletus...'; *Patrol. Latina*, ed. Migne, lxxv, col. 99: '... Augustinum cum aliis domus suae monasterii monachis in Britanniam euangelizandi gratia destinavit'. A stone inscription on the façade of the church of Sant' Andrea listed among the former members of the abbey the first five archbishops of Canterbury (Augustine, Laurentius, Mellitus, Justus and Honorius), Bishop Paulinus of York (and later, of Rochester), and Abbot Peter of St. Peter and St. Paul, Canterbury (Count de Montalembert, *The Monks of the West*, ed. F. A. Gasquet, iii (London, 1896), p. 183, n. 3).

³⁴ *Reg. Greg. I*, XI. 36 (*M.G.H., Epist.* ii, pp. 305–6): Gregory I to Augustine: 'Qui [sc. Deus] ut mundum ostenderet non sapientia hominum, sed sua se virtute convertere, praedicatorum suos, quos in mundum misit, sine litteris elegit, haec etiam modo faciens, quia in Anglorum gentem fortia dignatus est per infirmos operari'.

³⁵ *Ibid.* II. 37 (*M.G.H., Epist.* i, p. 133): 'Praecipimus autem, ne unquam illicitas ordinationes facias, ne bigamum... aut ignorantem litteras... ad sacros ordines permittas accedere'.

³⁶ Bede, *Hist. Eccl.* IV. i (ed. Plummer, i, p. 202): 'Theodorus... uir et saeculari et diuina litteratura, et Graece instructus et Latine'.

³⁷ The same conclusion was reached by P. F. Jones in *Speculum*, iii (1928), pp. 335–48.

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³⁹ *Codices 1* 1957), no. 55-

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religious ones among the many manuscripts which in June 601 he entrusted to Mellitus and the other members of the second Roman mission for delivery to Augustine: like the sacred vessels, altar coverings, church ornaments, sacerdotal vestments and relics which were despatched from Rome at the same time, the manuscripts formed part of what was regarded as essential to the administration of the cult and to the running of the Church;³⁸ they clearly were gospel-books, psalters, missals and similar books. These volumes have now perished, one possible exception being the famous sixth-century gospel-book, now MS. 286 in the Library of Corpus Christi College, Cambridge;³⁹ in the tenth century the manuscript belonged to the abbey of St. Augustine, Canterbury, and it may have been there already in the seventh century, at a time when the abbey was dedicated to St. Peter and St. Paul. Although these books were meant primarily to serve a religious function, they could also be used, and were probably used, for teaching some of the new converts to read and write. Like Corpus Christi College MS. 286, most of them were probably written in uncials,⁴⁰ some perhaps in half-uncials, two scripts particularly easy to read. Most of them, again like the extant gospel-book of St. Augustine, may have been copiously illustrated, which would have made the reading and understanding of the sacred texts easier for beginners.⁴¹ In the same way as the paintings on the walls of churches were designed to provide those who could not read with an elementary religious instruction,⁴² explanatory miniatures in early Christian manuscripts are likely to have served an educational end.

Until 601 Augustine and his colleagues had been so occupied with their preaching and pastoral duties that, even if we suppose that they already had books at their disposal, they would have had little time to use them for teaching purposes. The harvest was so abundant and the workers so few that human reinforcements were required just as urgently as books. As soon as the second Roman mission, headed by Mellitus, Justus and Paulinus, had arrived in Kent, in the last quarter of 601, both these needs had been temporarily satisfied.⁴³ It would be wrong to assume, however, that the Roman missionaries had either the qualifications or the inclination to embark on a grandiose scheme for the education of the masses. They had come to England to spread the word of God, not to teach letters. If they decided to add teaching to their other numerous and onerous tasks, it was out of necessity rather than by choice. Their aim was to educate a small group of potential missionaries, not to transform the rugged English laity into a polished, lettered society, a goal which in any case was beyond the resources at their disposal. Without a steady growth in the number of churches and monasteries not only would the English Christian community cease to expand, but it might even relapse into its former pagan practices. More and more priests and monks would be needed, more and more bishops and abbots. The Roman missionaries themselves would not live for ever. Who would replace them at the head of the English Church after they had died? They could not rely on a constant and indefinite supply of monks from Rome. Besides, their own experience had taught them that Roman monks, handicapped by their ignorance of local customs and dialects, were not the best persons to look after the English Church. Sooner or later, priests and monks would have to be recruited on the spot from among the native youths, but since literacy was one of the conditions laid down by Gregory I for admission to holy orders,⁴⁴ the local recruits would first have to be taught letters. Hence the need for some kind of school, however primitive, where the abbots and bishops of the future could be educated. That such a school existed and flourished in Kent in the early years of the seventh century may be inferred from a passage of Bede's *Ecclesiastical History* in which King

³⁸ Bede, *Hist. Eccl.* I. xxix (ed. Plummer, i, p. 63): '... generaliter uniuersa, quae ad cultum erant ac ministerium ecclesiae necessaria, uasa uidelicet sacra, et uestimenta altarium, ornamenta quoque ecclesiarum, et sacerdotalia uel clericilia indumenta, sanctorum etiam apostolorum ac martyrum reliquias, nec non et codices plurimos'.

³⁹ *Codices Latini Antiquiores*, ed. E. A. Lowe, ii, no. 126; N. R. Ker, *Catalogue of MSS. containing Anglo-Saxon* (Oxford, 1957), no. 55.

⁴⁰ E. A. Lowe, *English Uncial*, pp. 5 ff.

⁴¹ On the illuminations of Corpus Christi College, Cambridge, MS. 286, see F. Wormald, *The Miniatures in the Gospels of St. Augustine* (Cambridge Univ. Press, 1954).

⁴² *Reg. Greg. I*, IX. 208 (*M.G.H., Epist.* ii, p. 195): 'Idcirco enim pictura in ecclesiis adhibetur, ut hi qui litteras nesciunt saltem in parietibus videndo legant, quae legere in codicibus non valent'; *ibid.* XI. 10 (*M.G.H., Epist.* ii, p. 270): 'Nam quod legentibus scriptura, hoc idiotis praestat pictura cernentibus, quia in ipsa ignorantibus vident, quod sequi debeant, in ipsa legunt qui litteras nesciunt; unde praecipue gentibus pro lectione pictura est'.

⁴³ Bede, *Hist. Eccl.* I. xxix (ed. Plummer, i, p. 63).

⁴⁴ See above, note 35.

Church and to its ministers he had shown his determination to protect those whose teaching he had received.⁵⁶ The laws of Æthelberht have been preserved in only one text, an early-twelfth century copy made at Rochester (*Textus Roffensis*).⁵⁷ How far this copy represents an accurate transcript of the seventh-century original we shall probably never know, but we can at least be reasonably confident that, apart from the modernization of the form of some words,⁵⁸ it is close enough to the text examined by Bede or his informant. Like the text to which Bede refers,⁵⁹ the extant version of the Laws is in Old-English and its first article lists the penalties for stealing movable goods (*feoh*) belonging to the Church:⁶⁰

The property of God and the Church [is to be paid for] with a twelve-fold compensation; a bishop's property with an eleven-fold compensation; a priest's property with a nine-fold compensation; a deacon's property with a six-fold compensation; a cleric's property with a three-fold compensation; the peace of the Church with a two-fold compensation; the peace of a meeting with a two-fold compensation.

There is little doubt that Bede singled out this article for comment because he found it just as remarkable as we do. Out of the ninety articles of the Code it is the only one to make any specific reference to the Christian Church; the others do not show any sign of Christian influence and could have been issued by a pagan king. Even more remarkable is the comparative severity of the penalties laid down for the protection of church property. In its fourth article the Code stipulates a nine-fold composition for property stolen from the king, thus placing the latter on an equal footing with a priest, but below a bishop, who was entitled to an eleven-fold compensation. This we may find surprising, but not so incredible that we should feel impelled to brand the whole of the first article as a later interpolation.⁶¹ On the contrary it could be argued that a king who had only recently been converted from paganism might easily have regarded the theft of church property as a more heinous crime than the theft of his own goods. At a time when Christians were outnumbered by pagans, stringent measures were needed if the safety of the missionaries and their belongings was to be assured.

Augustine and his colleagues could not fail to welcome Æthelberht's efforts to protect them against theft, but they may well have had serious reservations about the steps which had been taken to ensure their protection. Monks accustomed to a life of poverty and trained to despise worldly riches were

⁵⁶ *Ibid.* II. v (ed. Plummer, i, p. 90): 'Qui [sc. rex Aedilberct] inter cetera bona, quae genti suae consulendo conferebat, etiam decreta illi iudiciorum, iuxta exempla Romanorum, cum consilio sapientium constituit; quae conscripta 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'.

⁵⁷ *Textus Roffensis*, ed. P. Sawyer, Part I (*Early English MSS. in Facsimile* vol. VII, Copenhagen, 1957), fos. 1r-3v.

⁵⁸ It is impossible to say whether the scribe of the *Textus Roffensis* took his text of the Code from a seventh-century 'original' or from a later copy. His transcript does not pretend to be a facsimile; he uses the letter-forms of his own time, not those of his exemplar. Was the seventh-century original written in a majuscule or minuscule script, in an English, Merovingian or Roman hand? Was it all written in the Latin alphabet or were the sounds *th* and *w* and the conjunction 'and' represented by the runic 'eth', 'thorn' and 'wynn' and by the tironian *et*, as they are in the *Textus*? Two original Italian charters show that in the mid-sixth century the Ostrogoths of Italy used several runes, including the thorn and wynn, in their vernacular subscriptions (Marini, *Papiri diplomatici*, nos. 118-19; plates XV, XVII). The thorn and wynn were two of the runes which, according to Gregory of Tours, Chilperic I introduced into the Merovingian script (*Hist. Franc.* V. 44; *M.G.H., Scriptores Rerum Meroving.*, i, pp. 237-8). On English coins of the seventh century the thorn and other runes are found, sometimes mixed with Roman letters (Sutherland, *op. cit.*, p. 105, s.v. 'Runes'), but in English manuscripts the eth, thorn and wynn and the tironian *et* do not occur until the second half of the eighth century. In the few original Anglo-Saxon charters which have survived for the last quarter of the seventh century the sounds *th* and *w* are represented by the letters *d* (or *th*) and *uu* (or *u*) even in vernacular names (*Facsimiles of Ancient Charters in the British Museum* (hereafter *B.M.F.*), I. 1-2; Ordnance Survey, *Facsimiles of Anglo-Saxon Manuscripts* (hereafter *O.S.F.*), III. i (Birch, *Cartularium Saxonicum* (hereafter *B.C.S.*), nos. 45, 81, 97); the examples of wynn in *B.M.F.* I. 2 and *O.S.F.* III. i are later corrections or additions). As late as the second quarter of the ninth century the sounds *th* and *w* were still represented by *th* and *uu* as often as by the appropriate runes; see, for example, the note written in 839 on the dorse of *B.M.F.* II. 27 (printed in *B.C.S.*, no. 421, p. 591, n. 13). In Anglo-Saxon charters the thorn seems to have been introduced later than the eth and wynn.

⁵⁹ Æthelberht's code may have been one of the Kentish documents copied on Bede's behalf by Abbot Albinus of St. Peter and St. Paul, Canterbury; see Bede's Preface to his *Hist. Eccl.*, ed. Plummer, i, p. 6.

⁶⁰ *English Historical Documents* (hereafter *E.H.D.*), i, p. 357 (transl. D. Whitelock).

⁶¹ For the interpolation theory, see Richardson and Sayers, *Law and Legislation from Æthelberht to Magna Carta*, pp. 3-4. The composition rate for thefts of church property varies from one Barbaric code to another, but Æthelberht's laws seem to be unique in that they make that rate higher than for thefts of royal property. See, for example, *Lex Baiuvariorum* I. 3 (*M.G.H., Legum Sectio* I, V. ii, pp. 270-72), IX. 1-2 (*ibid.* pp. 366-7); *Leges Alamannorum* VI (*M.G.H., Legum Sectio* I, V. i, p. 74), XXXI (*ibid.* pp. 89-90).

bound to feel uneasy at the prospect of making handsome profits out of the sins of misguided pagans. To recover goods which had been stolen was legitimate, but to receive them back three to twelve times over was scarcely consistent with the monastic way of life. How far could Augustine come to terms with the pagan system of compositions? There were two main points at issue: one concerned the penalties to be meted out to the thieves, the other the compensation to be given to the aggrieved party. On those two points Gregory I, consulted by Augustine either before or after the 'publication' of Æthelberht's code, gave his ruling in the summer of 601. He was in no doubt that the culprits ought to be punished—even good fathers occasionally had to beat their own sons—but the punishment had to be inflicted with charity in mind, not in anger, and always within the bounds of reason. Before deciding on the nature and severity of the penalties, the motives for the crime and the circumstances of the criminal had to be considered. Some thieves were driven to stealing by penury, others by greed, and therefore sometimes leniency, sometimes severity ought to prevail. Now a pecuniary fine, now a beating would be an adequate punishment (*quidam damnis, quidam uero uerberibus*). In no circumstances, however, should the Church receive its earthly goods back with interest and seek gain out of such vanities.⁶²

Gregory's verdict was in flagrant contradiction to the first article of Æthelberht's code in letter as well as in spirit, but both could be reconciled in practice. Gregory was not against compositions as such. He simply ruled that the Church should not take advantage of them in order to increase its wealth. He would therefore have condemned a bishop who kept for himself the full amount of an eleven-fold composition, while probably absolving another who only retained it to the value of the stolen goods and distributed the rest to the poor. The Penitential of Archbishop Theodore hints at a compromise of this kind when it stipulates in one article that money stolen from the Church should be restored four-fold and in another that one third of the composition should be given to the poor.⁶³ Perhaps Augustine had used the same device to reconcile the views of the pope with those of Æthelberht. This is not to say that he would not have preferred some other method of dealing with the problem of theft of church property, or that he condoned the pagan customs which underlie other articles of the Code. He was wise enough, however, to realise that his missionary efforts would be doomed to failure if he tried to sweep away at once all pagan institutions and antagonized Æthelberht in the process. As Gregory I remarked to Mellitus in the summer of 601, the uprooting of heathenism could only be achieved in stages: 'anyone who tries to reach a high summit, climbs step by step, not by leaps and bounds'.⁶⁴ In any case the laws of Æthelberht were not unusually barbarous for the period. They were in some respects more humane than the later Kentish laws of Wihtred or the laws of Alfred. In the laws of Wihtred, death was one of the alternative penalties for stealing, if the thief, either a freeman or a slave, was caught in the act; it was for the king to decide whether or not the culprit was to be put to death.⁶⁵ In Æthelberht's code there was no room for choice: the penalty for stealing was in every case a money compensation, whereas in Alfred's laws a theft which had been committed in a church could be punished by mutilation.⁶⁶ Was the substitution by Æthelberht of compositions and fines for such corporal punishments as death and mutilation a direct result of Christian teaching and particularly of the doctrine of 'mercy which Christ taught', as the draftsman of Alfred's laws believed?⁶⁷ Or was it simply, as we may prefer to think, more or less freely adapted from some unidentified continental laws? At any rate the code of Æthelberht was an acceptable compromise between the pagan and the Christian views on crime and punishment. The opinion expressed by Bede over a hundred years later that the Code had been beneficial to the Kentish

⁶² Bede, *Hist. Eccl.* I. xxvii (ed. Plummer, i, pp. 49–50); *M.G.H., Epist.* ii, p. 334.

⁶³ *Councils and Ecclesiastical Documents*, ed. Haddan and Stubbs, iii, pp. 179–80: 'Pecunia ecclesii furata sive rapta reddatur quadruplum; saecularibus dupliciter . . . Et cui furata det tertiam partem pauperibus . . .' Part of the composition may also have been reserved to the fisc, although no such provision is explicitly made either in Æthelberht's code or in Theodore's penitential.

⁶⁴ Bede, *Hist. Eccl.* I. xxx (ed. Plummer, i, p. 65): 'Nam duris mentibus simul omnia abscidere impossibile esse non dubium est, quia et is, qui summum locum ascendere nititur, gradibus uel passibus, non autem saltibus eleuatur'.

⁶⁵ *E.H.D.*, i, p. 364 (art. 26 and 27); *The Laws of the earliest English Kings*, ed. F. L. Attenborough (Cambridge Univ. Press, 1922), pp. 28–30.

⁶⁶ *E.H.D.*, i, p. 375 (art. 6); Attenborough, *op. cit.*, pp. 66–8. Like the laws of Æthelberht, those of Hlothhere and Eadric do not recognize death or mutilation as a punishment for any offence (Attenborough, *op. cit.*, pp. 18–23). See F. Liebermann, *Die Gesetze der Angelsachsen*, ii, pp. 667–71, 'Strafe', and pp. 684–5, 'Todesstrafe'.

⁶⁷ *E.H.D.*, i, p. 373; Pollock and Maitland, *Hist. of English Law* (2nd ed.), i, pp. 48–9.

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people⁶⁸ may also have been that of Augustine and his fellow-missionaries. None of its ninety articles could have been so distasteful to them that they would have felt it their duty to decline to play any part in setting it down in writing. Since they knew no English, they could not easily have written it themselves, although they may have collaborated in its drafting. The actual writing of the Code is more likely to have been left to Augustine's Frankish interpreters.⁶⁹

Apart from Æthelberht's code and one Latin letter sent in 610 by Laurentius, Mellitus and Justus to the Irish bishops and abbots,⁷⁰ no record known to have been written in England, either in English or in Latin, has survived for the reign of Æthelberht or indeed for the whole period extending from Augustine's landing in Thanet to Archbishop Theodore's arrival in Canterbury in 669. A large number of letters and other types of records as well as books may in fact have been written in England during those seventy years, but with the two exceptions already noted they have all suffered the same fate as the *codices plurimi* sent by Gregory I to Augustine in June 601, all but one of which have long since perished.⁷¹ Pope Boniface V refers to a letter he had received from King Eadbald, Æthelberht's son and successor on the Kentish throne.⁷² This letter, written—obviously in Latin—between 618 and 624, was presumably the work of one of the Roman missionaries or of one of their Kentish pupils. From a letter of Pope Vitalian we also gather that King Oswiu of Northumbria had written to him in 667.⁷³ Since Oswiu appears to have been unable to understand Latin,⁷⁴ his letter, like that of Eadbald, is unlikely to have been holograph. We also have a few mentions of letters written by the Roman missionaries, for example one sent by Laurentius, Mellitus and Justus to the British priests,⁷⁵ and another sent by Justus to Boniface V.⁷⁶ These casual references suggest that, once in England, the Roman missionaries corresponded by letter with the pope and with others, and that long before Theodore's arrival the kings of Kent and Northumbria had grown accustomed to sending messages in writing.

* * *

For anybody who could use a pen for writing letters or laws the writing of charters was not likely to present any particular problem, but their drafting required a specialized kind of competence and literacy which greatly exceeded the mere fluency in writing and even the skill involved in composing ordinary correspondence. The charters written in England in Theodore's time show that their draftsmen were familiar with a large number of traditional Italian formulae,⁷⁷ to which they presumably attached some legal significance even though they may not have been fully—if at all—acquainted with the legal texts on which the formulae were based. Since the Italian prototype of these formulae does not appear to have originated later than Augustine's time or to have become obsolete before Theodore's arrival in Canterbury, they could in theory have been brought to England at any time between 597 and 669 by anyone who had an intimate knowledge of Italian charters. A number of bishops and abbots of English descent, among them Wilfrid and Benedict Biscop, visited Italy, but they probably did not stay there long enough to have acquired that essential knowledge. Nor can we possibly regard as likely importers of Italian charters men like Felix, Agilbert and Leuthere, who, although they held English sees, were of Frankish origin and whose connexions were

⁶⁸ Bede, *Hist. Eccl.* II. v (ed. Plummer, i, p. 90).

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⁷² Bede, *Hist. Eccl.* II. viii (ed. Plummer, i, p. 96): 'Susceptis namque apicibus filii nostri Adulualdi regis, repperimus . . .'

⁷³ *Ibid.* III. xxix (ed. Plummer, i, p. 196): 'Desiderabiles litteras excellentiae uestrae suscepimus . . .'

⁷⁴ It was presumably for Oswiu's benefit that the proceedings of the synod of Whitby were conducted in the vernacular: *ibid.* III. xxv (ed. Plummer, i, p. 184).

⁷⁵ *Ibid.* II. iv (ed. Plummer, i, p. 88): 'Misit idem Laurentius cum coepiscopis suis etiam Brettonum sacerdotibus litteras suo gradui condignas . . .'

⁷⁶ *Ibid.* II. viii (ed. Plummer, i, p. 95): ' . . . non solum epistulae a uobis directae tenor . . .'

⁷⁷ *Journal of the Society of Archivists*, III, 7 (April 1968), pp. 317–31.

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⁷² Bede, *Hist. Eccl.* II. viii (ed. Plummer, i, p. 96): 'Susceptis namque apicibus filii nostri Adulualdi regis, repperimus . . .'

⁷³ *Ibid.* III. xxix (ed. Plummer, i, p. 196): 'Desiderabiles litteras excellentiae uestrae suscepimus . . .'

⁷⁴ It was presumably for Oswiu's benefit that the proceedings of the synod of Whitby were conducted in the vernacular: *ibid.* III. xxv (ed. Plummer, i, p. 184).

⁷⁵ *Ibid.* II. iv (ed. Plummer, i, p. 88): 'Misit idem Laurentius cum coepiscopis suis etiam Brettonum sacerdotibus litteras suo gradui condignas . . .'

⁷⁶ *Ibid.* II. viii (ed. Plummer, i, p. 95): ' . . . non solum epistulae a uobis directae tenor . . .'

⁷⁷ *Journal of the Society of Archivists*, III, 7 (April 1968), pp. 317–31.

either purely Frankish or, in the case of Agilbert, partly Frankish and partly Irish.⁷⁸ Our choice therefore lies between two groups of men, Augustine and the other Roman missionaries of the early-seventh century, on the one hand, Theodore and his companion Hadrian, on the other.

If we relied exclusively on Bede's picture of Theodore and Augustine, the former being represented as a learned scholar, an energetic administrator and reformer, and the latter as a simple missionary and preacher, albeit a worthy and successful one, Theodore would be our obvious choice. We should remember, however, that Bede's informant on Canterbury matters was Albinus, Theodore's disciple and Hadrian's successor as abbot of St. Peter and St. Paul, Canterbury, a man whose knowledge of Theodore was unrivalled but who perhaps was not so reliable and well-informed on the subject of Augustine.⁷⁹ We might also ask ourselves whether the Greek-trained Theodore was the most likely person to import Italian charters into England. Theodore's companion, the African-born Hadrian, who had been abbot of an Italian monastery, might be a more plausible choice.⁸⁰ But the real point at issue is not so much a question of personalities as one of periods. What we should like to find out is not whether the charter-system was introduced into England by Theodore rather than Hadrian, or Augustine rather than Abbot Peter of St. Peter and St. Paul, but whether this introduction took place in the first or in the third quarter of the seventh century.

The strongest argument in favour of the later period is, today as always, the undeniable fact that trustworthy charters have survived from the time of Theodore and from that time only. The two earliest Anglo-Saxon charters, extant in the original, date from the pontificate of Theodore (669-690): one is the famous charter of King Hlothhere of Kent for Abbot Brihtwold of Reculver (May 679), the other the charter of Æthelræd for Abbess Æthelburh of Barking in Essex (March 687?).⁸¹ The next document to have survived on a single sheet, also probably an original, the charter of King Wihtred of Kent for the abbey of Lyminge (July 697), was issued within seven years of Theodore's death.⁸² To these originals should be added a fair number of apparently reliable copies of charters granted to a wide variety of ecclesiastical beneficiaries not only by the kings of Kent, but also by the kings or sub-kings of Mercia, Surrey and Wessex.⁸³ That within two or three decades, under the influence of the ubiquitous Theodore, the habit of writing charters might have spread not only throughout Kent, but also from Kent to the neighbouring kingdoms need not surprise us unduly. But those years can hardly be said to have been propitious for the rapid dissemination of Italian formulae. By then the English Church was no longer run by monks sent from Rome, as it had been earlier in the century. Foreigners like Archbishop Theodore and Abbot Hadrian were now the exception; apart from them and from Leuthere, the Frankish bishop who held the see of Wessex from 670 to 676, all the leading churchmen in England in the 670s appear to have been of native stock. Therefore it was only through the agency of English bishops and abbots that in those years Italian formulae could have gained ground outside Canterbury. The most that could be expected of English draftsmen uninitiated in the art of composing charters was to copy as diligently as they could the models which had been provided for them, presumably from Canterbury. This should have resulted in diplomatic uniformity throughout the lands where the practice of writing charters was received. Only after some considerable time and experience were the local draftsmen likely to feel confident enough to depart from their models. In fact the charters of Theodore's time are anything but uniform. The only features which they have in common are first the presence in their text of one or more Italian formulae, which testifies to their descent from a common Italian ancestor, secondly

⁷⁸ Bede, *Hist. Eccl.* III. vii (ed. Plummer, i, p. 140): '... Agilberctus, natione quidem Gallus, sed tunc legendarum gratia scripturarum in Hibernia non paruo tempore demoratus'.

⁷⁹ *Ibid.*, Preface (ed. Plummer, i, p. 6): 'Albinus abba . . . qui in ecclesia Cantuariorum a beatae memoriae Theodoro archiepiscopo et Hadriano abbate . . . institutus, diligenter omnia, quae in ipsa Cantuariorum prouincia, uel etiam in contiguis eidem regionibus a discipulis beati papae Gregorii gesta fuere, uel monumentis litterarum, uel seniorum traditione cognouerat; et ea mihi . . . transmisit'.

⁸⁰ *Ibid.* IV. i (ed. Plummer, i, p. 202): 'Erat autem in monasterio Niridano [Moore and Leningrad MSS. Hiridano], quod est non longe a Neapoli Campaniae, abbas Hadrianus, uir natione Afir, sacris litteris diligenter inbutus, monasterialibus simul et ecclesiasticis disciplinis institutus, Graecae pariter et Latinae linguae peritissimus'.

⁸¹ *B.M.F.* I. 1-2; *Chartae Latinae Antiquiores*, ed. A. Bruckner and R. Marichal (hereafter *Ch.L.A.*), nos. 182, 187; *B.C.S.*, nos. 45, 81. See *Journal of the Society of Archivists*, III, 7 (April 1968), pp. 317-32.

⁸² *O.S.F.* III. 1; *Ch.L.A.*, no. 220; *B.C.S.*, no. 97.

⁸³ E.g. *B.C.S.*, nos. 34, 35, 36, 40, 41, 57, 67, 73, ?107, etc.

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- ⁹³ *B.C.S.*,
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the absence (except in one document whose authenticity is not absolutely certain⁸⁴) of any mention of the scribe's name, and this differentiates them from the Italian as well as from the Frankish charters. Examined in detail, the Anglo-Saxon charters of the period show appreciable differences, even within a group issued for the same beneficiary. Some have a proem, whereas others have none.⁸⁵ Some use the dating formula *Actum in mense . . . , indictione . . .* placed at the end of the text and before the subscriptions,⁸⁶ while in others the date occurs immediately or soon after the *intitulatio*, in the form *anno regni nostri . . . , indictione . . . , sub die . . .*⁸⁷ Sometimes the dispositive verb is in the present (*concedo*,⁸⁸ *concedimus et confirmamus*,⁸⁹ *conferimus*,⁹⁰ *dono*,⁹¹ *trado et de meo iure in tuo transscribo*,⁹² etc.), sometimes in the past (*contuli*,⁹³ *decreui dare . . . et . . . bonum uisum est conferre*,⁹⁴ *iudicaui ut . . . impenderem*,⁹⁵ *placuit mihi . . . et subieci*,⁹⁶ etc.) and occasionally in the future (*dabo*⁹⁷); sometimes a verb in the past tense is used together with another in the present (*donauit et dono*⁹⁸).

It might be argued that differences of this sort are meaningless, since even the charters granted to the abbey of St. Peter and St. Paul, Canterbury, during Hadrian's abbacy, do not conform to a strict diplomatic pattern. If Hadrian was directly responsible for the introduction and spread of the charter in England, lack of uniformity in charters of his own monastery was bound to lead to diversity elsewhere. But why should the form of the charters for the abbey of St. Peter and St. Paul have varied in the first place? If we were sure that these variations could be classified into two main groups (e.g. the use of the past tense in the *dispositio* as opposed to the use of the present), each being the result of a distinct diplomatic trend, perhaps one group might be attributed to the influence of the Northumbrian Benedict Biscop, abbot of St. Peter and St. Paul in 669-70,⁹⁹ and the other to the influence of Benedict's successor, Hadrian himself. It might, no less plausibly, be suggested that what we witness in the abbey of St. Peter and St. Paul and elsewhere, in and outside Kent, is the juxtaposition of two diplomatic traditions, one Kentish and the other Northumbrian, both going back to the first half of the seventh century, both descended from the same Italian prototype but having over the years evolved in slightly different ways. Italian formulae could have reached Kent through Augustine and Northumbria through Paulinus, and it is conceivable that their evolution in the North could have been appreciably affected by Irish influence. Unfortunately the point is beyond testing, since no early Irish or Northumbrian charter has survived in a form diplomatically acceptable. The charter of King Ecgrith of Northumbria for Bishop Cuthbert is so evidently spurious that any argument based on its phraseology will inevitably be treated with caution;¹⁰⁰ it is nevertheless interesting to find that one unusual formula in Ecgrith's pretended charter *donauit villam . . . et tria miliaria in circuiu ipsius villæ*, bears a striking resemblance to the phrase *undique fines decernimus . . . ab omni parte per in circuiu miliaria quattuor* which occurs in early charters (none of them genuine *in toto*) for the monastery of San Colombano founded at Bobbio by the Irishman Columbanus.¹⁰¹ It is difficult to believe that the formula itself was forged or that a Northumbrian forger in quest of a model would have gone as far as Bobbio. The distance from Northumbria to Bobbio also rules out the possibility of a common forger. Perhaps the forger of Ecgrith's charter accidentally preserved for posterity a

⁸⁴ B.C.S., no. 107. See *Journal of the Society of Archivists*, III, 2 (Oct. 1965), pp. 55-6.

⁸⁵ Compare, for example, B.M.F. I. 1 and B.M.F. I. 2.

⁸⁶ Even the place of this particular dating formula varies slightly from charter to charter; compare B.M.F. I. 1-2, O.S.F. III. 1.

⁸⁷ B.C.S., nos. 35, 36; compare no. 42 (perhaps not authentic *in toto*).

⁸⁸ *Ibid.*, no. 35.

⁸⁹ *Ibid.*, no. 36.

⁹⁰ B.M.F. I. 1.

⁹¹ *Ibid.*, loc. cit.; B.C.S., no. 57.

⁹² B.M.F. I. 2; compare B.C.S., no. 34.

⁹³ B.C.S., no. 73.

⁹⁴ O.S.F. III. 1.

⁹⁵ B.C.S., no. 41.

⁹⁶ *Ibid.*, no. 40.

⁹⁷ *Ibid.*, no. 85. No. 88 with *dabo et concedo*, which does not occur until the late-eighth century, is not authentic.

⁹⁸ *Ibid.*, no. 67.

⁹⁹ Bede, *Hist. Abb.*, c. 3 (*Hist. Eccl.*, ed. Plummer, i, p. 367).

¹⁰⁰ B.C.S., no. 66.

¹⁰¹ *Codice diplomatico del monastero di San Colombano*, ed. C. Cipolla, nos. 3, 7, 9. Compare B.C.S., no. 34: 'Omnia igitur in circuiu . . . pertinencia . . .'. The limits of the *sanctuarium* given by Athelstan to the church of Ripon are also supposed to have been *hinc inde ad unum milliare extra oppidum* (Dugdale, *Mon. Angl.*, ii (1846), p. 132).

genuine formula common to Irish and Northumbrian diplomatic, in the same way as the forged charters of Llandaff testify to the use of the verb *immolare* in the *dispositio* of genuine Welsh charters.¹⁰²

The possibility of Northumbrian influence on southern charters is not so remote as one might think. It is not hard to imagine that the stay of Benedict Biscop in Canterbury and that of Wilfrid in Sussex and Wessex during the pontificate of Theodore might have had an impact on the diplomatic of those regions. Several decades earlier, connexions of a different kind had already been established between Kent and Northumbria. In 625 King Edwin of Northumbria had married Æthelberg, daughter of Æthelberht I of Kent. Following her husband's death at the battle of Hatfield (12 October 633), Æthelberg returned to her native Kent and settled at Lyminge, where, on the land given to her by her brother, King Eadbald, she founded a monastery.¹⁰³ Did this monastery become a refuge for other exiles from Northumbria and was its foundation the starting point of a lasting link between Lyminge and the North? At any rate, a charter granted by King Wihtred of Kent to the abbey of Lyminge more than sixty years after its foundation¹⁰⁴ hints at such a connexion. In date (July 697) the charter occupies the third place in the series of extant Anglo-Saxon originals: it was issued eighteen years later than the charter of King Hlothhere for the abbot of Reculver¹⁰⁵ and about ten years later than the charter of Æthelræd for the abbess of Barking.¹⁰⁶ Unlike its predecessors, both in uncials, the Lyminge charter is written in insular majuscule, a script which could not have come to Kent from anywhere else than Northumbria. Although the penmanship of the charter is far from equalling that of its contemporary, the Lindisfarne Gospels, there is no valid reason to think that its scribe was a Kentish pupil of a Northumbrian writing-master rather than a Northumbrian himself. His spelling of Christian names seems to point to a northern rather than a southern origin. Archbishop Brihtwold's name appears, in the charter, in the form *Berichtwaldus*, and that of the witness Egesbeorht in the form *Egisberichti* (in the genitive), both of which forms are apparently unattested in Kentish texts but have parallels in Northumbrian texts. Although the comparative material is too sparse to allow definite conclusions, it seems that the intrusion of the parasite vowel *i* in the form *bericht-* for *bercht-* or *bercht-* is mainly a Northumbrian feature.¹⁰⁷ In Hlothhere's charter of 679 for Reculver, the scribe, presumably Kentish, gives Brihtwold's name as *Bercwald*. It is also worth noting that the scribe who, perhaps in the late-eighth century, made an interpolated copy of the Lyminge charter adopted the spellings *Berhtwaldus* and *Egisberhti* instead of the forms *Berichtwaldus* and *Egisberichti* of the original which he was imitating.¹⁰⁸

The name of the land granted by Wihtred in the Lyminge charter has been the subject of much speculation. The scribe wrote it in the form *Plegghelmestun*. Perhaps in the first half of the eleventh century another scribe, probably a scribe of Christ Church, Canterbury,¹⁰⁹ altered the first two letters of the name: he changed *P* into a wynn and *l* into *i*, thus making the name *Wiegghelmestun*; the same scribe explained in a dorsal note that the land granted was known in his own time (*munc*) as *Wigelmignctun*. It has been explained that the amended form is the real one and that the original scribe was guilty of mistranscription, having in particular mistaken the initial wynn for *P*. This explanation presupposes that as early as the seventh century the runic wynn was already commonly used in written documents, as it was in carved inscriptions. In fact the evidence points in the opposite direction. The eth, thorn and wynn do not seem to have crept into the writing of charters until the latter part of the eighth century.¹¹⁰ The scribe of Hlothhere's charter for Reculver and the scribe of the authentic part of Æthelræd's charter for Barking represent the sounds of the wynn and eth (or thorn) by the symbols *u* or *uu* and *d*.¹¹¹ For the same sounds the scribe of the Lyminge charter uses

¹⁰² *The Text of the Book of Llan Dâw*, ed. J. G. Evans (Oxford, 1893), pp. 76, 121, 159, 166, etc. Compare Asser, *Life of Alfred*, ed. W. H. Stevenson (Oxford, 1959), p. 9, lines 5-6: 'uni et trino Deo immolavit'.

¹⁰³ *Die Heiligen Englands*, ed. F. Liebermann (Hannover, 1889), p. 2; Bede, *Hist. Eccl.* II. xx (ed. Plummer, i, p. 125).

¹⁰⁴ *O.S.F.* III. 1; *Ch.L.A.*, no. 220; *B.C.S.*, no. 97.

¹⁰⁵ *B.M.F.* I. 1; *Ch.L.A.*, no. 182; *B.C.S.*, no. 45.

¹⁰⁶ *B.M.F.* I. 2; *Ch.L.A.*, no. 187; *B.C.S.*, no. 81.

¹⁰⁷ See A. Campbell, *Old English Grammar* (Oxford, 1959), para 360.

¹⁰⁸ *B.M.F.* I. 4; *Ch.L.A.*, no. 189; *B.C.S.*, no. 98.

¹⁰⁹ Lyminge was at the time a possession of Christ Church. For the theories on the name *Plegghelmestun*, see J. K. Wallenberg, *Kentish Place-names* (Uppsala, 1931), p. 26.

¹¹⁰ See above, note 58.

¹¹¹ See *Journal of the Society of Archivists*, III, 7 (April 1968), p. 331.

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u and *d* (e.g. *meguines paed*; *bereueg*). If he was making his engrossment from a draft, it is likely that the draft also used *u* and *d* for those sounds. It follows that, if the name of the land granted was really derived from the personal name *Wighelm*, it would have been written *uighelmestun* in the draft, a form which even the most careless copyist could not possibly have confused with *pleghelmestun*. The scribe who a century or so later was responsible for the interpolated copy of the charter did not question the reading *Pleghelmestun* of the original. He incorporated it in his own text, thus showing that he presumably knew the place under that name. It may also be worth noting that this later scribe, unlike the scribe of the original charter, used a half-uncial *d* with a crossed ascender in the word *paed*.¹¹² How the place granted in the charter came to be known as *Wigelmignctun* in the eleventh century, or how it came, rightly or wrongly, to be identified as such by the Christ Church scribe who endorsed the original is a mystery. The name *Pleghelm*, from which *Pleghelmestun* is derived, is—unlike *Wighelm*—an uncommon one. Only four persons with the name *Plechelm* or *Pleghelm* are listed in Sweet's *Oldest English Texts* and in Searle's *Onomasticon*: the Irish saint *Plechelm*, who evangelized Guelderland in the late-seventh century, a clerk and a monk whose names are entered in the *Liber Vitae* of Durham, and a monk of Beverley,¹¹³ all connected with either Ireland or Northumbria. Was the *Pleghelm* who gave his name to *Pleghelmestun* also of Northumbrian origin? This is, of course, a question which cannot be answered. The same could be said about the *Mægwine* whose name is at the origin of one of the boundaries in the charter, *meguines paed*; two clerks called *Meguini* occur in the *Liber Vitae* of Durham.¹¹⁴

Although, as I have remarked earlier, the charter is written in insular majuscule, the original scribe added, at the end of the text, two words in a neat minuscule script.¹¹⁵ The two words, *uirum uenerabilem*, which are applied to Archbishop Brihtwold, had apparently been omitted through inadvertence, and it seems that they were inserted in a different and smaller script simply for shortage of space. The fact is worth noting because it shows that, whatever induced the scribe to write the charter in insular majuscule, it was not his ignorance of any other kind of script. He could also write a handsome minuscule. In several places he used the minuscule form of *a* at the end of a word.¹¹⁶ In eight of the subscriptions the final *s* of the word *manus* assumes the half-uncial form. The scribe could also write uncials, since he uses the uncial form frequently for *R*, and less frequently for *G* (in an initial and medial position) and final *M*.

Diplomatically, the Lyminge charter has many features in common with the charter of Hlothhere for Reculver. The differences between them, some of which may be significant, only concern points of detail. The Lyminge charter begins with a pictorial invocation in the shape of a cross, followed by a verbal invocation, *In nomine d(omi)ni d(e)i nostri ie(s)u cr(ist)i*, which differs from the verbal invocation of Hlothhere's charter only in the order of the words and in the replacement of *saluatoris* by *dei*. There is no poem, the invocation being followed at once by the *dispositio*.

Ego Uihtrედus rex Cantuariorum prouidens mihi in futuro decreui dare aliquid omnia mihi donanti et consilio accepto bonum uisum est conferre basilicae beatae Mariae genitricis d(e)i quae sita est in loco qui dicitur Limingae terram iiii aratorum quae dicitur Pleghelmestun cum omnibus ad eandem terram pertinentibus iuxta notissimos terminos id est Bereueg et Meguines paed et Stretleg.

Whereas in the Reculver charter Hlothhere says that he is making his grant for the salvation of his soul (*pro remedium animae meae*), Wihtréd is more explicit: his motives are the consideration of his future (presumably in the next world) and his gratitude for God's gifts to him. The same idea is expressed in slightly different terms in other Kentish charters of the period, for example in charters of King Oswini and King Suaebhard of Kent for Abbess Æbba of Minster in Thanet (*ne ingratus beneficis domini viderer*,¹¹⁷ *miserationum domini memor quas erga me exercuit*¹¹⁸) and in a charter of Wihtréd

¹¹² I do not think that the uncial *d* in the original (*O.S.F.* III. 1; *Ch.L.A.*, no. 220) was ever crossed. For the same reason as Miss Parsons I believe that the added passage in *B.M.F.* I. 4 (*Ch.L.A.*, no. 189) is an interpolation; compare *B.C.S.*, nos. 148 (?doubtful), 190, 195, 199. See the editors' note in *Ch.L.A.*, no. 220.

¹¹³ *The Oldest English Texts*, ed. H. Sweet (E.E.T.S.; Orig. Series No. 83), p. 520; W. G. Searle, *Onomasticon Anglo-Saxonicum* (Cambridge Univ. Press, 1897), p. 389.

¹¹⁴ *Liber Vitae Ecclesiae Dunelmensis* (Facsimile), Surtees Soc. cxxxvi (1923), fos. 25v, 26r.

¹¹⁵ I agree with the editors of *Ch.L.A.* that these two words appear to be by the same hand as the rest of the charter.

¹¹⁶ Some forms of the minuscule *a* in the main part of the charter are very similar to the *a* of *uenerabilem*, one of the two words added at the end of the text.

¹¹⁷ *B.C.S.*, no. 40.

¹¹⁸ *Ibid.*, no. 41.

for Abbot Hadrian of St. Peter and St. Paul, Canterbury (*Beneficiis Dei et domini nostri Jhesu Christi nobis collatis non immemores*).¹¹⁹ Wihtred makes his grant impersonally to the church of Lyminge, whereas the dispositive words placed in Hlothhere's mouth are addressed to Brihtwold, abbot of Reculver, in the second person (*tibi Bercuald*). Wihtred says that he is making his grant after taking the advice of others (*consilio accepto*), while Hlothhere refers, not to the advice, but to the consent of Archbishop Theodore, of Eadric and of all the other magnates (*cum consensu . . .*).¹²⁰ In both charters the land is granted as limited by its well-known boundaries (*iuxta notissimos terminos*), but it is only in the Lyminge charter that these boundaries are specifically given, although briefly. Another difference concerns the tense of the dispositive verbs: Hlothhere uses the present (*dono*) and Wihtred the past tense (*decreui dare . . . et . . . bonum uisum est conferre*).¹²¹ A century later the use of the past had become a characteristic feature of the Wessex charters; in Canterbury the formula *dabo et concedo* was then preferred.

After the *dispositio* comes the *sanctio*, made up of two parts: first the king's undertaking that neither he, Wihtred, nor his heirs will infringe the terms of the grant (*quam donationem mea(m) uolo firmam esse in perpetuum ut nec ego seu heredes mei aliquid minuere praesumant*); secondly the threat of anathema against anyone who will dare to violate the grant (*quod si aliter temptatum fuerit a qualibet persona sub anathematis interdictione sciat se praeuaricari*). There is also a dual *sanctio* in the charter of Hlothhere, but the wording, although to the same effect, is very different.

The *corroboratio* which follows is introduced by the words *ad cuius confirmationem*, a close parallel to the phrase used in Hlothhere's charter, *et pro confirmatione eius*. Wihtred explains that, as he is illiterate, he has made the sign of the cross and asked suitable witnesses to subscribe, one of them being Archbishop Brihtwold of Canterbury:

ad cuius confirmationem pro ignorantia litterarum signu(m) s(an)c(t)ae crucis expressi et testes idoneos ut subscriberent rogavi id est Berichtwaldum archiepiscopu(m) uiru(m) uenerabile(m).

Here the main difference with the charter of Hlothhere is that in the latter the king leaves out the reference to his illiteracy and claims that his cross was made *manu propria*; also, it is only in the Lyminge charter that the witnesses are described as *idoneos*.

The signs of validation consist of fourteen subscriptions, the first one, that of Archbishop Brihtwold, in the form reserved for literate persons (*Ego Berichtwaldus episcopus rogatus consensi et subscripsi*¹²²); the other thirteen subscriptions, among them those of the king as grantor and of his wife Æthelburh, are in the form *Signum manus* followed by the name of the alleged author of the cross. Each subscription is preceded by a non-autograph cross; there are two additional and unnecessary crosses, also non-autograph, one after the archbishop's subscription and the other in the *corroboratio*, between the words *litterarum* and *signum*. The scribe of the charter wrote all the subscriptions, including that of the archbishop, and drew all the crosses.

The last element in the Lyminge charter, the dating clause (*Actum in mense iulio, indictione x^{ma}*), is in the same form as that of Hlothhere's charter, but in the latter the place of issue (*in ciuitate Reculv*) is added after the word *Actum*.

Studied in their various aspects, the three earliest Anglo-Saxon originals (respectively for Reculver, Barking and Lyminge) show a close relationship with one another and with other charters which have survived in trustworthy copies;¹²³ but their individual peculiarities are numerous enough, and in my view significant enough, to make us doubt whether they can all be fathered on the one or two Italian-trained ecclesiastics of Theodore's time. I firmly believe that, if the introduction of charters into England had been Theodore's work, the name of the scribe responsible for the writing of each document would have been duly recorded in its text, in the same way as the acts of the council of Hertford name the scribe who wrote them down at Theodore's bidding, the 'notary' Titillus;¹²⁴

¹¹⁹ *Ibid.*, no. 90.

¹²⁰ *B.M.F.* I. 1. See *B.C.S.*, no. 36: 'cum consilio . . . atque consensu . . .'

¹²¹ *B.M.F.* I. 1; *O.S.F.* III. 1.

¹²² Compare *Liber Diurnus Romanorum Pontificum*, ed. H. Foerster (Berne, 1958), p. 182 (Vat. 2): 'Ill. . . . consensi et subscripsi'; pp. 210-11 (Vat. 58): 'Ego . . . consentiens subscripsi'.

¹²³ Compare the formulae in *B.M.F.* I. 1-2, *O.S.F.* III. 1, with those in the documents mentioned above in note 83.

¹²⁴ See *Journal of the Society of Archivists*, III, 2 (Oct. 1965), pp. 49-50; *ibid.*, III, 7 (April 1968), p. 335.

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¹³⁵ *Ibid.*

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the subscriptions of literate witnesses, such as that of Archbishop Brihtwold in the Lyminge charter, and the crosses prefixed to the subscriptions of illiterates would also have been autograph. One of the peculiar features of the Anglo-Saxon charter, its anonymity, suggests that there was an intermediate stage, which may have extended over a long period, between the first introduction into England of the Italian habit of recording land-grants in writing and the appearance of such single-sheet originals as the extant charters for Reculver, Barking and Lyminge. The intermediate stage may have consisted of recording the grants of land on blank leaves of a gospel-book belonging to the beneficiary. This would provide a plausible explanation both for the anonymity of the writing and for the absence of autograph features in the subscriptions.¹²⁵ When the recording in a gospel-book gave way to the drawing up of originals on single sheets, at a date which cannot be determined, the anonymity and non-autography remained. The fact that the earliest extant originals are written in a script used for gospel-books, either in uncials or, in the case of the Lyminge charter, in insular majuscule, at a time when a minuscule script was known to English scribes,¹²⁶ is another indication that charters on single sheets may have been preceded by entries in gospel-books.¹²⁷ This, however, must remain a hypothesis, since only one gospel-book appears to have survived for the period preceding Theodore's arrival in England, namely the Gospels of St. Augustine (Corpus Christi College, Cambridge, MS. 286) to which I have already referred.¹²⁸ Some records are indeed copied in this manuscript, but none earlier in date than the ninth century and none actually written in it before the tenth century.¹²⁹ It is unfortunate that the beginning of the gospel-book (at least twenty-two leaves) should be missing, as it is there, if anywhere, that one might have expected the early charters for the abbey of St. Peter and St. Paul to be copied.¹³⁰

If it was not Theodore who brought to England the idea of keeping a written record of grants of land, who was it? It has already been suggested that it could only have been Augustine and his fellow-missionaries of the early-seventh century. Since Augustine and those of his colleagues whose names are known to us (Honorius, Justus, Laurentius, Mellitus and Abbot Peter of St. Peter and St. Paul, Canterbury) were selected by Gregory I from the community of his abbey of Sant' Andrea al Clivo di Scauro,¹³¹ the suggestion might appear less incredible if we found a connexion of some kind between the charters of Sant' Andrea and those of early Anglo-Saxon England. Such a connexion can in fact be established between one of the few early charters extant for Sant' Andrea, the famous grant made to the abbey in 587 by its founder, Gregory I, before he became pope,¹³² and three Anglo-Saxon charters of the seventh century: one of these three charters is the original of Æthelræd's grant for Barking Abbey,¹³³ the second a copy of a grant of Frithuwold, sub-king of Surrey, for Chertsey Abbey,¹³⁴ and the third a copy of a grant made by King Ceadwalla of Wessex for the foundation of a monastery at Farnham in Surrey.¹³⁵ Not only the proem of the three English charters, but also the dispositive words of two of them are close adaptations of the corresponding parts of Gregory's charter.¹³⁶ These similarities are intriguing, to say the least. If it is true that the formulae originally came to England from Sant' Andrea, only Augustine and his colleagues could have brought them here. It may be objected that Wilfrid,¹³⁷ and perhaps other English ecclesiastics, visited Sant' Andrea in the late-seventh century, but one can hardly imagine them searching through the archives of the monastery for some Gregorian formulae which they could use in their own charters. On the other hand, the Roman missionaries were likely, once in England, to use the formulae which they remembered,

¹²⁵ It may be worth adding, with the customary caution, that the earliest Anglo-Saxon original charters are written on vellum, like the early books written in England, while parchment was used on the Continent.

¹²⁶ Professor T. J. Brown has collected a great deal of evidence showing that minuscule was used in Northumbria from the middle of the seventh century onwards.

¹²⁷ See my comments in *Journal of the Society of Archivists*, III, 2 (Oct. 1965), pp. 53-4.

¹²⁸ See above, note 39.

¹²⁹ N. R. Ker, *Catalogue of MSS. containing Anglo-Saxon*, no. 55.

¹³⁰ F. Wormald, *The Miniatures in the Gospels of St. Augustine*, pp. 4-5, 17.

¹³¹ See above, note 33.

¹³² *M.G.H., Epistolae*, ii, pp. 437 ff.

¹³³ *B.M.F. I.* 2; *Ch.L.A.*, no. 187.

¹³⁴ *B.C.S.*, no. 34.

¹³⁵ *Ibid.*, no. 72.

¹³⁶ See also *Journal of the Society of Archivists*, III, 7 (April 1968), pp. 328-9.

¹³⁷ Eddius Stephanus, *Vita Wilfridi* (Historians of the Church of York, ed. J. Raine, R.S., vol. i), p. 8: 'et in oratorio Sancto Andreae Apostolo dedicato . . . genuflectens, adjuravit . . .'; (ed. B. Colgrave, p. 12).

and those could only be the formulae which had been current in their former monastery in their own time.

We shall probably never find an incontrovertible proof that grants of land in England were written down as early as Augustine's time. Not once in the whole of his *Ecclesiastical History* does Bede mention charters as such either before or after 669. In his letter to Egbert he complains that in his own day laymen were using charters as a device for creating fraudulent monasteries, a practice which had begun some thirty years before, following the death of King Aldfrith of Northumbria (A.D. 704).¹³⁸ From this we can only infer that by 704 charters were in common use in Northumbria. Elsewhere in the works of Bede and in other narrative sources we find references to grants of land to the Church, but nowhere—except perhaps in one passage of Eddi's *Life of Bishop Wilfrid*¹³⁹—can we find a clear hint that these grants were recorded in writing. When Bede, Eddi and the anonymous author of the *Historia Abbatum* say that a king gave land to an ecclesiastic for the foundation of a monastery (*ad construendum monasterium*¹⁴⁰) and that he did so for the salvation of his own soul (*pro redemptione animae suae*¹⁴¹ or *pro animae suae remedio*¹⁴²), phrases which recur in countless Anglo-Saxon charters, they may have been quoting from actual documents, but this is not certain. Even when they give the extent of the land granted (e.g. *terram L familiarum*¹⁴³ or *terra triginta mansionum*¹⁴⁴), this information may have been based either on oral tradition or on charters, although the latter alternative seems more likely.

If no conclusive proof can be found, we must be content with probabilities. Because the charter was a guarantee against forgetfulness and treachery, it protected both grantor and grantee. With the coming of Christianity to England a new type of land tenure was brought into being, a tenure *jure ecclesiastico*. The land was granted in perpetuity, it was to be held *tantum in Domino*,¹⁴⁵ in the service of God only, apparently with complete freedom from all secular burdens, at least until the first half of the eighth century. It was because this preferential treatment given to church lands was so advantageous that laymen tried in due course to convert their own lands into fraudulent monasteries. Augustine and his colleagues may have agreed with Gregory I that oral grants to the Church were perfectly valid in law, but they must have felt, as he did, that it was a wise precaution to record them in writing.¹⁴⁶ Even if Æthelberht I of Kent did not believe in the necessity of charters, there is no reason to suppose that he objected to them.

¹³⁸ Bede, *Hist. Eccl.*, ed. Plummer, i, pp. 416–17.

¹³⁹ *Journal of the Society of Archivists*, III, 2 (Oct. 1965), p. 52.

¹⁴⁰ Bede, *Hist. Eccl.* IV. iii (ed. Plummer, i, p. 207): '... cui etiam rex Uulfheri donauit terram L familiarum ad construendum monasterium in loco, qui dicitur . . .'; *Two Lives of St. Cuthbert*, ed. B. Colgrave (Cambridge Univ. Press, 1940), p. 174. See also *Two of the Saxon Chronicles Parallel*, ed. C. Plummer, i (Oxford, 1892), p. 34: '669. Her Egbyrht cyning salde Basse mæsse prioste Reculf mynster on to timbranne'.

¹⁴¹ *Two Lives of St. Cuthbert*, ed. Colgrave, p. 174; *Hist. Abb. Anon.*, c. 11 (Bede, *Hist. Eccl.*, ed. Plummer, i), p. 391.

¹⁴² Eddius Stephanus, *The Life of Bishop Wilfrid*, ed. B. Colgrave (Cambridge Univ. Press, 1927), p. 16.

¹⁴³ Bede, *Hist. Eccl.* IV. iii (ed. Plummer, i, p. 207; see also pp. 232, 237, etc.).

¹⁴⁴ *The Life of Bishop Wilfrid*, ed. Colgrave, p. 16; also 'terram decem tributariorum' (*ibid.*, *loc. cit.*).

¹⁴⁵ *B.C.S.*, nos. 35, 42 (perhaps not authentic *in toto*), 293, etc. In no. 293 (an original) the reading is plainly 'in domino', and one cannot agree with Mr. E. John's emendation to 'tantum in domin[i]o' (E. John, *Land Tenure in Early England* (Leicester Univ. Press, 1960), p. 4, n. 1; pp. 5, 48). The phrase 'tantum in Domino' is the equivalent of 'soli domino seruiens' (*B.C.S.*, no. 275), 'tantum ut Deo . . . sit subiecta' (*ibid.*, no. 239), 'tantum ut Deo omnipotenti . . . æcclesiasticæ seruitutis famulatum impendat' (*ibid.*, no. 165).

¹⁴⁶ *Reg. Greg. I*, XIII. 5 (*M.G.H., Epist.* ii, p. 370): '... et domos . . . verbo largitus es ipsaque donatio, licet possit iure subsistere, . . . ne quid futurum tempus oblivionis nubilo huic derogare quicquam valeat largitati, scripturæ hoc desideras tradere monumentis . . .' (Sept. 602).

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