Be wifmannes beweddunge: Betrothals and Weddings in Anglo-Saxon England

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ABSTRACT

The Old English quasi-legal text *Be wifmannes beweddunge* ('On the betrothal of a woman') is a key source for understanding how marriages were contracted in late Anglo-Saxon England. This paper will use the nine clauses of *Be wifmannes beweddunge* as a window into a broader discussion of the Anglo-Saxon betrothal and wedding process. It will consider in turn the issue of licit and illicit unions, the economic and legal terms of the betrothal agreement, and the development of Christian wedding rites. It will argue that *Be wifmannes beweddunge* is fundamentally concerned with the legal, financial, physical and social protection of women within marriage. Moreover, it will argue that this text offers evidence for a gradual Christianisation of betrothal and wedding customs in late Anglo-Saxon England.

The Old English quasi-legal text *Be wifmannes beweddunge* ('On the betrothal of a woman') – preserved in two twelfth-century legal compendia, the *Textus Roffensis* (Rochester, Cathedral Library A.3.5, fols. 94v–95r), and Cambridge, Corpus Christi College 383 (fols. 57v–58v) – is a key source for understanding how marriages were contracted in late Anglo-Saxon England.[1] Despite its importance, this text has rarely been studied; indeed, to my knowledge no single extended study has been devoted to it.[2] This paper will use *Be wifmannes beweddunge* as a window into the Anglo-Saxon

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[1] *Die Gesetze der Angelsachsen*, ed. F. Liebermann, 3 vols. (Halle, 1903–16) [hereafter *Gesetze*], I, 442–5. The title often appears in the literature as *Be wifmannes beweddung* (without the final '-e'), e.g., on the website of the Early English Laws project; however, it appears with the final '-e' in the *Textus Roffensis*, and in any case this makes more grammatical sense (the dative case following the preposition *be*). The title in CCCC 383 is 'Hu man mæden weddian sceal' ('How one should wed a girl'). The text is translated in Dorothy Whitelock, *English Historical Documents, c. 500–1042*, English Historical Documents 1, 2nd ed. (London, 1979) [hereafter *EHD*], no. 50, though I have used my own translation. There is also a Latin translation in the Quadripartitus, the monumental twelfth-century compendium of Anglo-Saxon legal material, which survives in ten manuscripts. Unless otherwise stated, I have followed the *Textus Roffensis* version of the text, which is generally cleaner and more consistent than the text in CCCC 383 (S. Jurasinski, 'Scribal Malpractice and the Study of Anglo-Saxon Law in the Twelfth Century', *Textus Roffensis: Law, Language, and Libraries in Early Medieval England*, ed. B. O'Brien and B. Bombi (Turnhout, 2015), pp. 83–101).

[2] There are brief discussions in *Gesetze* III, 241–44; P. Wormald, *The Making of English Law: King Alfred to the Twelfth Century*, I: *Legislation and its Limits* (Oxford, 1999), pp. 385–7; T. M. Charles-Edwards, 'Anglo-Saxon Kinship Revisited', *The Anglo-Saxons from the Migration Period to the Eighth*

wedding process. What was the process from betrothal to wedding? Who, apart from the bride and groom, was party to the process? With what rituals was the event marked? In answering these questions, I will take my lead from the text of *Be wifmannes beweddunge*, which in nine brief paragraphs touches on a remarkable number of social, economic and theological issues. However, in order to understand these issues, it will be necessary to roam widely, drawing on a wide range of sources from across the period: other legal and quasi-legal texts, penitentials, charters, liturgical books, doctrinal and exegetical texts, as well the two surviving marriage agreements from the eleventh century. Anglo-Saxon England, especially the later part of the period, has sometimes been elided from scholarship on medieval marriage.[3] *Be wifmannes beweddunge* offers something quite unique to the study of marriage: an early, vernacular (quasi-)legal text solely dedicated to codifying betrothal and wedding customs. The text itself is fundamentally concerned with the legal, financial, physical and social protection of women within marriage, from the initiation of the betrothal process through to the wedding and beyond. Moreover, through a comparison of *Be wifmannes beweddunge* with other Anglo-Saxon texts, we can trace a gradual, though not always consistent, process of Christianisation in Anglo-Saxon betrothal and wedding customs.[4]

Century: an Ethnographic Perspective, ed. J. Hines (Woodbridge, 2003), pp. 171–210; M. R. Ammon, 'Pledges and Agreements in Old English: a Semantic Field Study' (unpubl. PhD dissertation, Univ. Cambridge, 2011), pp. 53–55. Other studies of marriage in Anglo-Saxon England, making use of our text in passing, include F. Roeder, *Die Familie bei den Angelsachsen: eine kultur- und litterarhistorische Studie auf Grund gleichzeitiger Quellen* (Halle, 1899) and A. Fischer, *Engagement, Wedding and Marriage in Old English* (Heidelberg, 1986); Fischer's work is a philological study of Old English words relating to marriage rather than a study of cultural, social and legal history – his brief discussion of the history (pp. 18–24) is largely reliant on Roeder.

3   A handful of Anglo-Saxon authors are mentioned in passing in D. D'Avray, *Medieval Marriage: Symbolism and Society* (Oxford, 2005). McCarthy does make some effort to integrate the Anglo-Saxon period into his study, with occasional references in passing to *Be wifmannes beweddunge*, although his chief focus is on the later period (C. McCarthy, *Marriage in Medieval England: Law, Literature and Practice* (Woodbridge, 2004)). Discussions of laws concerning marriage with a Europe-wide focus tend to focus on the earliest 'Germanic' texts before leaping to Gratian (e.g., P. L. Reynolds, *Marriage in the Western Church: the Christianization of Marriage During the Patristic and Early Medieval Periods* (Leiden, 1994), pp. 66–117; P. L. Reynolds, 'Marrying and its Documentation in Pre-Modern Europe: Consent, Celebration and Property', *To Have and To Hold: Marrying and its Documentation in Western Christendom, 400–1600*, ed. P. L. Reynolds and J. Witte, Jr. (Cambridge, 2007), pp. 1–43). The text has received some attention in studies of women in the early medieval period, though the discussions in both Fell and Bitel are understandably somewhat cursory (C. Fell, *Women in Anglo-Saxon England* (London, 1984), p. 58; L. M. Bitel, *Women in Early Medieval Europe, 400–1100* (Cambridge, 2002), pp. 170–1).

4   The influential studies of Duby and Brooke see the twelfth century as crucial for the Christianisation of marriage – however, their discussion of what came before is very limited (G. Duby, *Medieval Marriage: Two Models from Twelfth-Century France*, trans. E. Forster (Baltimore, 1978); C. N. L. Brooke, *The Medieval Idea of Marriage* (Oxford, 1989). See also Reynolds, *Marriage in the Western*

BE WIFMANNES BEWEDDUNGE: DATE AND CONTEXT

Dorothy Whitelock notes that *Be wifmannes beweddunge* 'belongs to a branch of law of which we should be glad to know more'; indeed, it is both generically and thematically a very unusual text in the corpus of Anglo-Saxon law.[5] This text probably dates to the early eleventh century or just possibly the late tenth. Liebermann dates it to *c.* 970 × 1030, while Whitelock is content to see it as 'not early', partially on the basis that the author uses an unusual Old Norse loanword, *sammæle* ('united', from ON *sammæli*, 'agreement') at c. 6.[6] This word first appears in the Old English corpus at the very end of the tenth century, in III Æthelred, a code of laws relating specifically to the Danelaw, issued in 997. It also appears in a Kentish land agreement written *c.* 990 × 1005 (S 1455) and in the Anglo-Saxon Chronicle (MS E) for 1018. While in III Æthelred and ASC E *sammæle* occurs with reference to a specifically Anglo-Scandinavian context, in the Kentish agreement (between Wulfric, abbot of Canterbury, and Eadred son of Lyfing, whose names show no immediate Scandinavian background) the word appears already to have been naturalised in Old English. Certainly, there is nothing else in *Be wifmannes beweddunge* in either vocabulary or context to suggest strong Scandinavian influence. On this basis, I would be tentatively inclined to narrow Liebermann's date range slightly to perhaps 990 × 1030.

This places the text broadly within the same milieu as Archbishop Wulfstan of York (d. 1023).[7] The text does not appear to have been written by Wulfstan himself. There is, however, a textual link to Wulfstan's own writings in the phrase 'æfter Godes rihte 7 æfter woroldgerysnum' in c. 1 of *Be wifmannes beweddunge*.[8] This complete phrase appears twice elsewhere in the OE corpus; these three places are also the only citations for the compound *woroldgerysene*. It appears in a very similar

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Church, pp. 413–19; Reynolds, *How Marriage Became One of the Sacraments: the Sacramental Theology of Marriage from its Medieval Origins to the Council of Trent* (Cambridge, 2016). On some of the issues surrounding Christianisation and gender, see L. M. Bitel, 'Gender and the Initial Christianization of Northern Europe (to 1000 CE)', *The Oxford Handbook of Women and Gender in Medieval Europe*, ed. J. M. Bennett and R. M. Karras (Oxford, 2013), pp. 415–32. This paper will not discuss ideas of how married life should be conducted after the wedding, on which see as an introduction P. Jackson, 'Ælfric and the Purpose of Christian Marriage: a Reconsideration of the "Life of Æthelthryth", lines 120–30', *ASE* 29 (2000), 235–60.

[5] *EHD*, p. 364.

[6] *Gesetze* III, 241; *EHD*, p. 474. The language of the text generally tends towards later West Saxon forms; this may be the result of contamination by the twelfth-century scribes, although the *Textus Roffensis* scribe is generally remarkably careful to preserve older forms.

[7] Wormald associates it with 'Wulfstan's era' (*Making of English Law*, p. 386) but goes no further than this.

[8] Be wifmannes beweddunge, c. 1 (*Gesetze* I, 442): 'according to the law of God and the customs of the world'. All translations from Old English, Latin and Greek are mine unless otherwise stated.

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quasi-legal text known as *Swerian*, which is a step-by-step procedure for the proper swearing of oaths.[9] The phrase also appears in Wulfstan's *Institutes of Polity*:

Riht is, ðæt ealle cristene men heora cristendom rihtlice healdan and ðam life libban, þe heom to gebyrað *æfter Godes rihte and æfter woruldgerysenum*. And heora wisan ealle be þam ðingan geornlice fadian, þe ða wisian, ðe hy wislice and wærlice wisian cunnon.[10]

Wulfstan's own style is instantly recognisable here, with its rich alliterative and chiastic patterns – there is little doubt that this author and the author of *Be wifmannes beweddunge* are different. What are we to make of the recurring phrase then? It suggests either that the author of at least the first clause of *Be wifmannes beweddunge* was influenced by Wulfstan, or that Wulfstan himself discovered this phrase in the quasi-legal material and found it useful.[11] Either way, this phrase gives us a clear textual link between Wulfstan and *Be wifmannes beweddunge*. Moreover, it is worth noting that the text is found in the legal compendia close by the Wulfstanian 'Compilation on Status', a group of six quasi-legal texts – *Geþyncðo*, *Norðleoda laga*, *Mircna laga*, *Að*, *Hadbot*, and *Grið* – each of which presents a Wulfstanian image of how English society functioned in the past, before the tumultuous later years of King Æthelred.[12] However, we cannot push the

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[9] Swerian, c. 1 (*Gesetze* I, 396): 'Ic wille beon N. hold 7 getriwe 7 eal lufian ðæt he lufað 7 eal ascunian ðæt he ascunað, æfter Godes rihte 7 æfter woroldgerysnum …'. (I will to N. be faithful and true, and love all that he loves, and hate all that he hates, according to the law of God and the customs of the world').

[10] 'It is right that all Christian people properly uphold their Christian faith, and live the life appropriate to them, according to the law of God and the customs of the world. And [it is right that] they carefully order all manner of things according to the guidance of those they know who can guide them wisely and truly'. Wulfstan, *Institutes of Polity* XXXVI, 'Be eallum Cristenum mannum', *Die 'Institutes of Polity, Civil and Ecclesiastical'*, ed. K. Jost, Swiss Studies in English 47 (Bern, 1959), 154; trans. A. Rabin, *The Political Writings of Archbishop Wulfstan of York* (Manchester, 2015), p. 123. On this text, see R. R. Trilling, 'Sovereignty and Social Order: Archbishop Wulfstan and the *Institutes of Polity*', *The Bishop Reformed: Studies of Episcopal Power and Culture in the Central Middle Ages*, ed. A. T. Jones and J. S. Ott (London, 2007), pp. 74–101; B. Reinhard, 'Cotton Nero A.i and the Origins of Wulfstan's *Polity*', *JEGP* 119 (2020), 175–89; B. Reinhard, 'Wulfstan and the Reordered *Polity* of Cotton Nero A.i', *Law | Book | Culture in the Middle Ages*, ed. T. Gobbitt (Leiden, 2021), pp. 51–70.

[11] The recent recovery of some of Wulfstan's working notes via multi-spectral imaging gives us an insight into how Wulfstan gathered sources and ideas for his own works in the form of hastily written 'jottings' (W. Rudolf, 'Wulfstan at Work: Recovering the Autographs of London, British Library, Additional 38651, fols. 57r–58v', *Anglo-Saxon Micro-Texts*, ed. U. Lenker and L. Kornexl (Berlin, 2019), pp. 267–306; J. Wilcox, 'The Wolf at Work: Uncovering Wulfstan's Compositional Method', *Manuscripts in the Anglo-Saxon Kingdoms: Cultures and Connections*, ed. C. Breay and J. Story (Dublin, 2021), pp. 141–53). Given that Wulfstan likely had a hand in the preservation of *Be wifmannes beweddunge* alongside his own legal texts, it is not inconceivable that he would have made note of an elegant phrase like 'æfter Godes rihte 7 æfter woroldgerysnum' for his own use.

[12] These texts were first recognised as a set by D. Bethurum ('Six Anonymous Old English Law Codes', *JEGP* 49 (1950), 449–63), who argued that Wulfstan himself authored *Grið*, *Geþyncðo* and

Wulfstan link any further than this – nor do we need to, since *Be wifmannes beweddunge* is very much a standalone, self-contained text. It is safe to place the text in the same broad category as texts like *Swerian* and *Hit becwæð*, which 'circulated widely … presumably because they were found useful, filling in some of the gaps left by royal legislation'.[13]

LICIT AND ILLICIT UNIONS

Be wifmannes beweddunge begins with the phrase, 'Gif man mædan oððe wif weddian wille …'.[14] The reasons for embarking upon marriage in the early medieval world were surely as many and varied as they are today. Patristic and early medieval theologians did not discuss the practical reasons for marriage so much as the spiritual purpose. Augustine of Hippo defined the three 'goods' of marriage as the *bonum fidei*, the *bonum prolis* and the *bonum sacramenti* – the good of faith, the good of offspring, and the good of 'sacrament'.[15] That is, marriage is good because it allows a couple to express faithfulness to each other and to God; because it produces children; and because it was instituted by God as a spiritual mystery, an image of the union of Christ and the church. Augustine explicitly censured those who embarked upon marriage for no other reason than to satisfy sexual desire: 'but someone ill uses that good [of marriage] if they use it in a bestial manner, so that their intention is in the pleasure of lust, not in the desire for offspring'.[16] Of course,

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[ ] *Hadbot*; more recently it has been argued that Wulfstan was also directly responsible for *Að* (A. Rabin, 'Evidence for Wulfstan's Authorship of the Old English *Að*', *NM* 111 (2010), 43–54). Wormald sidesteps the issue of authorship, preferring to see all six texts as products of a 'Wulfstanian' editorial process (*Making of English Law*, p. 242). See also P. Wormald, 'Archbishop Wulfstan and the Holiness of Society', in his *Legal Culture in the Early Medieval West: Law as Text, Image and Experience* (London, 1999), pp. 225–51; A. Rabin, 'Archbishop Wulfstan's "Compilation on Status" in the *Textus Roffensis*', *Textus Roffensis: Law, Language, and Libraries in Early Medieval England*, ed. B. O'Brien and B. Bombi (Turnhout, 2015), pp. 175–92.

[13] L. Roach, 'Law Codes and Legal Norms in Later Anglo-Saxon England', *Hist. Research* 86 (2013), 465–86, at 478.

[14] *Be wifmannes beweddunge*, c. 1 (*Gesetze* I, 442): 'If someone wishes to wed a girl or a woman'.

[15] Augustine, *De bono coniugali*, iv–vii, *Opera Sancti Aureli Augustini*, 5/3, ed. J. Zycha, CSEL 41 (Prague, 1900), 191–7.

[16] Augustine, *De nuptiis et concupiscentia*, I.v, *Opera Sancti Aureli Augustini*, 8/2, ed. K. F. Urba and J. Zycha, CSEL 42 (Prague, 1902), 215: 'sed isto bono male utitur qui bestialiter utitur, ut sit eius intentio in uoluptate libidinis, non in uoluntate propaginis …' Much the same idea can be found in Gregory's homily on Luke 14 (*Homilia in Evangelia*, II.xxxvi.5, PL 76, cols. 1269–70), which is then quoted in Bede, *In Lucam*, IV.1961–1970, *Bedae Venerabilis Opera*, 3: *Opera Homiletica*, ed. D. Hurst, CCSL 122 (Turnhout, 1955), 95. The text in Bede is as follows: 'Quid per uxorem nisi uoluptas carnis accipitur? Nam quamuis bonus sit coniugium atque ad propagandam subolem prouidentia diuina constitutum non nulli tamen non per hoc fecunditatem prolis sed desideria expetunt uoluptatis, et ideo per rem iustam significari potest non incongrue res iniusta' ('What do we understand by "wife" if not "the desire of the flesh"? For, although marriage is good and ordained by divine providence for the propagation of offspring, nevertheless many people seek it out not

this tacitly acknowledges that many people did in fact embark on marriage for just such a reason. Indeed, the apostle Paul recognised as much in I Corinthians, when he advised the unmarried that 'if they cannot contain themselves they should marry; for it is better to marry than to burn'.[17] For Paul, whatever else marriage might signify, its practical purpose was to legitimise and sanctify sexual desire.

For Isidore of Seville, writing *c.* 600, a man looked for four things in a prospective wife: 'virtue, family, beauty and wisdom' – perhaps unsurprisingly he saw wisdom (*sapientia*) as the most important of these.[18] However, the surviving evidence – legal and ecclesiastical – for how Anglo-Saxons went about choosing marriage partners is almost entirely negative, defining limitations on choice rather than positive reasons. *Be wifmannes beweddunge* ends with an injunction 'to take caution that someone knows that [the couple] are not too close in kinship'.[19] Affinity or consanguinity in marriage was an issue for Anglo-Saxon Christianity from its very inception.[20] In 601, Augustine of Canterbury addressed a series of pressing pastoral questions to Pope Gregory the Great, whose responses are known as the *Libellus responsionum* ('Book of Responses').[21] To the question of whether two brothers might marry two unrelated sisters, Gregory simply responded, 'it is allowed to happen by all means'.[22] In response to the broader question of to what degree Christians might marry, Gregory forbade marriages

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for this fruitfulness of children but for the love of pleasure; thus, it is possible for an unrighteous thing to be signified not inappropriately by a righteous thing').

[17] I Cor. VII.9: 'εἰ δὲ οὐκ ἐγκρατεύονται, γαμησάτωσαν, κρεῖττον γάρ ἐστιν γαμῆσαι ἢ πυροῦσθαι' (Novum Testamentum Graece); 'quod si non se continent nubant; melius est enim nubere quam uri' (Stuttgart Vulgate).

[18] Isidore, *Etymologiae*, IX.vii.28, *Isidori Hispalensis episcopi Etymologiarum siue Originum libri XX*, ed. W. M. Lindsay (Oxford, 1911), I, 389: 'In eligendo marito quattuor spectari solent: virtus, genus, pulchritudo, sapientia. Ex his sapientia potentior est ad amoris affectum'.

[19] *Be wifmannes beweddunge*, c. 9 (*Gesetze* I, p. 444): 'Well is eac to warnianne, ðæt man wite, ðæt hy ðurh mægsibbe to gelænge ne beon'.

[20] H. Mayr-Harting, *The Coming of Christianity to Anglo-Saxon England*, 3rd ed. (London, 1991), p. 249.

[21] *Gregorii I Papae Registrum Epistolarum*, ed. P. Ewald and L. M. Hartmann, II, MGH Epist. 2 (Berlin, 1899), 332–43. The *Libellus Responsionum* is most famously preserved in Bede, *Historia ecclesiastica* i. 27, in *Bede's Ecclesiastical History of the English People*, ed. B. Colgrave and R. A. B. Mynors (Oxford, 1969), pp. 78–103. However, Paul Meyvaert showed that Bede's version follows the latest and most corrupt of three forms of the *Libellus*; he calls Bede's form the 'Question and Answer' [Q/A] version, as opposed to the 'Letter' version and the 'Capitula' version (P. Meyvaert, 'Bede's Text of the *Libellus Responsionum* of Gregory the Great to Augustine of Canterbury', *England Before the Conquest: Studies in Primary Sources Presented to Dorothy Whitelock*, ed. P. Clemoes and K. Hughes (Cambridge, 1971), pp. 15–33, at 23). Meyvaert argued that the 'Letter' version is closest to Gregory's original; however, it has recently been argued that the 'Capitula' version should be preferred (M. D. Elliott, 'Boniface, Incest, and the Earliest Extant Version of Pope Gregory I's Libellus responsionum (JE 1843)', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Kanonistische Abteilung* 100 (2014), 62–111).

[22] *Gregorii I Epistolae*, ed. Ewald and Hartmann, p. 335: 'hoc fieri modis omnibus licet'.

between first cousins, marriage between a step-son and step-mother, and marriage between a man and his brother's wife. He did, however, allow for a degree of toleration for newly converted Christians 'who, while they were yet in unbelief, are said to have been joined in this unlawful matrimony'.[23] In subsequent centuries, there was a certain amount of confusion and disagreement on what degree of consanguinity was licit between prospective spouses, as can be seen especially in the correspondence of Boniface, as well as the *Poenitentiale Theodori*.[24] The Legatine Council of 786 made no effort to rule decisively on the trickier questions of affinity, simply forbidding 'all unrighteous and incestuous marriages, as much with a maidservant of God [that is, a nun], or with other forbidden persons, as with those closely related and related by blood, or with foreign women'.[25] We might imagine that if such learned scholars as Boniface and the author of the *Poenitentiale* found it difficult to reconcile divergent modes of calculating affinity, then it must have been a struggle for any lesser clergyman, never mind a lay person.[26] We can readily imagine why *Be wifmannes beweddunge* prescribes caution and careful working

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[23] *Ibid.*, p. 336: 'qui, dum adhuc in infidelitate essent, huic nefando coniugio dicuntur admixti'. This response used to be regarded as an interpolation on account of its surprising leniency, although recent scholarship has reaffirmed its authenticity (Elliott, 'Boniface, Incest'; K. Ubl, *Inzestverbot und Gesetgebung: die Konstruktion eines Verbrechens (300–1100)*, Millennium Studien 20 (Berlin, 2008), 217–50).

[24] Boniface, *Epp.* 32, 33, 50; *Poenitentiale Theodori* II.xii.25 ,*Councils and Ecclesiastical Documents Relating to Great Britain and Ireland*, ed. A. W. Haddan and W. Stubbs, 3 vols. (Oxford, 1869–78) III, 201 [hereafter *Councils 590–870*]). Cf. J. Goody, *The Development of the Family and Marriage in Europe* (Cambridge, 1983), pp. 197–8; M. de Jong, 'An Unresolved Riddle: Early Medieval Incest Legislation', *Franks and Alamanni in the Merovingian Period: an Ethnographic Perspective*, ed. I. N. Wood (Woodbridge, 1998), pp. 107–124.

[25] Legatine Council, XV, *Councils 590–870*, p. 455: 'omnibus injusta connubia, et incaestuosa, tam cum ancilla Dei, vel aliis illicitis personis, quam cum propinquis et consanguineis, vel alienigenis uxoribus'. The prohibition on marrying 'foreign women' is unusual. It may refer to pagans, but it seems more likely to be a direct application of the Old Testament law (Deut. VII.3–4, cf. Ezra X.2, the Vulgate version of which specifically refers to *uxores alienigenas*). Paganism was probably not as live an issue in the late eighth century as it had been in the seventh, although the Councils of *Clofesho* forty years previously had exhorted bishops to travel throughout their dioceses in order to prohibit *paganas observationes* (Councils of *Clofesho*, 3, *Councils 590–870*, p. 364). On the context of the Legatine Council (and the question of whether Alcuin of York had a hand in composing the *capitula* of the council) see C. Cubitt, *Anglo-Saxon Church Councils, c. 650–c. 850* (London, 1995); J. Story, *Carolingian Connections: Anglo-Saxon England and Carolingian Francia, c.750–870* (Aldershot, 2003), pp. 55–92; K. Carella (as B. Carella), 'Alcuin and the Legatine Capitulary of 786: the Evidence of Scriptural Citations', *Jnl of Med. Latin* 22 (2012), 221–56.

[26] One especially knotty issue was the difference between the method of reckoning affinity *secundum Romanos* and *secundum Graecos*. Gregory used the latter, also known as the canonical or scriptural method, which counts the number of generations removed from a common ancestor for only one prospective partner. The 'Roman' method adds together the number of generations removed from *both* partners. So a first cousin would be 'in the second degree' of affinity according to Gregory, but in the fourth degree according to the *Poenitentiale Theodori*, which used the 'Roman' method.

out, 'lest someone afterwards put asunder what had previously been joined together wrongfully'.[27]

The opening clause of *Be wifmannes beweddunge* does hint at an alternative to marriage, which does not fit into the idealised situation envisioned by the rest of the text. In clause 1, the groom is told to make a pledge 'that he desires her in such a way that he wishes to keep her according to God's law, as a man must keep his wife'.[28] This raises the question of whether there was a way to 'keep' a partner which was not *æfter Godes rihte*. This may have taken the form of concubinage (defined as keeping an additional partner (or several) in addition to a lawful spouse) or cohabitation (defined as a marriage-like state which is not legally recognised as such).[29] Illicit unions are clearly prohibited in the laws of Wihtred of Kent (issued at *Berghamstyde* in 695), though the code does not define precisely what it means by *unriht hæmed*, which I have translated as 'illicit union':[30]

Unrihthæmde mæn to rihtum life mid synna hreowe tofon oþþe of ciricean genaman [*sc. gemanan*] ascadene sien. Ælteodige mæn, gif hio hiora hæmed rihtan nyllað, of lande mid hiora æhtum 7 mid synnum gewiten; swæse mæn in leodum ciriclicæs gemanan ungestrodyne þoligen. Gif ðæs geweorþe gesiþcundne mannan ofer þis gemot, þæt he unriht hæmed genime ofer cyngæs bebod 7 biscopes 7 boca dom, se þæt gebete his dryhtne C scll' an ald reht. Gif hit ceorlisce man sie, gebete L scll'; 7 gehwæder þæt hæmed mid hreowe forlæte. Gif preost læfe unriht hæmed … sio he stille his þegnungæ oþ biscopes dom.[31]

Margaret Clunies Ross suggests that *unriht hæmed* must refer specifically to concubinage in this instance.[32] However, she also suggests that concubinage *per*

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[27] *Be wifmannes beweddunge*, c. 9 (*Gesetze* I, 444): '… ðe læs ðe man eft twæme, ðæt man ær awoh tosomne gedydan'.

[28] *Be wifmannes beweddunge*, c. 1 (*Gesetze* I, 442): 'þæt he on ða wisan hire geornige, ðet he hy æfter Godes rihte healdan wille, swa wær his wif sceal'.

[29] The chief study of this topic in relation to the Anglo-Saxons remains M. Clunies Ross, 'Concubinage in Anglo-Saxon England', *Past and Present* 108 (1985), 3–34.

[30] Etymologically, *hæmed* derives from *hæman*, 'to take/lead somebody home'; although *hæmed* often has a sense of illicit fornication in homiletic and penitential texts, it is also commonly used to refer to lawful marriage: Fischer, *Engagement, Wedding and Marriage*, pp. 63–75.

[31] Wihtred, c. 3–6 (*Gesetze* I, 12). 'People living in illicit union should turn to a right life [i.e. lawful marriage] with repentance for their sins, or they should be excluded from the communion of the church. Foreign people, if they will not legitimise their unions, will depart from the land with their possessions and their sins; our own people in this nation shall forfeit the communion of the church, without being subjected to the confiscation of their goods. If, contrary to this assembly, anyone of the rank of *gesith* should take up an illicit union against the commandment of the king and the bishop and the judgement of books, he is to pay his lord 100 shillings according to ancient law. If it is a man of the rank of *ceorl*, he is to pay fifty shillings; and both of them are to abandon that union with repentance. If a priest allows an illicit union, let him cease his ministry until a bishop passes judgement'.

[32] Clunies Ross, 'Concubinage in Anglo-Saxon England', p. 13.

se was only ever prevalent at the highest levels of Anglo-Saxon society.[33] The specific reference to 'illicit' unions among ceorls suggests that the practice proscribed in the laws was rather more widespread. A ceorl was surely more likely to cohabit with a partner in a *de facto* relationship – or to carry on an adulterous relationship outside of marriage – than he was to keep a concubine in addition to a lawful wife. [34] Clunies Ross also refers to II Cnut, c. 54.1 (produced in quite a different cultural context) to justify her reading of *unriht hæmed*, even though that code uses the more specific term *cifes* to refer to a concubine taken in addition to a lawful wife (*rihtwif*).[35] It seems more reasonable to allow for a certain greyness in the nature of marital and quasi-marital relationships, especially in the earliest years of Anglo-Saxon Christianity. There were *rihte* and *unrihte hæmedu* and, while some of the latter might be mapped onto our word 'concubinage', others may have looked more like 'cohabitation'. However, *Be wifmannes beweddunge* has a clear idea of what constituted *rihtlif*, and does not spend any time considering *unriht* alternatives – it neither legislates against nor makes allowances for concubinage.[36] This, of course, does not mean that concubinage and cohabitation did not happen, but that there was significant (and perhaps increasing) social and religious pressure to follow a legally and ecclesiastically recognised procedure of marriage.

[33] There is ample evidence for this at the royal level, especially in the eighth century. See, for example, the letter of Alcuin to Ealdormann Osbert in 797, asking him to admonish the kings of both Mercia and Northumbria not to put aside their lawful wives in order to take concubines (*Epistolae Karolini Aevi II*, ed. E. Duemmler, MGH Epistolae Carolini Aevi 2 (Berlin, 1925), no. 222).

[34] Indeed, the term *unriht hæmed* often referred simply to adultery or fornication (*DOE* entry 2.b for *hæmed*).

[35] II Cnut, c. 54.1 (*Gesetze* I, 348: '7 se ðe hæbbe rihtwif 7 eac cifese, ne do him nan preost nan þæra gerihta, þe man Cristenum men don sceal …' ('And as for he who has a lawful wife and also a concubine, let no priest do for him any of the offices which must be done for Christian people')). This ruling seems ultimately to be derived from the *Poenitentiale Halitgari* IV.xii, *Die Bussbücher und die Bussdisciplin der Kirche* II, ed. H. J. Schmitz (Dusseldorf, 1898), p. 281: 'de eo qui uxorem habet, si concubinam habuerit, non communicet'.

[36] One version of Pseudo-Evagristus, from the ninth century Frankish forgeries known as the Pseudo-Isidorean Decretals, includes a clear statement on what constitutes illicit union: 'Quapropter … fide catholica suffragante ita peracta legitima scitote esse coniugia; aliter vero praesumpta non coniugia, sed aut adulteria aut contubernia aut stupra vel fornicationes potius quam legitima coniugia esse non dubitate, nisi voluntas propria suffragaverit et vota succurrerint legitima' (Therefore … know that a marriage is legitimate if it is conducted with the help of the catholic faith; anything contracted in another way is not a marriage but without doubt rather adultery or cohabitation or shameful acts or fornications rather than lawful marriage, unless it is supported by [the participants'] own consent and founded on lawful vows) (*Decretales Pseudo-Isidorianae et Capitula Angilramni*, ed. P. Hinschius (Leipzig, 1863), p. 88). For the Decretals, see H. Fuhrmann, *Einfluss und Verbreitung der pseudoisidorischen Fälschungen*, 3 vols. (Stuttgart, 1972–74).

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THE BETROTHAL AGREEMENT

After one had found a suitable partner – who was not too closely related – and decided to take them into *rihtlif* instead of *unriht hæmed*, how did one go about arranging a marriage? The first clause of *Be wifmannes beweddunge* establishes the fundamental principle of consent, which courses through the text: although the process of betrothal is initiated by a man, it may only proceed if 'it is pleasing to her and to her "friends"'.[37] The use of the word *freond* (pl. *frynd* in this text) is ambiguous.[38] The word had a much wider semantic range in Old English than 'friend' does today; certainly, in some other legal texts it seems to refer to 'relatives', but even in these contexts it may be better to think of it as something closer to 'advisor' or 'trusted one'.[39] The ambiguity of *freond* leaves open the possibility that an unmarried woman may not have been reliant on her biological parents (who, of course, may not have been living), but on other relatives or even on non-familial connections. Clause 1 includes a single reference to another party on the bride's side, the *foresprecan* (sg. *forespreca*). In its origins, this word evidently has the sense of 'spokesman' or 'advocate'. It probably has something of this sense here: the *foresprecan*'s role is not merely to consent but formally to receive the man's *wedd* (pledge).[40] The Latin translation of *Be wifmannes beweddunge* in the Quadripartitus translates *foresprecan* as *paranymphi*, which specifically refers to nuptial sponsors (including what we would now call groomsmen and bridesmaids).[41] This may

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[37] *Be wifmannes beweddunge*, c. 1 (*Gesetze* I, 442): 'hit swa hire 7 freondan gelicige'. Discussions of consent in medieval marriage typically take Gratian as their starting point (e.g., J. T. Noonan, Jr., 'Power to Choose', *Viator* 4 (1973), 419–34; J. A. Brundage, *Law, Sex and Christian Society in Medieval Europe* (Chicago, 1987), pp. 34–7; McCarthy, *Marriage in Medieval England*, pp. 19–50 – McCarthy refers very briefly to *Be wifmannes beweddunge*, at p. 19).

[38] The expected nom. pl. is *friend*, but this has been simplified to *frynd* (sometimes spelt *frind*) in this late text (cf. A. Campbell, *Old English Grammar* (Oxford, 1959), §301 (p. 128)).

[39] Cf. D. Clark, 'The Semantic Range of *wine* and *freond* in Old English', *NM* 114 (2013), 79–93. For what it is worth, in Ulster English, 'friend' primarily referred to blood-relatives until quite recently (this usage can still be found among older speakers). On the other hand, it is worth noting that *amicus*, with which the Quadrapartitus version of the text consistently translates *freond*, only rarely means 'relative'.

[40] On OE *wedd* and *weddian*, see Fischer, *Engagement, Wedding and Marriage*, pp. 25–38; Ammon, 'Pledges and Agreements', pp. 53–5; M. Ammon, '"Ge mid wedde ge mid aðe": the Functions of Oath and Pledge in Anglo-Saxon Legal Culture', *Hist. Research* 86 (2013), 515–35. The key point to recognise is simply that *wedd* and *weddian* have a much wider application in Old English than their descendants do in the modern language – while in our text *weddian* clearly applies to the pledges involved in sealing a betrothal, the practice of 'pledging' was of fundamental importance to Anglo-Saxon legal culture as a whole.

[41] I can find little to suggest that the *paranymphus* was an established role in Anglo-Saxon custom. John the Baptist is described as *paranymphus* of Christ in both the prose and the poetic *De virginitate* (Aldhelm, *Pros. De virg.*, 23; *Carm. De virg.*, 407). *Paranymphus* is glossed in two Anglo-Saxon manuscripts as *dryhtguma* (cf. *DOE*, *s.v. dryhtguma*). This suggests not only that the Latin *paranymphus* was considered at least somewhat obscure, but also that it had no clear Old English

suggest that the *foresprecan* also had a liturgical or ritual role in the marriage process, though I can find little other evidence for the role of *paranymphi* in Anglo-Saxon marriages. A third word is used later in the text: *magas* (sg. *mæg*), which does have the specific sense of 'kinsmen'. Only after the entire betrothal agreement has been finalised does it fall to the prospective bride's kinsmen 'to pledge their kinswoman as a wife and in lawful matrimony to him that desired her'.[42] While it is highly likely that the roles of *frynd*, *magas* and *foresprecan* would have overlapped in practice, the text sees these as distinct roles: the *frynd* are the woman's closest counsellors who help initiate the process; the *foresprecan* take a specific legal role as 'sponsors'; the woman's family as a whole gives her into marriage. Finally, it is worth noting that the man is also expected to lean heavily on his *frynd*, even if their role is slightly different. Thrice in the text (c. 1, c. 3, c. 4) we find the formula *7 aborgian frynd þæt* ('And his "friends" will stand surety for that').

Although the reference to *frynd* does qualify or limit a bride's own legal agency, the text still stresses the importance of her consent. At c. 3, this is restated, here without reference to any third party: the groom is to proclaim what he intends to bestow upon her 'providing she accepts his will'.[43] It is interesting to compare this to the late seventh- or early eighth-century *Poenitentiale Theodori*:

Puellam disponsatam non licet parentibus dare alteri viro nisi illa omnino resistat; tamen ad monasterium licet ire, si voluerit. Illa autem desponsata, si non vult habitare cum eo viro cui est desponsata, reddatur ei pecunia, quam pro ipsa dedit, et tertia pars addatur; si autem ille noluerit, perdat pecuniam quam pro illa dedit. Puella autem XVI. annorum sui corporis potestatem habet. Puer usque ad XV. annos sit in potestate patris sui; tunc ipsum potest monachum facere, puella vero XVI. vel XVII. annorum, quae ante in potestate parentum erat. Post hanc aetatem patri filiam suam contra ejus voluntatem non licet in matrimonium dare.[44]

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equivalent, *dryhtguma* being a generic word for 'retainer' which is not connected with marriage in the vast majority of instances. On the context of the Quadripartitus, see S. J. Lemanski, 'A Loose Canon: the *Quadripartitus*, *Rectitudines*, and the Creation of English Law', *Nott. Med. Stud.* 60 (2016), 59–92.

[42] *Be wifmannes beweddunge*, c. 6 (*Gesetze* I, 442): 'weddian heora magan to wife 7 to rihtlife ðam ðe hire girnde'.

[43] *Be wifmannes beweddunge*, c. 3 (*Gesetze* I, 442): 'wið þam ðet heo his willan geceose'.

[44] *Poenitentiale Theodori*, II.xii.33–36, *Councils 590–870*, pp. 201–2. 'It is not permitted for parents to give a betrothed girl to another man unless she entirely resists [him]; however, she is allowed to go to a monastery if she is willing. But if she is betrothed, if she does not want to live with the man to whom she is betrothed, the money will be returned to him who gave it for her, and a third more added; if, however, he is the one who is unwilling, he will lose the money which he gave for her. Moreover, a girl of sixteen has power over her own body. A boy is in the power of his father until he is fifteen; then he can make himself a monk; a girl can do so at sixteen or seventeen, who was previously in the power of her parents. After this age, a father is not allowed to give his daughter in marriage against her will'.

There is a degree of confusion over the exact age at which a woman 'has power over her own body' – different manuscripts of the *Poenitentiale* give fourteen, thirteen or seventeen.[45] A later Old English translation of these canons, the so-called *Scrift boc* (written in the tenth or possibly the ninth century) gives fourteen as the age and seems to alter the sense of the final provision:

Feowertynewintre mæden mot agan hire lichaman geweald … Fæmne oð ðæt heo sy þreottynewintre oððe feowertynewintre sy heo in hire eldrena mihtum.[46] Æfter ylde hire hlaford[47] hi mot gifan mid hire willan.[48]

Where the *Poenitentiale Theodori* allows the possibility of a father giving his daughter in marriage against her will before the age of majority, the *Scrift boc* stresses that any marriage should be made with the woman's consent; at the same time, it gives the woman's father or 'lord' the task of arranging marriage even after that age. Taken together with *Be wifmannes beweddunge*, the penitential evidence may point to a gradual strengthening of the principle of consent over the course of the Anglo-Saxon period, although we would need more evidence to say this with confidence. At the same time, it would appear that women rarely, if ever, had the right to arrange marriages entirely off their own bat.

Be wifmannes beweddunge makes several references to the financial aspect of the betrothal agreement. The text makes three discrete provisions: c. 2 states that the groom must provide *fosterlean* ('payment for bringing up'); c. 3 has the groom publicly state what he will 'bestow' (*geunnan*) on the bride (not on her family); while c. 4 states that the woman will inherit half of the man's property if he dies without issue and the entirety if they have a child. *Fosterlean* is a somewhat obscure term. It appears elsewhere in the Old English corpus only in the *Menologium*, a poetic course through the liturgical year probably dating from the second half of the tenth century,

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[45] *Councils 590–870*, p. 201, n. 94.

[46] Spindler gives 'sixtynewintre oððe seofontyne', however both Oxford, Bodleian Library, Junius 121 and Cambridge, Corpus Christi College 190 give 'þreottynewintre oððe feowertynewintre' (*Das altenglische Bussbuch*, ed. R. Spindler (Leipzig, 1934), p. 183). It is difficult to see why Spindler amended the ages, unless it was under the influence of the *Poenitentiale Theodori* (despite the rather garbled ages transmitted in that tradition). I cannot see why the text would envision a two or three-year gap between a girl 'having power over her own body' and her no longer being 'in the power of her parents'.

[47] I suspect that if the author had wanted to say 'father' he would have done; as with *Be wifmannes beweddunge*'s use of *freond* and *mæg*, there seems to be an understanding of 'guardianship' or perhaps 'lordship' here.

[48] *Das altenglische Bussbuch*, ed. Spindler, p. 183. 'A fourteen-year old girl may have power over her body … A girl is in the power of her parents until she is thirteen or fourteen years old. After that age her 'lord' may give her in marriage with her consent'. Frantzen demonstrates that the *Scrift boc* is earlier than a related text, the 'Penitential' (Frantzen, *Literature of Penance*, pp. 132–139).

where it refers to the heavenly reward given to Mary for raising Jesus.[49] Given that there is no other evidence for the term in Anglo-Saxon legal discourse, perhaps we should view *fosterlean* not as a specific legal/financial term but more as a kind of justification for payment of a bride-price to the bride's family; it is a way of acknowledging the family's role in raising the woman to adulthood and of recompensing them for the 'loss' of their daughter.[50] Note also the requirement in c.3 to 'make known to whom her *fosterlean* belongs' – another acknowledgement that the woman might not be in the care of her biological parents, but that *fosterlean* must be paid regardless.[51] While this is paid to the woman's family or guardians, the gift bestowed in c. 3 is clearly to be given to the woman herself. Further evidence for the nature of any payments made must be sought in the 'secular' laws. The laws do not make any provisions for the size of any such payments, which was entirely left to the agreement of the parties. The earliest laws do, however, make provisions for two distinct payments, one to the family and one to the woman. The laws of Æthelberht of Kent (*c.* 602–603?)[52] and Ine of Wessex (695) both refer to the practice of 'buying a wife', which seem to refer to the bride-price, a payment made to the family rather than to the woman herself.[53] Æthelberht, c. 81 makes a reference to a separate payment, the *morgengifu* ('morning gift'), which was to be made to the bride herself after the wedding.[54] Although the term *morgengifu* does not reappear in a legal code until II Cnut, c. 73a, some 400 years later, it was evidently part of Anglo-Saxon custom throughout that period.[55] It appears several times in wills and charters; for instance, a letter to King Edward the Elder (r. 899–924) concerning a dispute over

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[49] *Menologium*, 148–153a (*The Old English Metrical Calendar*, ed. K. Karasawa (Cambridge, 2015), p. 80): 'hæfde nergend þa | fægere fosterlean fæmnan forgolden | ece to ealdre' ('then the saviour repaid fairly with a reward for his fostering, life everlasting'). Cf. R. J. Schrader, *God's Handiwork: Images of Women in Early Germanic Literature* (Westport, CT, 1983), pp. 13–14.

[50] Charles-Edwards takes *Be wifmannes beweddunge* as evidence that the old bride-price had either disappeared or 'transmutated' into the *fosterlean* (Charles-Edwards, 'Anglo-Saxon Kinship Revisited', p. 179), but I am not sure this is necessary, as it could simply be a different word for the same custom.

[51] *Be wifmannes beweddunge*, c. 3 (*Gesetze* I, 442): 'Æfter ðam is witanne, hwam ðæt fosterlean gebyrige'.

[52] Liebermann suggests this date; however, it is perhaps safer to say that they date to some time between the conversion of Kent to Christianity in 597 and the death of Æthelberht in 616.

[53] Æthelberht, c. 77 (*Gesetze* I, 7: 'gif mon mægþ gebigeð, ceapi geceapod sy, gif hit unfacne is'); Ine, c. 31 (*Gesetze* I, 102: 'gif mon wif gebyccge, 7 sio gyft forð ne cume, agife þæt feoh 7 forgielde 7 gebete þam byrgean, swa his borgbryce sie'). Cf. R. Hill, 'Marriage in Seventh-Century England', *Saints, Scholars and Heroes: Studies in Medieval Culture in honour of Charles W. Jones*, ed. M. H. King and W. M. Stevens (Collegeville, MN, 1979), pp. 67–75, at 69; C. Hough, 'The Early Kentish 'Divorce' Laws: a Reconsideration of Æthelberht, chs 79 and 80', *ASE* 23 (1994), 19–34.

[54] Æthelberht, c. 81 (*Gesetze* I, 8); Fell, *Women in Anglo-Saxon England*, pp. 56–7. The *morgengifu* (or *Morgengabe*) was also a feature of Merovingian Frankish custom and may have been inherited from pre-Christian Germanic practice (S. F. Wemple, *Women in Frankish Society: Marriage and the Cloister, 500 to 900* (Philadelphia, 1981), pp. 44–50).

[55] II Cnut, c. 73a (*Gesetze* I, 360).

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land at Fonthill, Wilts., states that a man named Helmstan held land 'just as Ætheldryth had given it for Osulf to own for a fair price, and she said to Osulf that she owned it with the right to sell it to him because it was her *morgengifu* when she first came [to marry] Athulf'.[56] The prevalence of this practice is attested in place-name evidence. A number of place-names derive directly from the word *morgengifu*, especially though by no means exclusively in Essex and Sussex.[57] Carole Hough has further argued that the place-name evidence suggests that the practice of *morgengifu* was not limited to the upper classes; small paddocks with names like *le Moryivegarston* in Surrey may have been the gift of 'small farmers and freemen'.[58] It would appear that the financial provisions involved in betrothal agreements were remarkably stable, at least in theory, over the course of the Anglo-Saxon period. It is also worth noting that *Be wifmannes beweddunge* exclusively talks about financial provisions being made to the bride and her family – there is no mention of a dowry, as in a payment made by the bride's family to that of the groom.

So, the chief concern of *Be wifmannes beweddunge* seems to be the legal, financial, physical and social protection of women within marriage.[59] This is evident from the repeated demands for consent and agreement, strengthened by multiple 'pledges' and 'sureties'; from the multiple levels of financial provision for the bride; and from the multiple levels of 'friendship' and kinship which provide witnesses, sponsors and counsellors for both parties. This principle of protection is most clearly laid out in clause 7:

Gif hy man ðonne ut of lande lædan wille on oðres þegnes land, ðonne bið hire ræd, ðæt frynd ða forword habban, ðæt hire man nan woh to ne do, 7 gif heo gylt gewyrce, ðæt hy moton beon bote nyhst, gif heo næfð, of hwam heo bete.[60]

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[56] S 1445 (S. Keynes, 'The Fonthill Letter', *Words, Texts and Manuscripts: Studies in Anglo-Saxon Culture Presented to Helmut Gneuss on the Occasion of his Sixty-Fifth Birthday*, ed. M. Korhammer, K. Reichl and H. Sauer (Munich, 1992), pp. 53–97, at 70): 'swa Æðeldryð hit Osulfe on æht gesealde wið gemedan feo, 7 heo cwæð to Osulfe ðæt heo hit ahte him wel to syllanne forðon hit wæs hire morgengifu ða heo æ[re]st to Aðulfe com'. See also S 939, S 1458, S 1487, S 1539. Charters and wills are cited by their 'Sawyer' number (beginning with 'S'), from P. H. Sawyer, *Anglo-Saxon Charters: an Annotated List and Bibliography* (London, 1968), progressively being updated by the *Electronic Sawyer Project* (online at https://esawyer.lib.cam.ac.uk/).

[57] C. Hough, 'Place-name Evidence Relating to the Interpretation of Old English Legal Terminology', *Leeds Stud. in Eng.* 27 (1996), 20–21; cf. F. Stenton, 'The Historical Bearing of Place-Name Studies: the Place of Women in Anglo-Saxon Society', *TRHS* 25 (1943), 1–13.

[58] Hough, 'Place-name Evidence', p. 21.

[59] Fell has argued that 'within the legal framework [more generally] the rights of maidens, wives and widows were protected'; she notes, for example, the repeated affirmation (in Wihtred, c. 12, Ine, c. 7 and c. 57 and II Cnut, c. 76) of the principle that women were not to be held as an accomplice in their husband's crimes (Fell, *Women in Anglo-Saxon England*, pp. 59–62). Cf. C. Hough, 'Women and the Law in Seventh-Century England', *Nott. Med. Stud.* 51 (2007), 207–30.

[60] *Be wifmannes beweddunge*, c. 7 (*Gesetze* I, 442). 'If someone wishes to lead her out of that land into another thegn's land, then it is advisable for her that her *frynd* have an assurance that no one will do

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This passage acknowledges the potential for abuse when a woman marries out of her own community, away from her established networks of *frynd* and *magas*.[61] The clause 'ðæt hire man nan woh to ne do' seems to be directed not at the prospective husband but at his family and community. Both this and the succeeding clause about compensation may indeed be envisioning a situation where a woman is left on her own in another community, because her husband has either died or been called away on business or campaign. If she incurs a fine – the usual Anglo-Saxon means of punishment – and is unable to pay, she is not to be left to her own devices; her old kinship group continues to have the right to intervene on her behalf.[62]

We might infer from clause 7 of *Be wifmannes beweddunge* not only that it was considered normal enough for women to marry outside their immediate communities – this much can be discovered from surviving wills and marriage agreements, at least for higher-status women – but that this situation left the new bride open to abuse, from which she needed legal protection.[63] *The Wife's Lament*, a poem preserved in the late tenth-century Exeter Book, gives us a sense of a wife's emotional response to being sundered from her community, preyed upon by her husband's family, and separated from her husband:

> Ða ic me feran gewat   folgað secan,
> wineleas wræcca,   for minre weaþearfe.
> Ongunnon þæt þæs monnes   magas hycgan
> þurh dyrne geþoht,   þæt hy todælden unc,
> þæt wit gewidost   in woruldrice
> lifdon laðlicost,   ond mec longade.
> Het mec hlaford min   her [h]eard niman,
> ahte ic leofra lyt   on þissum londstede,
> holdra freonda.[64]

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her harm, and if she commits a crime, that they may be next in paying compensation, if she does not have anything from which to pay compensation'.

61 Bitel speculates that this may refer to marriage across Anglo-Scandinavian 'borders' during Cnut's reign (Bitel, *Women in Early Medieval Europe*, p. 171); however, this seems unnecessary – the reference to marrying 'into another thegn's land' simply envisions the woman leaving her own community and travelling to the territory of another landowner.

62 On the enforcement of punitive fines, see T. Lambert, *Law and Order in Anglo-Saxon England* (Oxford, 2017), pp. 152–6.

63 We cannot say whether these occurrences were common from this evidence, only that the drafter(s) of our text felt they needed to be addressed.

64 *The Wife's Lament* 9–17a, *The Exeter Anthology of Old English Poetry: an Edition of Exeter Dean and Chapter MS 3501*, ed. B. Muir, 2 vols. (Exeter, 1994), I, 331. 'Then I went away to travel, to seek to follow him, a friendless exile, for my woeful need. Then that man's kinsmen began to purpose through deceitful thought that they would separate us, so that we would live most far apart in the

There is much in *The Wife's Lament* that defies explanation and the poem has attracted a vast range of interpretations as a result.[65] Many of the central questions – the dating of the poem, whether it was authored by a man or a woman, whether refers to a lost legendary story, even whether the central character is alive or dead – cannot be answered with any certainty.[66] However, recent scholarship has at least tended to accept that the poem is about a woman who is separated first from her own family and then from her husband.[67] The use of the impersonal *mon* in *The Wife's Lament* ('heht mec *mon* wunian | on wuda bearwe') echoes, coincidentally but revealingly, the use of the impersonal in *Be wifmannes beweddunge*: 'hy *man* ðonne ut of lande lædan wille … ðæt hire *man* nan woh to ne do'.[68] In both texts, it is not specified who is doing or causing the abuse – it may be the husband's family, the husband's lord or the husband himself. For the wife and for the community she left behind, it scarcely mattered.

TWO ELEVENTH-CENTURY MARRIAGE AGREEMENTS

Some evidence of how an agreement of the sort envisioned by *Be wifmannes beweddunge* might be formulated in practice can be found in a pair of marriage agreements which survive from the 1010s (making them roughly contemporaneous with the quasi-legal text). These are worth quoting in full (using Whitelock's translations, with my alterations marked by square brackets). Firstly, a marriage from Worcestershire, dated by Lapidge to 1014 × 1023, concerning the marriage of Archbishop Wulfstan's sister to one Wulfric:

world of men and most hatefully; and I was yearning. My lord commanded me to take up my abode here; I had few dear to me in this country, few dear friends'. Line 15b is a difficult half-line, which has been translated numerous ways (cf. Muir, *The Exeter Anthology*, II, 625). Several editors and translators have suggested *her heard* should read *herheard*, perhaps meaning a 'grove-dwelling'. Klinck, objecting to the emendation of *heard < eard* (which Muir tentatively accepts), prefers the translation of Nora Kershaw, 'my lord commanded, cruel, to seize me here', which necessitates an unnatural dislocation of the supposed adjective *heard* (A. L. Klinck, *The Old English Elegies: a Critical Edition and Genre Study* (Montreal, 1992), pp. 180–1).

65 For a summary of the older scholarship, see Klinck, *The Old English Elegies*, pp. 49–54.

66 H. Scheck, 'Seductive Voices: Rethinking Female Subjectivities in the *Wife's Lament* and *Wulf and Eadwacer*', *Lit. Compass* 5 (2008), 220–7, at 224 ('*The Wife's Lament* and *Wulf and Eadwacer* are the only extant female-voiced poems written in Old English, and the best candidates, therefore, for female authorship. They are also, however, the best candidates for male-authored manipulation of the female subject through literary representation'); A. Hall, 'The Images and Structure of *The Wife's Lament*', *Leeds Stud. in Eng.* 33 (2002), 1–29. On dating, see J. D. Niles, 'The Problem of the Ending of *The Wife's Lament*', *Speculum* 78 (2003), 1107–50, at 1111.

67 A. Kinch, 'The Ethical Agency of the Female Lyric Voice: *The Wife's Lament* and Catullus 64', *SP* 103 (2006), 121–52, at 123.

68 *The Wife's Lament* 27, *The Exeter Anthology*, ed. Muir, I, 331: 'Someone commanded me/I was commanded to live in a barrow in the woods'; *Be wifmannes beweddunge*, c.7 (*Gesetze* I, 442).

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Be wifmannes beweddunge

Her swutelað on ðysum gewrite ymbe ða forwerda ðe Wulfric 7 se arcebisceop geworhtan ða he begeat ðæs arceb. swuster him to wife · þ is ðæt he behet hyre þ land æt Ealretune 7 æt Ribbedforda hire dæg · 7 he behet hire þ land æt Cnihtewican · þ he wolde hit hire begytan ðreora manna dæg æt ðam hirede on Wincelcumbe · 7 sealde hyre þ land æt Eanulfintune to gyfene 7 to syllene ðam ðe hire leofest wære on dæge 7 æfter dæge · ðær hire leofest wære · 7 behet hire. L. mances goldes · 7 XXX. manna · 7 XXX. horsa. Nu wæs ðyses to gewitnesse Wulfstan arceb · 7 Leofwine ealdorman · 7 Aeþelstan bisc · 7 Aelfword abb · 7 Brihteh munuc · 7 manig god man toeacan heom · ægðer ge gehadode ge leawede · þ ðas forewerda ðus geworhte wæran. Nu syndon to ðysum forwordan twa gewrita · oþer mid ðam arceb · on Wigereceastre · 7 oþer mid Aeþelstane bisc · on Herforda.[69]

Secondly, a Kentish marriage agreement, dated to 1018 × 1020, concerning the marriage of one Godwine and the daughter of a Brihtric:

Her swutelaþ on þysan gewrite þa foreward þe Godwine worhte wið Byrhtric þa he his dohter awogode, þ is ærest þ he gæf hire anes pundes gewihta goldes wið þonne þe heo his spæce underfenge, 7 he geuþe hire þæs landes æt Stræte mid eallan þon þe þærto herð, 7 on Burwaramersce oðor healf hund æcera, 7 þærto þrittig oxna, 7 twentig cuna, 7 tyn hors 7 tyn ðeowmen. Ðis wæs gespecen æt Cincgestune before Cnute cingce on Lyfinges arcebisceopes gewitnesse, 7 on þæs hiredes æt Cristescircan, 7 Ælfmeres abbodes, 7 þæs hiredes æt S. Augustine, 7 Æþelwines sciregerefan, 7 Siredes ealdan, 7 Godwines Wulfeages sunu, 7 Ælfsige cild, 7 Eadmer æt Burham, 7 Godwine Wulfstanes sunu, 7 Kar ðæs cincges cniht, 7 þa man þ mædan fette æt Byrhtlingan, þa eode þyses ealles on borh Ælfgar Syredes sunu, 7 Frerþ preost on Folcestane, 7 of Doferan Leofwine preost, 7 Wulfsige preost, 7 Eadræd Eadelmes sunu, 7 Leofwine Wærelmes sunu, 7 Cenwold rust, 7 Leofwine Godwines sunu æt Hortune, 7 Leofwine se reade, 7 Godwine Eadgeofe sunu, 7 Leofsunu his broðer: 7 swa hwæðer heora læng libbe fo to eallan ætan ge on ðam lande þe ic heom gæf ge o ælcon þingan. Ðyssa þinga is gecnæwe ælc dohtig man on Kænt, 7 on Suþsexan on ðegenan 7 on ceorlan, 7 þyssa gewrita synd ðreo · an is æt Cristescyrcan, oðer æt S. Augustine, þ þridde hæfð Byrhtric self.[70]

[69] S 1459 (*Anglo-Saxon Charters*, ed. A. J. Robertson, 2nd ed. (Cambridge, 1956), p. 148; *EHD*, no. 128). 'Here in this document, it is published concerning the agreement which Wulfric made with the Archbishop when he took the Archbishop's sister as his wife; namely, that he promised her the land at Orleton and at Ribbesford for her lifetime; and he promised her the land at Knightwick, that he would get it for her from the community at Winchcombe for three man's lives; and he gave her the land at Alton, [for her] to give and grant it to whomever was dearest to her in her own lifetime and after her lifetime, as it pleased her; and he granted her fifty mancuses of gold and thirty men and thirty horses. Now these were the witnesses to this: Archbishop Wulfstan, and Ealdorman Leofwine, and Bishop Æthelstan, and Abbot Ælfword, and Brihteah the monk, and many good men as well as them, both clergy and laymen. Now there are two copies of this agreement: one is with the Archbishop at Worcester and the other is with Bishop Æthelstan at Hereford'. On dating, see M. Lapidge, *Anglo-Latin Literature, 900–1066* (London, 1993), p. 413. This agreement survives from a transcription in John Smith's 1722 edition of Bede, the original having since been lost.

[70] S 1461 (*Charters of Christ Church Canterbury*, ed. N. P. Brooks and S. E. Kelly, 2 pts. (Oxford, 2013), II, 1070 (no. 149); *EHD*, no. 130). 'Here in this document the agreement is published which

These documents both present a very similar procedure for arranging a marriage. In both cases the agreement is made between the prospective husband and the bride's guardian (whose role may correspond to that of the *forespreca* in *Be wifmannes beweddunge*). These are both close relatives – a father in the Kentish document, a brother in the Worcestershire document. The woman's consent is more clearly affirmed in the Kentish document (with the offer of land being made only on the condition that 'heo his spæce underfenge').[71] In both agreements, as in *Be wifmannes beweddunge*, the husband bestows very significant gifts on the wife. However, the different payments are not as clearly demarcated as they are in *Be wifmannes beweddunge* or in other texts. All of these gifts are understood to be granted to the bride herself – there is no evidence of *fostorlean* or bride-price in these texts. There does seem to be a difference in the Worcestershire document between land given for the duration of the bride's lifetime (*hire dæg*), and land given both for her lifetime and after her lifetime (*on dæge 7 æfter dæge*) – the latter is more likely to represent the *morgengifu*, which the wife would be free to dispose of as she wished either during her lifetime or in her will (this presumably being the force of the doublet (*to gyfene 7 to syllene*).

Both documents provide long lists of witnesses, corresponding to the *frynd* of *Be wifmannes beweddunge*. *Be wifmannes beweddunge* makes separate provisions for the groom to provide guarantors of the bride's safety, and for the bride's *magas* to pledge their kinswoman to the groom; there seem to be different roles for different witnesses or guarantors at different times. However, in the Kentish and Worcestershire agreements, it is difficult to untangle these witnesses – to figure out which ones speak for the bride and which for the groom. In the

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Godwine made with Byrhtric when he wooed his daughter; firstly, that he gave her one pound's weight of gold, in return for which she accepted his suit; and he granted her the land at Street with everything that belongs to it, and 150 acres at Burmarsh, and in addition thirty oxen, twenty cows, ten horses and ten slaves. This was agreed at Kingston in the presence of King Cnut, witnessed by Archbishop Lifing and the community at Christchurch, and by Abbot Ælfmar and the community at St Augustine's, and by Æthelwine the shire-reeve, and Sired the Old, and Godwine son of Wulfheah, and Ælfsige *cild*, and Eadmær of Burham, and Godwine son of Wulfstan, and Kar the king's retainer. And when the girl was fetched from Brightling, then the following acted as surety for all this: Ælfgar son of Sired, and Frerth the priest of Folkestone, and Leofwine the priest of Dover, and Wulfsige the priest, and Eadræd son of Eadhelm, and Leofwine son of Wærhelm, and Cenwold *rust*, and Leofwine, son of Godwine of Horton, and Leofwine the Red, and Godwine son of Eadgifu, and Leofsunu his brother. And whichever of [the bride and groom] should live the longer should succeed to all the possessions, both in land which I have given them and in all [other] things. Every worthy man in Kent and Sussex, thegn or ceorl, is aware of these things. And there are three of these documents: one is at Christchurch, another is at St Augustine's, and Byhtric himself has the third'. This agreement survives from a transcription in William Somner's *Treatise of Gavelkind* (1726), the original chirograph having since been lost.

71 Fell notes that it is clear that 'we are dealing with acceptance of the suit by the woman herself, not by her kinsmen on her behalf,' *Women in Anglo-Saxon England*, p. 58.

Worcestershire agreement, all the witnesses are given in one long list. This might suggest that they are all considered the *frynd* of the bride, given that Wulfstan is included among them. However, the final provision – that two copies of the agreement be made, one for Worcester and one for Hereford – may suggest that the Bishop of Hereford was acting as *freond* for Wulfric. In the Kentish agreement, there is first a list of witnesses to the marriage, including the King and the Archbishop. There is then a separate list of those who, in a striking echo of *Be wifmannes beweddunge*, 'acted as surety' (*eode … on borh*) when the bride was 'fetched' from Sussex to Kent. Again, it is unclear whether these guarantors belonged to the bride's party or the groom's. However, given that the match was made across two shires, it is perhaps the most natural reading of the text to suggest that the first list of witnesses represents Godwine's guarantors/*frynd* (the Kentish party) and the second list represents the bride's *frynd* (the Sussex party). As in the Worcestershire agreement, the Church seems to have acted almost as a broker for the marriage – high-status clergy acted as witnesses, the agreement itself was (presumably) drafted by a cleric, and copies of the agreement were kept in church archives.[72]

While it is not always possible to match the details of these documents to the specific provisions of *Be wifmannes beweddunge*, the surviving agreements do largely follow the pattern set down in the quasi-legal text. There is evidence of multiple levels of *frynd/magas* acting as guarantors for both parties; there is also evidence of multiple levels of financial provision, granted directly to the bride for her to dispose of as she wished. Of course, these were both very high-status marriages between prominent and well-connected people. At the same time, however, the two texts seem to be entirely independent of each other. They come from far-removed parts of the country, and they are associated with different dioceses. Apart from the opening *her swutalað* clause (common in wills from the same period), there are few textual links between the texts – notably the Worcestershire document's use of *dæg* (in the sense 'lifetime') is not mirrored in the Kentish document. The Worcestershire document would have been drafted by a Worcester scribe, while the Kentish document is strongly associated with Christ Church, Canterbury.[73] The fact that they are remarkably

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[72] Both documents were issued as chirographs, with copies held in two or three locations – on the use of chirographs in later Anglo-Saxon England, see K. A. Lowe, 'Lay Literacy in Anglo-Saxon England and the Development of the Chirograph', *Anglo-Saxon Manuscripts and their Heritage*, ed. P. Pulsiano and E. M. Treharne (Aldershot, 1998), pp. 161–203.

[73] There are parallels between the language of S 1459 and that of other Worcester documents, notably the chirographs issued by Bishop Oswald in the second half of the tenth century (e.g., the use of the phrase *þreora manna dæg* ('for three lifetimes of a man'), which can also be found in S 1362, a document recording the lease of land by Oswald to his 'man' Æthelmær).

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similar to each other, and that they both largely accord with the picture in *Be wifmannes beweddunge* is evidence that there was a somewhat standardised way of forming a betrothal agreement in late Anglo-Saxon England.

THE WEDDING RITE

The second-to-last provision of *Be wifmannes beweddunge* concerns the wedding itself: 'At the wedding by right there ought to be a priest, who should unite them with God's blessing on their union in all prosperity'.[74] Clearly the author of this text envisions some sort of Christian ceremony as the final step in organising a marriage 'æfter Godes rihte' – or it may be preferable to see a two-stage process here, a formal betrothal agreement ([be-]*weddung*), followed at some later date by a marriage ceremony (*gyft*).[75] Clause 8 provides little guidance for such a ceremony, apart from the properness of a priestly blessing. However, this in itself is quite significant and implies much about the Christianisation of marriage in the early Middle Ages.[76] A Christian marriage service or nuptial blessing was by no means taken for granted in the practice of the early church. Although conduct *within* marriage was much discussed in the New Testament, the wedding itself seems to have been a matter for secular custom.[77] Even though Augustine had referred to marriage as a *sacramentum*, the idea of marriage as one of the 'official' sacraments of the church did not develop until the late Middle Ages.[78] Nevertheless, the idea that marriages ought ideally to be blessed by a priest developed by the fifth century at the latest, at least in Gaul.[79] The *Poenitentiale Theodori* stated that 'for a first marriage a priest ought to conduct a mass and bless both [the bride and groom]'.[80] In the Eastern Church, the Emperor Leo VI (r. 866–912) ruled that a priestly benediction

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[74] *Be wifmannes beweddunge*, c. 8 (*Gesetze* I, 442): 'Æt þam giftan sceal mæssepreost beon mid rihte, se sceal mid Godes bletsunge heora gesomnunge gederian an ealre gesundfulnesse'. The potential significance of this clause has been recognised by Charles-Edwards, 'Anglo-Saxon Kinship Revisited', p. 180.

[75] *Be wifmannes beweddunge*, c. 1 (*Gesetze* I, 442): 'according to God's law'.

[76] On the development of Christian wedding rituals, see C. Vogel, 'Les rites de la celebration du marriage: leur signification dans la formation du lien durant le haut Moyen Âge', *Il matrimonio nella società altomedievale*, Settimane di studio del Centro italiano di studi sull'alto Medioevo 24, 2 vols. (Spoleto, 1977), I, pp. 397–465; K. Stevenson, *Nuptial Blessing: a Study of Christian Marriage Rites* (London, 1982); L. Crociani, 'Celebrazione e rito del matrimonio nella prassi antico-cristiana', *Matrimonio e familia: testimonianze dei primi secoli*, ed. M. Naldini (Fiesole, 1996).

[77] Brooke, *The Medieval Idea of Marriage*, p. 39.

[78] Augustine, *De bono coniugali*, iv–vii, *Opera*, ed. Zycha, pp. 191–7; cf. Reynolds, *How Marriage Became One of the Sacraments*, pp. 99–154.

[79] This is attested by the *Statuta ecclesiae antiqua* and the *Vita Caesarii Arelatensis* (C. J. Reid, Jr., 'The Priesthood and the Sacrament of Marriage', *A Companion to Priesthood and Holy Orders in the Middle Ages*, ed. G. Peters and C. C. Anderson (Leiden, 2016), pp. 217–51, at 235).

[80] *Poenitentiale Theodori* I.xiii, *Councils 590–870*, p. 187: 'In primo conjugio presbiter docet missam agere et benedicere ambos …'

was necessary for a marriage to be considered legitimate.[81] However, in the West this blessing was never made a condition for a valid marriage until the Reformation. Marriage was evidently not seen in the first order of a priest's duties. The eighth canon of the Council of *Clofesho* in 747 admonished priests to 'unceasingly remind themselves' (*indesinenter reminiscant*) of the purpose of their ordination: to officiate at the altar; to 'look after' (*conservare*) the house of prayer; to spend time faithfully in reading, prayer, masses and psalmody; and to assist their abbots and abbesses in teaching and admonishing the people.[82] The blessing of marriages was evidently a secondary task of the priesthood, part of the priest's general duties of looking after the lay flock rather than a distinct ministry.

How did the Christian ritual of marriage develop over the course of the early medieval period? The *Poentitentiale Theodori* had prescribed both a mass and a blessing, specifically for a first wedding (*in primo conjugio*), implying that remarriages, though licit, were not to be blessed in the same way.[83] Evidence from North Africa shows that a nuptial mass of some sort featured in Latin liturgy from at least the end of the third century; it is difficult, however, to trace its development or prevalence in the first eight centuries of western Christianity.[84] In the absence of any firm evidence, there is little we can say about nuptial masses in early Anglo-Saxon England. It seems probable, however, that most early nuptial blessings were primarily or exclusively domestic affairs, conducted in the home, perhaps with blessings composed or modified 'on the spot' by the priest. For more isolated communities, it is possible that any blessing might have occurred some time after

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[81] K. Ware, 'The Sacrament of Love: the Orthodox Understanding of Marriage and its Breakdown', *Downside Rev.* 109 (1991), 79–93.

[82] Councils of *Clofesho*, VIII, *Councils 590–870*, p. 365: '… altaris officium Divinique cultus obsequium summa intentione persolvere: oratorii domum, et cuncta ad cultum ipsius pertinentia, sub sua cura conservare; lectioni, orationi, missarum celebrationi, psalmisque canendis invigilare, abbatibusque suis sive abbatissis diligenter ac fideliter ubicunque opus videatur auxilium praebere … id est, in ammonendo et corripiendo atque exhortando subjectos …' The reference to 'abbots and abbesses', rather than bishops, is presumably a reflection of the early Anglo-Saxon pastoral structure, which was based around a loose organisation of *monasteria* (or 'minsters'). A priest would be supported by one of these religious houses in his pastoral ministry; the abbot or abbess therefore must have served as an intermediate authority between the priest and the bishop (cf. A. Thacker, 'Monks, Preaching and Pastoral Care in Early Anglo-Saxon England', *Pastoral Care Before the Parish*, ed. J. Blair and R. Sharpe (Leicester, 1992), pp. 137–70, at 137–8; J. Blair, *The Church in Anglo-Saxon Society* (Oxford, 2005), pp. 160–6).

[83] *Poenitentiale Theodori* I.xiv.1, *Councils 590–870*, p. 187. Wulfstan affirms this at *Institutes of Polity* XXI (Jost, *Die 'Institutes of Polity*, pp. 130–4). On anxieties around remarriage in the tenth and eleventh centuries, see A. J. McMullen and C. Shields-Más, 'Tamar, Widowhood, and the Old English Prose Translation of Genesis', *Anglia* 138 (2020), 586–617.

[84] Stevenson, *Nuptial Blessing*, p. 19. The first liturgical book *per se* is the seventh-century Verona (or 'Leonine') Sacramentary, which contains no specific marriage rituals apart from a series of prayers for a *velatio nuptialis* ('nuptial veiling').

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the wedding – this is perhaps what the laws of Wihtred envisioned when it called on people to 'legitimise' their relationships (*hiora hæmed rihtan*).[85] From the eighth century onwards, liturgical books become increasingly common in England and on the continent, meaning that we can begin to trace both aspects of the nuptial blessing – the mass and the domestic ritual. The earliest complete nuptial masses appear in the Gelasian Sacramentary (early-mid-eighth century) and the Gregorian Sacramentary (late eighth century).[86] The latter was obtained by Charlemagne directly from Pope Hadrian I, in the hope of establishing a uniform text of the missal; however, elements of both the Gelasian and Gregorian texts ultimately formed the basis of the Roman Missal.[87]

The earliest English liturgical books to include nuptial blessings are the Leofric Missal (Oxford, Bodleian Library 579) and the Durham Collectar, also known as the Durham Ritual (Durham, Cathedral Library A.IV.19), both dating to the late ninth or early tenth century.[88] Both largely follow the Gregorian text of the mass; however, the Durham Collectar contains the text of the epistle and Gospel readings, as well as a set of blessings which evidently derive from an earlier 'domestic' ritual.[89] This allows us to see a complete nuptial blessing from ninth-/ tenth-century England.[90] The Gospel reading is taken from Matt. XXII.1–14, the parable of the wedding feast. The epistle is rather more direct, a warning from Paul (1 Cor. VI.15–20) not to unite oneself with a prostitute (*adheret meretrici*) but to 'flee sexual immorality' (*fugite fornicationem*). The Gregorian benediction during the mass is, interestingly, directed specifically towards the bride, as seems to have been the case with most of the earliest nuptial liturgies.[91] It calls on God's blessing 'over this your maidservant' (*super hanc famulam tuam*), and calls for God to help her become (among other things) an *imitatrix* of the wives of the patriarchs: to be as loving as

[85] Wihtred, c. 4 (*Gesetze* I, 12).

[86] *The Gelasian Sacramentary: Liber Sacramentorum Romanae Ecclesiae*, ed. H. A. Wilson (Oxford, 1894), pp. 265–7 ('Actio nuptialis'); *Le sacramentaire Grégorien: ses principales formes d'après les plus anciens manuscrits*, ed. J. Deshusses (Fribourg, 1971), pp. 308–11 ('Ad sponsas velandas').

[87] 'Gregorian Sacramentary', *The Oxford Dictionary of the Christian Church*, ed. F. L. Cross and E. A. Livingstone, 3rd rev. ed. (Oxford, 2005).

[88] *The Leofric Missal*, ed. N. Orchard, 2 vols., HBS 113–114 (Woodbridge, 2002); *The Durham Collectar*, ed. A. Corrêa, HBS 107 (Woodbridge, 1992). Orchard associates the earliest portion of Leofric ('Leofric A') with Plegmund, Archbishop of Canterbury between 890 and 914/923 (Orchard, *Leofric Missal*, I, 131); Corrêa dates the Collectar to 890 × 930 on palaeographical grounds (Corrêa, *Durham Collectar*, pp. 80–1).

[89] Corrêa, *Durham Collectar*, pp. 220–24; Stevenson, *Nuptial Blessing*, p. 42.

[90] The oldest portions of the Durham Collectar, including the marriage service, were written in the south of England, judging by the West-Saxon dialect of a brief Old English oath on f. 55r; it came to Chester-le-Street before *c.* 970, where it was added to by several scribes, included Aldred, the glosser of the Lindisfarne Gospels (Corrêa, *Durham Collectar*, pp. 76, 81).

[91] Stevenson, *Nuptial Blessing*, p. 42.

Rachel, as wise as Rebecca, and as faithful and long-living as Sarah.[92] The text of the mass is then followed by the series of blessings, which by their reference to *hoc thalamum* and *lectum istum* were evidently meant to be said in the home of the newly-wed couple. This sequence, which may well draw upon a much earlier and long-lasting tradition of domestic blessings, recurs exactly (with two additions) in the mid-tenth-century Egbert Pontifical (Paris, BnF, Lat. 10575) – given the way the Durham version breaks off mid-sentence during the seventh prayer, I am confident that the version in Egbert represents the full version of the sequence. Given that there is a degree of repetition in the prayers, it is possible that the priest or bishop was meant to select only some of the prayers on any given occasion:

1) Aaronic blessing (adapted from Num. VI.24–27)
2) Blessing of the marriage covenant (*conuentio*)
3) Blessing of the marriage bed/chamber (*thalamus*)
4) Trinitarian blessing
5) Blessing of the couple (*ad[h]ulescentuli*)
6) Blessing of the ring[93]
7) Blessing of the bed
8) General blessing
9) Blessing of the generations (adapted from Tobit IX.10–11)

Elements of this 'Durham-Egbert sequence' recur in a number of eleventh-century prayer-books, including the Benedictional of Archbishop Robert (Rouen, Bibliothèque municipale, 368) and the Red Book of Darley (Cambridge, Corpus Christi College, 422).[94] Later Anglo-Saxon prayer-books contain evidence of other nuptial

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[92] Corrêa, *Durham Collectar*, p. 223: 'Imitatrixque sanctarum permaneat feminarum; sit amabilis ut Rachel uero sapiens ut Rebecca, longeua et fidelis ut Sarra'.

[93] The betrothal ring was part of Roman custom and over time began to be attached to the wedding itself; it was prescribed, for example, in Nicholas I's responses to the Bulgarians ('Nicolai I papae epistolae', ed. Perels, p. 569). Most Anglo-Saxon wedding liturgies include at least one blessing of the ring. It is difficult to track wedding rings *per se* in the archaeological record; finger rings in general were extremely rare in the earliest centuries of Anglo-Saxon England and do seem to have become considerably more common from the ninth century on; it is quite possible that this was a result of the wedding ring becoming a more 'naturalised' part of English custom. What finger rings do survive are rarely made of precious metal; there are copper, bone, glass and jet examples (G. R. Owen-Crocker, *Dress in Anglo-Saxon England*, rev. ed. (Woodbridge, 2004), pp. 90, 146, 208).

[94] *Two Anglo-Saxon Pontificals*, ed. H. M. J. Banting, HBS 104 (Woodbridge, 1989), 33–4; *The Benedictional of Archbishop Robert*, ed. H. A. Wilson, HBS 24 (London, 1903), 151; the liturgical sections of the Red Book have not yet been edited, but the marriage *ordo* is found in abbreviated form in *Manuale et processionale ad usum insignis ecclesiae Eboracensis*, ed. W. G. Henderson, Publ. of the Surtees Soc. 63 (Durham, 1875), 159. For the origins and purposes of pontificals in tenth-century England and Francia, see S. Hamilton, 'The Early Pontificals: the Anglo-Saxon Evidence Reconsidered from a Continental Perspective', *England and the Continent in the Tenth Century: Studies*

blessings, entirely separate from the tradition of Durham/Egbert, which may represent local traditions or *ad hoc* prayers. For instance, the eleventh-century Canterbury Benedictional (London, British Library, Harley 2892), alone of all western liturgies, preserves the idea of 'crowning' the newlyweds, which had been common practice in Greece, Egypt and Syria/Palestine.[95] We do not know whether the original author of this text drew inspiration from eastern texts, whether it was suggested by Pope Nicholas' responses to the Bulgarians, or whether (just possibly) he preserved an idea which had been brought to England in the seventh century by Theodore of Tarsus.[96] Although there is more to be said about the earliest marriage liturgies, the overall impression is of a loose and often idiosyncratic tradition.

The picture of how Christian wedding ceremonies were conducted in England becomes slightly clearer at the very end of the period. By the turn of the twelfth century, liturgical books from England, Normandy and Brittany had largely coalesced around an *ordo* which began at the door of the church, where the bride and groom acknowledged their consent, confirmed the dowry and rehearsed their vows; they would then move inside the church for a nuptial mass, before repairing to the marital home for the blessing of the bridal chamber.[97] Overall, as Stevenson notes, the earlier domestic rituals represented by Durham/Egbert recede into the background, as the 'church wedding' becomes increasingly settled.[98] Of course, it remains unclear to what extent church weddings, or even weddings blessed by the priest at home, had become the norm by the end of the Anglo-Saxon period – just because *Be wifmannes beweddunge* sees it as part of the 'normal procedure' and there is liturgical evidence that such rituals existed does not necessarily say anything about how common it was. There were doubtless marriages which were blessed *post facto* if at all, marriages which were conducted clandestinely, not to mention well-attested practices of cohabitation and concubinage. At the same time, we should not

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[95] *in honour of Wilhelm Levison (1876–1947)*, ed. D. Rollason, C. Leyser and H. Williams (Turnhout, 2010), pp. 411–28.

[95] *The Canterbury Benedictional (British Museum, Harl. MS. 2892)*, ed. R. M. Woolley, HBS 51 (London, 1917), 127: 'Angelus dei eis adsit custos indeficiens, expallatur ab eis omnis uirtus diabolica seuiens, eorumque tempora in pace multiplicentur, et in prole fecundentur, sicque benedicantur ut hic et in ęternum a deo coronentur'; cf. Stevenson, *Nuptial Blessing*, pp. 21–6; p. 65. None of the prayers in the Canterbury Benedictional occur in any other prayer-book.

[96] For example, John Chrysostom, *Hom. in I Tim.* IX (PG 62, col. 545): '… στέφανοι ταῖς κεφαλαῖς ἐπιτίθενται, σύμβολον τῆς νίκης …' (Crowns are placed on their heads, as a symbol of victory); 'Nicolai I papae epistolae', ed. Perels, p. 569. Cf. Stevenson, *Nuptial Blessing*, pp. 21–6.

[97] J-B. Molin and P. Mutembe, *Le rituel du mariage en France du XIIᵉ au XVIᵉ siècle* (Paris, 1974), pp. 34–7, 285–90. There is no evidence for the main business of the marriage being conducted at the church door before the Norman Conquest; of course, this may be simply due to a lack of specificity in the earlier liturgical sources.

[98] Stevenson, *Nuptial Blessing*, p. 67.

assume that the procedure in *Be wifmannes beweddunge* was not common or normal, just because we can find evidence for alternatives.

CONCLUSION

Perhaps the best summary of the text comes from the text itself. *Be wifmannes beweddunge* describes the procedure for arranging a marriage 'æfter Godes rihte 7 æfter woroldgerysnum'.[99] The author of this text offers an idealised picture of how these two demands – God's law and secular customs – might be satisfied. The history of marriage in Anglo-Saxon England suggests that the balance between divine and earthly ideals and realities was constantly shifting. Indeed, the nature of what exactly *godes riht* and *woroldgerysnu* demanded underwent enormous changes over the course of the Anglo-Saxon period, as marriage ceased to be a primarily domestic arrangement and gradually 'became a part of the religious life of Christendom'.[100] At the same time, *godes riht* and *woroldgerysnu* should not be seen as opposing forces, with the former representing the inexorable reach of the church, the latter representing the survival of 'pagan' customs.[101] This model may be somewhat relevant to the very earliest days of Anglo-Saxon Christianity, although even at that time there was a degree of alignment between worldly and Christian expectations of marriage. In later periods, there was rarely a sharp distinction between religious and secular demands; even if they did not always work in perfect harmony, they tended to be mutually reinforcing. Undoubtedly there must have been a great many breaches of both *godes riht* and *woroldgerysnu*; the recorded instances of cohabitation and concubinage suggest as much, as do laws concerning rape and adultery. Yet it is surely unnecessarily cynical to suggest that the idealised procedures represented in *Be wifmannes beweddunge* and the liturgical books bore no relationship to reality at all. The Church gradually defined what it meant to live in *rihtlif* ('lawful marriage') and made this an attainable ideal for all lay people.

Amid these changes and occasional tensions, there stood a couple, making a commitment to share their lives, to be gathered into a 'union' (*gesomnung*).[102] Marriage was one of the defining events in the transitory lives of millions of women and men in early medieval England. They were not alone, of course: their families, friends, lords, priests and bishops all potentially had a say in the matter. Collectively, these people shared in an experience of marriage; an experience

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[99] *Be wifmannes beweddunge*, c. 1 (*Gesetze* I, 442): 'according to God's law and secular customs'.

[100] Brooke, *The Medieval Idea of Marriage*, p. 21, writing about medieval Europe generally.

[101] Blair cautions against seeing widespread echoes of paganism in Anglo-Saxon popular religion, noting that 'to label customs that churchmen happened to dislike … as "pagan survivals" is to accept a boundary drawn by critics, not by practitioners' (Blair, *The Church in Anglo-Saxon Society*, p. 169).

[102] *Be wifmannes beweddunge*, c. 8 (*Gesetze* I, 442).

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which was shaped and to some extent defined by *godes riht* and *woroldgerysnu*, but which had the potential to confound both.[103]