

ANGLO-SAXON LAW AND NUMISMATICS: A REASSESSMENT IN THE LIGHT OF PATRICK WORMALD'S *THE MAKING OF ENGLISH LAW*

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SINCE Michael Dolley and Michael Metcalf established that Edgar introduced a system of periodic recoinages in c.973, the numismatic evidence for the thoroughness of the recoinages has offered historians valuable evidence for the effectiveness of Anglo-Saxon government. In Simon Keynes's words, 'the reformed system of coinage as a whole demonstrates the remarkable degree of sophistication attained in one area of royal government in the late tenth century, and thus suggests to the historian what he can reasonably expect in others'.¹ However, the lines from king to mint are hard to trace in practice. The very limited written evidence touching on the coinage gives only a fractured picture of its administration. Together with Roger of Wendover's thirteenth-century reference to Edgar's recoinage, the clauses in Athelstan's Grately code (II Athelstan), Edgar's Andover code on the one coinage (II-III Edgar), Æthelred's coinage laws ('IV Æthelred', 5-9) and the punishments for forgers laid down in his Wantage code (III Æthelred, 8, 16), form almost the entire written evidence for the administration of the coinage.² References to money and coins in use are relatively more frequent in the written sources, such as the charters, but here too, the references to transactions in the laws have been of particular interest given their evidence for royal concern on the matter.³ Understanding the laws is thus a key step in understanding the written evidence for the administration and the use of the coinage, and illuminating these processes in practice.

There has been no wider discussion of the coinage laws in relation to numismatics since R.S. Kinsey's consideration of these passages in his article 'Anglo-Saxon law and practice relating to mints and moneyers' in 1958-59, though Mark Blackburn has examined Athelstan's coinage and the numismatic clauses of the Grately code in detail.⁴ Kinsey's article was based on wide and thoughtful reading in the numismatic and historical literature of his day, but a comparison of the open questions facing Kinsey, writing before presentation of the sexennial recoinage thesis, compared to the questions under discussion today, reveals how far the study of the late Anglo-Saxon coinage has come. The growing body of single find evidence has been of particular importance in improving our understanding of coin use in England.⁵ This increasingly detailed picture of the coinage can be set against the royal

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¹ Keynes 1980, 193-6, at p. 196. See Dolley and Metcalf 1961 and the discussion in Stewart 1990 on the thesis of sexennial recoinages. For a convenient summary of late Anglo-Saxon administration, see Williams 1999, chapter 9. The extent and efficacy of government is heavily debated; see for example Campbell 2000, chapters 1, 8 and 9 for discussion.

² See *EHD* I, no. 4, 284, for a translation of Roger of Wendover's entry on Edgar and the coinage. Attenborough 1922 and Robertson 1925 provide a convenient parallel text and translation of the laws. I use the traditional spelling Grately, conventional in the legal literature, instead of the modern spelling Grateley.

³ See for example Metcalf 1998, xii-xiii, for discussion of the evidence of the laws. The charters may now be searched on line at <http://www.anglo-saxons.net/hwaet/?do=show&page=Charters>.

⁴ Kinsey 1958-59, of which Parts I and II, 12-26 and 26-31 (covering the coinage from Alfred to Cnut and moneyers) are particularly relevant for this discussion (Parts III and IV, 31-50, discuss Anglo-Saxon naming practice and coins of the moneyer Cynsig); Blackburn 1996. Stewart Lyon has discussed 'IV Æthelred' c. 9.2: Lyon 1969, 214, and Lyon 2006, 234.

⁵ Compare the problems facing Kinsey 1958-59, 25-6, with the 39 questions addressed by Metcalf 1998, 11-101, and the issues addressed in Cook and Williams 2006. On the single find evidence, see Metcalf 1998: Cook 1999; Allen 2006. Moesgaard 2000-2002 discusses the use and interpretation of this evidence. See the Early Medieval Corpus, <http://www.em.fitzmuseum.cam.ac.uk/coins/emel/>, for a searchable database of single finds.

legislation. In this article, I wish to return to the references to coinage in the Anglo-Saxon laws in the light of Patrick Wormald's important research on the laws, especially his *The Making of English Law: King Alfred to the Twelfth Century*, which has made this difficult evidence much more penetrable to the non-specialist.⁶ It has also raised questions which need to be taken into account in interpreting the coinage laws, particularly regarding the availability and dissemination of the laws, and the ideological aspect to the Anglo-Saxon laws. Wormald's work on the transmission of the laws provides a new perspective on some of the familiar questions about the coinage laws, including whether those surviving represent the tip of a much larger iceberg, now lost; why clauses such as the need for transactions to be witnessed were repeated from code to code; and the role of local and central government in the administration of the coinage. Finally, over the last thirty years, historians working with early medieval law have increasingly emphasised the symbolic aspects of the royal act of legislating, and the complex relationship between oral and written law, and actual practice;⁷ how far, then, was written law on the coinage symbolic rather than practical? A better understanding of the complex relationship between the laws and the coins thus offers the possibility of adding nuance to our picture of the late Anglo-Saxon administration, and the role of coinage.

Where Kinsey adopted a chronological approach, I shall take a thematic one, and explore some aspects of these questions by examining first the transmission and purpose of the laws and then by looking at the laws on transactions and the forgery laws in more detail. The clause in Athelstan's Grately code listing moneyers will not be discussed in detail, as this has been examined by Mark Blackburn.⁸ The full text of all the clauses cited may be found in the Appendix. Although the laws were well-edited by Felix Liebermann, it should be noted that the intransigence of the manuscript material led to the introduction of an occasionally misleading numbering for the laws, which is too established to be altered: for example Æthelred's laws, conventionally numbered I-VIII, were issued in the order II, IV, I, III, V-VIII.⁹

The transmission and dissemination of written law

At the heart of Wormald's work is a detailed examination of all the extant manuscripts containing the Anglo-Saxon laws. This codicological work has shown very clearly the far-reaching impact of the manuscript transmission upon our understanding and interpretation of the laws: the coinage laws as we possess them today come to us heavily filtered by the transmission process. Examination of the transmission also raises questions about how the laws were disseminated and preserved, with implications for how we may understand and use the coinage laws.

The central problem associated with the transmission of the laws is well known: we are generally reliant on texts preserved in rather later manuscripts, with obvious implications for the authority of the texts. For example, the earliest witness to Athelstan's Grately code of the later 920s, with its references to towns and trade, and the coinage, is BL Cotton Otho B.xi (written in 1001×1015, probably at Winchester), supplemented by sixteenth-century copies of this manuscript, which was damaged in the Cottonian library fire of 1731.¹⁰ In the case of the important twelfth-century collection known as *Quadripartitus*, the texts survive in Latin

⁶ Wormald 1999. This was to be the first of two volumes, but the author's untimely death in 2004 has meant that volume II, presenting the wider interpretation of the detailed evidence put forward in volume I, has not yet appeared.

⁷ See especially Wormald 1977; compare the discussion of law in McKitterick 1989, 23–75, especially at pp. 37–40, which summarises many of the key debates and emphasises the 'practical relevance' of written documents (p. 39), alongside their symbolic role. The challenging questions concerning the relationship of oral and written law, and the use of writing in early medieval society cannot be explored here, but must be borne in mind: see Keynes 1990 on the use of writing in Anglo-Saxon government, and the collected essays in Davies and Fouracre 1986 and 1995, which also engage with different aspects of these questions.

⁸ See Blackburn 1996.

⁹ Liebermann 1903–16. See Wormald 1999, table 3.1, 112–17, for a convenient chronology of the laws, and 22–4 for an evaluation of Liebermann's edition.

¹⁰ II Athelstan, 12, 14; Attenborough 1922, 134–5; for the transmission, see Wormald 1999, 164, 173, and Blackburn 1996, 167–8, on the numismatic clauses.

translation, further complicating analysis of the laws not otherwise preserved, such as 'IV Æthelred's' coinage laws.¹¹

The exceptions to this general rule of late transmission pose problems of their own: the later laws of Æthelred (V onwards), and those of Cnut, survive in contemporary or near-contemporary manuscripts associated with Archbishop Wulfstan of York (Bishop of London 996–1002, Archbishop of York 1002–23), a key figure in the formation of royal legislation at this period. Wulfstan's impact on the laws was enormous: as well as changing the tone and framework of legislation, which became more explicitly religious and homiletic in tone, his concerns and interests were a significant filter in the process by which the earlier laws were transmitted.¹² The four manuscripts produced in Wulfstan's circle represent a substantial thread in the slender transmission of the laws.¹³

Wulfstan did not however simply copy the old laws, but took the opportunity to amend them; for example, Wormald has shown how he edited II–III Edgar, adding weights to the measures in III Edgar c. 8.1 and inserting new clauses on matters such as plough-aims and sanctuary in II Edgar.¹⁴ It is highly likely, given his attestable alterations in III Edgar, that Wulfstan may also have amended Athelstan's Tithe edict (I Athelstan) and Edmund's codes to introduce terms such as plough-aims.¹⁵ As a comparison with the text in *Quadripartitus* reveals, Wulfstan also removed the king's name from VII Æthelred, the penitential edict issued at Bath in the context of the crisis of the arrival of Thorkell's army in 1009, and of particular interest to numismatists as the most plausible context for the issuing of the *Agnus Dei* type, to make the law universal and applicable to any time of crisis.¹⁶ In the case of Æthelred's other later codes, V–VI and VIII, we do not have the possibility of cross-checking the text against an independent strand in the transmission and in Wormald's words 'their original or official form (if any) is out of reach'.¹⁷ Some of these codes, such as V Æthelred and VI Æthelred, survive in more than one recension, which may differ appreciably.¹⁸ Thus the Old English version of VI Æthelred adds clauses not in the Latin version preserved in the same manuscript, including one on the coinage; Wormald suggests in fact that the texts of V and VI Æthelred as they stand are the result of Wulfstan's drafting process as he produced his later laws.¹⁹ Wulfstan's concerns for the creation of a Christian society and his vision of legislation as akin to homily must therefore be borne in mind in any analysis of laws transmitted through his circle.²⁰ This especially applies to the passages on the coinage and trading in the later laws of Æthelred and those of Cnut, and must also be considered for I Edmund and III Edgar. It is thus very important to note that the laws as we now possess them may not reflect accurately the written form of the legislation originally issued by the kings.

A second and related point emerging from Wormald's discussion of the manuscripts is the contrast between the contexts in which written law survives before and after c.1200. Law

¹¹ See p. 160 below on 'IV Æthelred', 5–9. On *Quadripartitus*, see Wormald 1999, 236–44, and 237 on its Latin.

¹² Wormald 1999, 190–224, 330–66, drawing on the research of D. Whitelock in particular; on Wulfstan, see also Keynes 2007.

¹³ See Wormald 1999, Table 4.1, 164–5, for a convenient summary of the 20 legal manuscripts; the four manuscripts in Wormald's Classes III and IV are directly associated with Wulfstan (BL Cotton Claudius A.iii, the York Gospels, BL Cotton Nero A.i(B), CCCC 201). Two further manuscripts in Class V contain Wulfstan material (CCCC 265, CCCC 190), and one manuscript in Class II, the section of BL Harley 55(A) containing II–III Edgar, may also be associated with Wulfstan (Wormald 1999, 188–9).

¹⁴ Wormald 1999, 314–15.

¹⁵ Wormald 1999, 295, 309.

¹⁶ Wormald 1999, 331; see Robertson 1925, 108–13, for the Latin version of *Quadripartitus*, and 114–17 for Wulfstan's version, from CCCC MS 201. See Keynes 2007 for a detailed discussion of the crisis of 1009 and the sources for the period, including the *Agnus Dei* coinage.

¹⁷ Wormald 1999, 337.

¹⁸ While Liebermann 1903–16 prints the different texts in parallel, Attenborough 1922 and Robertson 1925 usually select one text only; for example Robertson prints the CCCC MS 201 version of V Æthelred, and the BL Cotton Claudius A.iii version of VI Æthelred.

¹⁹ See Wormald 1999, 330–3, on the three recensions of V, and 333–6 on those of VI; see Keynes 2007 for the context in which these laws were produced.

²⁰ Wormald 1999, 449–65, discusses the influences on Wulfstan's legislation, particularly canon law and Ælfric's *Excerptiones Ecgberhti*.

books of a kind recognisable to us are a twelfth-century development, when laws begin to survive in manuscripts containing law, and law only, which are often conveniently small-sized for usage in practice.²¹ Legal collections such as *Quadripartitus* and the *Textus Roffensis* were novelties, triggered by the particular circumstances, pressures and trends of the post-Conquest period, which generally saw a rush to secure and restate the Anglo-Saxon past in a form relevant for the Anglo-Norman present.²² Liebermann's edition and the convenient translations by Attenborough and Robertson especially mean that the laws come to us in the guise of organised and systematic post-1200 law, neatly arranged into sections: an appearance not shared by the original texts, which often had only slight indications of breaks, marked by the use of larger-sized initial letters.²³ Wormald's analysis of the manuscripts in which the laws are preserved emphasises that in the pre-Conquest period, law was associated rather with religious works, and was considered appropriate for inclusion in the most solemn religious contexts, such as the York Gospels and collections of pastoral and penitential texts such as Cambridge Corpus Christi College MS 265.²⁴ In the case of Wulfstan's manuscripts, such as BL Cotton Nero A.i(B) and Cambridge Corpus Christi College MS 201, the legal texts need to be seen in the context of his wider activity as a homilist, as Wormald notes: 'There was no distinction there between clauses allotted to "law" or "homily"'. Headings were in the same style, and were sometimes similarly worded. Wulfstan's scribes took their cue from the archbishop's conception that "law" and "homily" ran side by side towards the same goal.'²⁵ The manuscript contexts in which we find the laws thus suggest a different understanding of the purpose and meaning of law in the Anglo-Saxon period, emphasising especially its religious context.

In assessing the Anglo-Saxon law codes and why they were issued, it is important to remember this gulf between our post-1200 understanding of law and the texts we possess. Of the laws, Alfred's *Domboc* stands out in many ways, as a law code 'conceived and executed in the grand manner: very formal and self-conscious, covering a wide range of subjects, and intended to impress not least by its scale.'²⁶ However, Simon Keynes notes that the formal law code was a context in which it would not be appropriate for the king to deal explicitly with current malpractices.²⁷ II Cnut represents another major codification of the law. In between these two points a great variety of texts go under the name of law codes, which may, in Simon Keynes' words, better be described as 'pronouncements on legal matters apparently issued in written form, and circulated to the parties or courts concerned'.²⁸ A key area of discussion in wider work on early medieval law over the last thirty years has been the extent to which written law was intended to be applied in practice, as opposed to holding rather a symbolic value. Was a king's motivation in legislating to provide his officials with handy law books to which they could refer as they went about their business?

Wormald's analysis of the transmission of the laws in the law books is of great interest for understanding the preservation process, and suggests that explanations other than the immediate one – a 'top-down' royal concern to disseminate the laws – may be needed to account for the survival of these provisions.²⁹ He argues on the basis of a detailed analysis of the content and order of the individual twelfth-century collections that the compilers seem to have found the laws they used in blocks, which often included thematically-related texts, which

²¹ Wormald 1999, 224–53, discusses these manuscripts, defined as Class VI, 'legal encyclopedias'.

²² See for example van Houts 2003 on the impact on history writing. The twelfth century was also more generally a period of development in the law: see for example Chibnall 1986, 161–83, for a useful summary of the changes.

²³ Attenborough 1922; Robertson 1925. On the appearance of the manuscripts, see Wormald 1999, chapter 4, 162–263, for example at p. 208. See also the tendency Wormald notes for twelfth-century copyists to overlook the breaks between texts (p. 242).

²⁴ For discussion, see Wormald 1999, 195–7 (York Gospels) and 211–19 (CCCC 265).

²⁵ Wormald 1999, 339.

²⁶ Keynes 1991, 68.

²⁷ Keynes 1991, 68.

²⁸ Keynes 1991, 68–9, at p. 68.

²⁹ Summarised at Wormald 1999, 478–9.

were then copied together with the laws of the various kings.³⁰ The twelfth-century compilers seem to have included all the texts they could find; with some hesitation, Wormald argues that there probably was little more in the way of written law for them to find by that time, as law 'was not carefully enough kept nearer to its own time'.³¹ Despite the reference to the copying and distribution of the laws in IV Edgar, the *Wiltbordesstan* code, it seems that written law and royal instructions at times may have been seen as disposable rather than as a matter for permanent record; when laws were circulated, they were issued perhaps as what Wormald has described as 'loose-leaf laws', which have left slight traces in the manuscript transmission.³² Overall, the copying and circulation of the laws seems to have been inefficient, with a strong contrast under Athelstan, for example, between his laws' 'exalted aspirations [and] his spasmodic impact'.³³ The exception appears to be Alfred's *Domboc*, which has a substantial transmission suggesting its special status as the first major codification of the law, and its purpose in shaping a Christian society.³⁴ This division between codes and 'disposable' law would also agree with the Carolingian evidence, where capitularies, or laws presented in *capitulae* or chapters (with some exceptions) tend to survive in local contexts, associated with those who executed them, in contrast to law books such as the *Lex Salica*, which have a transmission much more closely associated with the Frankish rulers and reflecting their interest in the prestigious activity of legislating.³⁵

The transmission of the Anglo-Saxon coinage law often seems to fall into the category of more 'disposable' law, preserved at a local level, as Wormald's exploration of the transmission of the laws reveals. The Wantage code, or III Æthelred, is especially associated with the Danelaw, as Edgar's *Wiltbordesstan* Code was before it, and seems to reflect local concerns and practices in terminology and content: Wormald describes the Wantage text as one 'where royal resolutions were fused with local measures and practices'.³⁶ Æthelred's most detailed texts on the administration of the coinage are in 'IV Æthelred', which seems to have a local, London context: here, '[a] statement of current London customs was harnessed to royal mintage laws whose relevance to urban government is obvious'.³⁷ Similarly, the clauses on coinage in Athelstan's Grately code seem to occur in an older code inserted into Grately. The clauses numbered second to seventh 'mostly relate to affairs of the "borough", like trade or minting: issues, that is, coming under the aegis of borough reeves, whose duty to witness large-scale transactions was stressed in the immediately preceding clause "12"'.³⁸ Thus the most detailed laws touching on the administration of the Anglo-Saxon coinage are all preserved in the context of legislation of local, burghal interest, and the regulations on the coinage seem to have survived alongside other local, practical laws. This in turn suggests that we owe the preservation of these detailed laws more to the actions of those at local level who were charged with executing the laws, than to the concern of central government to disseminate the written laws effectively: a point which may help explain why no written record of Edgar's recoinage survives, for example. Some of our written laws may in fact reflect a more 'informal' type of government document, and be more closely related to later writs than our idea of 'law'.³⁹ Mark Blackburn has argued that the detailed provisions on mints in Grately

³⁰ Wormald 1999, for example 231, 233, 242, 248, discussing the transmission of *Be Bluserum*, *Forfang* and the Hundred Ordinance following Alfred's code in CCCC 383, some manuscripts of *Quadripartitus*, and in *Textus Roffensis*.

³¹ Wormald 1999, 414–15, at p. 415.

³² IV Edgar, 15.1: Robertson 1925, 38–9; Wormald 1999, 414–15, 478–9, and the discussion of Class II, 181–90.

³³ Wormald 1999, 300.

³⁴ On the transmission, see Wormald 1999, 265. To a lesser extent Cnut's Code, the last codification of the law, also has a fairly strong transmission: Wormald 1999, 349.

³⁵ On capitularies, see McKitterick 1989, 34–6, and Mordek 1984; on the transmission of the *Lex Salica*, see McKitterick 1989, 40–60. On capitularies and laws copied by a *Leges* scriptorium associated with the Carolingian court, see McKitterick 1993; compare Wormald 2003, 44–6.

³⁶ Wormald 1999, 329.

³⁷ Wormald 1999, 371.

³⁸ II Athelstan 13.1–18: Attenborough 1922, 134–7; Blackburn 1996, 167; Wormald 1999, 294.

³⁹ Wormald 1999, 478.

may reflect the survival of an administrative document later embedded into law.⁴⁰ It is possible, reading Wormald, that more Anglo-Saxon 'law' may have looked 'administrative' than we had previously realised. How far written instructions were used in the contacts between king, administrators and mint is another question, for another occasion.⁴¹

The purpose of the laws

The relationship of the surviving written laws with the original verbal or written royal enactments on the coinage is thus more complicated than it may at first seem. The evidence of the transmission suggests that in Anglo-Saxon England law had a strong religious context. Laws touching on the coinage appear both in the solemn context of codes and in the more 'disposable' category of law preserved at a local level. Given this context, can we understand the coinage laws as purely pragmatic in intention? What role may religion have played in the formulation of these laws?

To legislate, and particularly to produce written law, was to undertake an especially Christian, royal act. Making written law was a prestigious and indeed imperial activity, with strong associations with the great Christian law-giving emperor Theodosius II, as well as important biblical precedents. The couplet beneath the portrait of the Frankish king Charles the Bald (840–77) in the intimate context of his psalter compared the king to Theodosius II and King Josiah, the Old Testament king who reintroduced the Law to the kingdom of Judah.⁴² In issuing law, Anglo-Saxon kings were influenced by past Christian imperial and more contemporary Carolingian legislative practice; the Aachen reform councils of 817 seem certainly to have influenced the monastic reform movement, alongside more recent continental reform thinking.⁴³ Turning to the coinage legislation, the Byzantine and Continental parallels of provisions for punishing moneyers by nailing the offending hand to the mint have long been recognised.⁴⁴ Enacting written law, whatever its subject, had strong Christian and imperial associations for Anglo-Saxon rulers. Indeed, Wormald argues that the production of written law was closely associated with periods of 'imperial consciousness', notably under Athelstan and Edgar, and, in Æthelred's case, with the period in the 990s when his mother Ælfthryth, Edgar's widow, and other royal kinsmen, such as Ealdorman Æthelweard, were influential at court.⁴⁵

Furthermore, Anglo-Saxon kings from Alfred onwards seem to have been particularly concerned to shape a Christian society: 'For a Christian king is Christ's deputy (*Cristes geseþelia*) among Christian people, and he must avenge with the utmost diligence offences against Christ'.⁴⁶ Wormald discusses in detail the significance of the preface to Alfred's *Domboc*, which quoted the Ten Commandments and cited long passages from Exodus before turning to quotations from the Acts of the Apostles and presenting extracts from the ecclesiastical councils. Alfred thus saw his own activity in legislating within the context of Old Testament law and canon law.⁴⁷ I Athelstan, the Tithe Ordinance, made law 'for the first time . . . on grounds of vigorously phrased religious principle': tithes were to be rendered 'on pain of forfeiting the

⁴⁰ Blackburn 1996, 171–2; see however the comments of Wormald 1999, 440 n.77, arguing that the memorandum cannot have been incorporated into Grately after the event, as it appears in all strands of the transmission.

⁴¹ Wormald 1999, 127 n.38, discusses the point, citing Grierson 1962, Sawyer 1973 and Stewart 1990. See Keynes 1990 on the use of writing in administration.

⁴² Paris, BN lat. 1152, f. 3v: *Cum sedeat Karolus magno coronatus honore est fovee similis, parque Theodosio*. 'When Charles sits [upon his throne], crowned with great honour, he is like Josiah, and equal to Theodosius' (my translation). Illustrated and discussed in McKitterick 1977, 2–3, pl. 1. For Josiah's rediscovery of the Law, see 2 Kings, chapters 22–3.

⁴³ See Cubitt 1997 for an excellent survey of recent work on the monastic reform movement, and Wormald 1988 and Symons 1975 on the impact of Continental thought.

⁴⁴ II Athelstan, 14, discussed in Blackburn 1996, 168, citing Hendy 1985, 327–8, and in Wormald 1999, 306 (citing Lopez 1942–43), and 444. Kinsey 1958–59, 18, also discusses the parallels between III and IV Æthelred and Byzantine legislation. See Wormald 2003 for a convenient recent discussion of the continental 'barbarian' law codes.

⁴⁵ Wormald 1999, 444; on Æthelred's advisors in the 990s, see Keynes 1980, 186–93.

⁴⁶ VIII Æthelred 2.1: Robertson 1925, 118–19. On Christian kingship, see for example Nelson 1999.

⁴⁷ Wormald 1999, 416–29.

fine for insubordination (*oferhyrnysse*) to me', and in fear of God's anger.⁴⁸ The religious purpose of Anglo-Saxon legislation finds more overt expression in the laws from Edmund (939–46) onwards; for example II Edmund (with a transmission independent of Wulfstan) opens with Edmund's statement 'that I have been considering, with the advice of my councillors . . . first of all how I could best promote Christianity.'⁴⁹ From the mid-tenth century onwards the references and parallels to penitential literature in the laws also become more explicit.⁵⁰ Under Edgar, the special circumstances of an outbreak of plague triggered the issuing of IV Edgar, the *Wiltbordesstan* Code, which linked the kingdom's misfortune to 'sin and disregard of God's commands', and particularly the withholding of tithes. An implicit analogy to the parable of the tenants and the vineyard (Matthew 21:33–41) perhaps underlies c. 1, sections 1–3, which describe the consequences of withholding tithes.⁵¹ From V Æthelred onwards, this religious rhetoric moves to a whole new level and the laws breathe and reflect a religious mental framework far more overtly. This change has been conclusively identified with the involvement of Archbishop Wulfstan in the writing process of the laws, and may to some extent have reflected wider contemporary attitudes among the elite.⁵² Thus in II Cnut, Wulfstan's ultimate achievement, the familiar laws on coinage (one unadulterated coinage, to be accepted by all, with punishments for forgers and reeves who are accessories to the fraud) in c. 8 are embedded in 'a homiletic mini-summary', being joined to aspirations on 'the promotion of public security', just as the correction of weights and measures in the following clause is united with the end of 'all unjust practices'.⁵³

When we examine the coinage, a similar Christian emphasis emerges in the iconography of the coins, as is very well known.⁵⁴ Crosses or other explicitly Christian symbols such as the Hand of God dominate the reverse types of almost all Anglo-Saxon coins from Athelstan onwards.⁵⁵ Less visibly, both obverse and reverse inscriptions opened with an initial cross, just like the text and signature clauses of royal charters.⁵⁶ Ildar Garipzanov's recent work on Carolingian coinage in particular has emphasised the potential value of the coinage as a medium for conveying royal messages to different audiences.⁵⁷ Successive Anglo-Saxon rulers thus used the coinage to emphasise their Christian kingship.

The Bible played an important part in forming Anglo-Saxon and wider early medieval attitudes to kingship, law and society. Both Old Testament and New Testament have much to say regarding money and its use within society, and I think that we cannot overlook the influence these biblical passages are likely to have had on Anglo-Saxon kings in assessing the purpose and meaning of the laws they issued on coinage. Together with the proper exercise of justice, and the continual recollection of God's law, in the Bible correct weights, measures and money are key marks of a godly society. For example, Deuteronomy 25:13–15 states that 'You shall not have in your bag two kinds of weights, large and small. You shall not have in your house two kinds of measures, large and small. You shall have only a full and honest weight; you shall only have a full and honest measure, so that your days may be long in the land that the Lord your God is giving you.'⁵⁸ It is significant, therefore, to note the religious aspect to correct coinage which emerges in the laws, especially from Æthelred's later laws onwards. Even prior to the period of Wulfstan's influence, the iconography of the coins suggests that a

⁴⁸ Wormald 1999, 302; I Athelstan, 5, trans. Attenborough 1922, 124–5.

⁴⁹ II Edmund, preface: Robertson 1925, 8–11, at p. 9. It is notable that II Edmund is not among the laws transmitted, and therefore possibly reworked, by Wulfstan.

⁵⁰ Hough 2000, 135; see also Hamilton 2001.

⁵¹ IV Edgar, 1: Robertson 1925, 28–39, at pp. 28–31.

⁵² Wormald 1999, 450–1.

⁵³ II Cnut 8, 9: Robertson 1925, 178–9.

⁵⁴ See for example the discussion of Stafford 1978, 37.

⁵⁵ Occasionally rosettes and other designs replace the cross: see for example Athelstan's Circumscription Rosette and Flower types, *CTCE* pl. 7, 15 and 23, and Eadred and Edgar's Rosette/ Horizontal Rosette types, *CTCE* pl. 14, 223 and pl. 19, 162–5.

⁵⁶ See Garipzanov 2006, 422–5, 448, on the use of the cross in Francia and beyond.

⁵⁷ Garipzanov 2006, especially 452–4.

⁵⁸ Deut. 25:13–15 (*NRSV*); compare also Lev. 19:35–6, and Micah 6:10–11, where the sins of 'scant measure' and 'wicked scales and a bag of dishonest weights' lead to punishment in 6:13.

biblical, Christian understanding of coinage may have informed both the coin types and royal legislation on the coins.

Contexts for the laws on transactions

A second dominant feature of the iconography of the coinage is of course the royal portrait which dominates the obverse types after c.973. These portraits, often inspired by Roman imperial coinage, conveyed messages of royalty within the imperial tradition, just as written law could.⁵⁹ The portrait also perhaps clarified the ruler's ownership of the coinage. It is interesting to note that the coinage is called *feoh*, in addition to the regular use of *mynet*.⁶⁰ *Feoh* is a term which appears regularly in the laws, meaning both tribute and property generally, but also occasionally with more specific meanings such as cattle.⁶¹ The choice of word is interesting, and suggests that the coinage was perhaps seen by Æthelred and other Anglo-Saxon kings as royal property, which would emphasise its symbolic value. How does the legislation on coinage and coin use fit with the other attested concerns of the Anglo-Saxon kings? Do these concerns help us to understand the numerous laws regulating trading and the imposition of restrictions on monetary transactions?

Wormald identifies a concern over theft as a leitmotif of much royal legislation under Athelstan and Edgar and in Æthelred's earlier years.⁶² Maintaining the rule of law was enshrined in the coronation oath.⁶³ Although rulers faced considerable difficulties in delivering public peace, they continued to seek it; Keynes's examination of some twenty charters describing cases where lands were forfeited to Æthelred as the result of criminal activity indicates active royal concern and intermittent success at least in this area.⁶⁴ The laws which touch directly or indirectly on the use of coinage, including provisions on the appropriate whereabouts for trading, procedures for vouching to warranty, and the repeated concern to legislate regarding livestock in particular, should therefore be seen within this context of royal aspiration towards control both of people and property, and the prevention of disputes.

The laws regulating trading and the imposition of restrictions on monetary transactions in the codes from Edward onwards, and in particular the clauses in Athelstan's Grately code, have attracted much attention.⁶⁵ Michael Metcalf, for example, has raised well-founded questions about the practicality of enforcing these laws and suggested that they applied only to disputed transactions, or those involving strangers.⁶⁶ A long-standing theme in the laws, which helps account for Athelstan's regulation of trade in the Grately code and other royal efforts elsewhere, is the problem of regulating those who fall outside the usual structures of local society, and traders in particular. The solution for Hlothre (673–85) and Eadric (685–86) was the transfer of liability for a stranger's transgressions to his local host. Alfred's provision was that traders (*ciepemonnum*) were to present themselves and any men they wished to take with them into the country before the king's reeve at the public meeting (*folc-gemote*), and to choose as companions only men whom they could bring to justice again.⁶⁷ In Ine's code (688–726), a trader who goes into the countryside (*uppe on folce*) is to trade before witnesses, and a procedure for an oath is outlined where the trader cannot bring witnesses

⁵⁹ Edward the Confessor's Radiate Crown/Small Cross type, copied from a third-century Roman antoninianus, is a particularly clear example.

⁶⁰ *Feoh*: III Æthelred, 8 (Robertson 1925, 68–9); *feos hote*: V Æthelred, 26.1; VI Æthelred, 32.1; II Cnut, 8 (Robertson 1925, 86–7, 100–1, 178–9); *mynet*: III Edgar, 8; VI Æthelred, 32; II Cnut, 8 (Robertson 1925, 28–9, 100–1, 178–9).

⁶¹ *Feoh* as tribute: II Æthelred, 1 (Robertson 1925, 56–7); *feoh* as property, goods: Ine, 28.2; V Athelstan, 1.5 (Attenborough 1922, 44–5, 154–5); III Edgar, 4=II Cnut, 16; VIII Æthelred, 33=II Cnut, 40 (Robertson 1925, 24–5, 126–7, 182–3, 196–7); *feoh* as cattle: Ine, 35.1; Alfred 18.1 (Attenborough 1922, 46–7, 72–3).

⁶² Wormald 1999, 305, 328.

⁶³ Keynes 1991, 67; see Robertson 1925, 42–3, for an Old English version of this oath.

⁶⁴ Keynes 1991, 77–8.

⁶⁵ I Edward, 1; Attenborough 1922, 114–5; II Athelstan, 12; Attenborough 1922, 134–5; see also the Appendix.

⁶⁶ Metcalf 1998, xiii.

⁶⁷ Hlothre and Eadric, 15; Attenborough 1922, 20–1; Alfred, 34; Attenborough 1922, 78–9.

to attest to his ownership of stolen property found in his hands.⁶⁸ The use of witnesses and warrantors for transactions therefore has long roots in the laws, and examining these also helps suggest the origins of royal thinking on limiting trade to towns. Witnesses already appear in the early laws of Hlothere and Eadric, where c. 16 discusses the need for men of Kent to have two or three trustworthy witnesses when buying property (*feoh*) in London.⁶⁹ Similar provisions appear in the treaty between Alfred and Guthrum of c.880, where all men are to have knowledge of their warrantors when buying slaves, horses or oxen.⁷⁰ In I Edward, c. 1, the provision to have a warrantor is associated with further measures for the control of transactions, with the famous limitation of purchases to the town or *porte*, in the presence of the port-reeve or other trustworthy men. In sections 4 and 5 of this clause, dealing with measures to vouch for ownership in disputed cases, the purchases envisaged are livestock, with one witness to be called 'for each cow or livestock of an equivalent value' in section 4.⁷¹

The final development of these royal attempts to control transactions comes in IV Edgar.⁷² In this code Edgar sought to bring all men under surety, whether living within a burh or outside (c. 3), and the measures for the appointment of witnesses (c. 3.1, 4–5) and on transactions which followed should be seen in this wider context of Edgar's desire to control and regulate both ecclesiastical observance and lay society in Anglo-Saxon England, which was linked with his vision of Christian kingship.⁷³ As well as having witnesses for all transactions, whether in a burh or in a wapentake (c. 6), c. 7 provides that anyone 'set[ting] out to make any purchase shall inform his neighbours of the object of his journey; and when he comes home, he shall also declare who was present as witness when he bought the goods (*ceap*)'. Procedures for declaring unexpected purchases, and reporting purchases of cattle, follow in c. 8–11.⁷⁴ Wulfstan took the provision on the purchase of goods before trustworthy witnesses into Cnut's code from Edgar's laws, but added the value 'over four pence'.⁷⁵ Michael Metcalf linked the provisions in Cnut's laws on witnesses for transactions with the problem of disputes over goods, and referred to the repetition of this from Edgar's laws.⁷⁶ Infractions of these laws were seen in terms of disobedience (*oferhyrnesse*) to the king. Thus the penalty in I Edward 1.1 for infractions of the law on trading within a town was 'the sum due for insubordination to the king', and royal officials were to be brought into the witnessing process for transactions.⁷⁷ This suggests that laws on monetary transactions were intended as a means of limiting disputes, and of bringing them into the jurisdiction of royal law and royal officials, which would be in accordance with the wider aims of legislation as identified by Keynes and Wormald.

A point already emerging in the examples discussed above, and deserving of special emphasis, is the close association of legislation on coinage and transactions with legislation on cattle in the laws. For example, III Æthelred, c. 9, stating that cows were only to be killed with two trustworthy witnesses, followed immediately on from c. 8, on moneyers and false coinage.⁷⁸ In IV Edgar the general purchases, *ceap*, of c. 7, rapidly become detailed instructions for what is to be done with newly-purchased livestock (*orf*) in chapters 8–11.⁷⁹ Concern of this kind was foreshadowed in III Edmund, 5: 'And no-one shall make a purchase or receive strange cattle unless he has as witness the high-reeve or the priest or the treasurer or

⁶⁸ Ine, 25 and 25.1: Attenborough 1922, 44–5.

⁶⁹ Hlothere and Eadric, 16: Attenborough 1922, 22–3.

⁷⁰ Alfred-Guthrum, 4: Attenborough 1922, 100–1. For a discussion of the date of this treaty, see Keynes and Lapidge 1983.

⁷¹ I Edward, 1–1.5: Attenborough 1922, 114–17.

⁷² The transmission of IV Edgar seems to be via two manuscripts of Worcester provenance only, but its text does not show traces of influence by Wulfstan: Wormald 1999, 317–20.

⁷³ IV Edgar, 3–5: Robertson 1925, 32–5. On Edgar's reign, see Stafford 1989; for recent studies on the monastic reform movement, see Cubitt 1997.

⁷⁴ IV Edgar, 6–11: Robertson 1925, 34–7.

⁷⁵ II Cnut, 24: Robertson 1925, 186–7. This value does not seem to derive from the older laws on trade, as Athelstan was the only ruler to specify a value in the context of this legislation, of 20*denarii*: see p. 159 below.

⁷⁶ Metcalf 1998, xiii.

⁷⁷ I Edward, 1.1: Attenborough 1922, 114–15; compare III Edmund, 5: Robertson 1925, 14–15.

⁷⁸ Robertson 1925, 68–9.

⁷⁹ Robertson 1925, 34–7.

the town-reeve.⁸⁰ Edmund's clause perhaps was influenced by the measures in II Athelstan (Grately), where c. 10 refers to the need to exchange cattle before witnesses, such as the reeve, mass-priest, landowner, treasurer or other trustworthy men.⁸¹

In general, the laws more readily refer to buying and selling, and the flexible terminology for property of all kinds can make it hard to distinguish exactly what goods are meant. The significance of cattle as a source of wealth and item of trade is reflected in the vocabulary, where *æht*, *ceap* and *feoh* all mean cattle, or by extension property and goods in general.⁸² One of the more specific words for cattle, *yrfe*, seems to take the wider meaning of 'property' in c. 24 of the Grately code.⁸³ The phrasing of Grately c. 12 does not specify a particular type of goods ('no one shall buy any kind of goods (*ceap*)'), but cattle were surely envisaged among the goods to be sold. When the provision on trading goods in towns was taken into Cnut's code (c. 24), these were specified as both living and non-living (*ne libbende ne licgende*), which Liebermann glossed as cattle, living or dead, though this could also mean 'livestock and other property' (i.e., not livestock), as Robertson translates it, which would accord with the Latin translation in *Quadripartitus*, as *mobile vel immobile*.⁸⁴

This concern for transactions involving cattle in particular reflects the significance of cattle in Anglo-Saxon society: not only valuable as a food source, they were a key form of tribute in the early Anglo-Saxon period especially, and therefore were linked to status, and were an obvious target for theft. Cattle were capital, and it was important to assure their protection.⁸⁵ The repeated laws touching on the tracing of stolen cattle, the buying and selling of cattle, and often the conflation in the laws of purchases in general with cattle, suggest this high significance of cattle in Anglo-Saxon society.⁸⁶ In the treaty with the Vikings of 994, II Æthelred, c. 7 specifically states that charges of cattle theft or killing brought by a Viking and a native cannot be denied.⁸⁷ Lords were given a stake in the upkeep of these provisions by the transfer of non-warranted livestock to them.⁸⁸ An entry in the Hertfordshire Domesday noted by James Campbell suggests that this last legislation might have been put into practice: this half a hide has an inordinate quantity of livestock, including 68 cattle and 350 sheep. Campbell suggests that these may be 'beasts taken in distraint, herded, rather than pastured, on this rather small property'.⁸⁹

Athelstan's Grately measures to limit purchases to towns in c. 12 should therefore be seen as a continuation and development of the tradition of legislating over the potential flashpoint of disputed cattle ownership. It is interesting to note that c. 12 selects the same threshold of 20*d.* for purchases in towns as was used in the procedure in c. 9 for resorting to a selected oath in the case of attaching livestock; the value in c. 9 may have suggested that in c. 12. Based on the prices given in VI Athelstan, c. 6.2, 20*d.* would represent one cow at 20*d.*, two pigs at 10*d.*, or four sheep at a West-Saxon shilling of 5*d.* each.⁹⁰

While references to monetary transactions in the laws are very limited, these laws should be seen in the context of the much more substantial body of legislation on transactions in general, and particularly transactions involving cattle. Disputes – over cattle among other issues

⁸⁰ III Edmund, 5; Robertson 1925, 14–15; the law is transmitted via *Quadripartitus* only.

⁸¹ II Athelstan, 10; Attenborough 1922, 132–3.

⁸² Bosworth and Toller 1898, 13, 148, 276. See for example Alfred-Guthrum, 5 (*æhtum*) (Attenborough 1922, 100–1); II Athelstan 12, 24 and IV Edgar, 6, 7, 8 (*ceap*) (Attenborough 1922, 134–5, 140–1; Robertson 1925, 34–5), and notes 60–61 above for instances of *feoh*.

⁸³ II Athelstan, 24; Attenborough 1922, 140–1.

⁸⁴ Liebermann 1903–16, I, 326; Robertson 1925, 186–7 and note to 24.1 at p. 355; see also Bosworth and Toller 1898, 637, for examples of both meanings.

⁸⁵ Campbell 2000, 185–6, at p. 186 and n.37, citing, *inter alia*, the obituary for Henry I in *ASC*, s.a. 1135: 'He had peace for man and beast', *EHD* II, 209.

⁸⁶ See for example VI Athelstan, 4–8 (Attenborough 1922, 158–67) and III Edmund, 6 (Robertson 1925, 14–15) on tracking livestock; I Edgar 2, 2.1, 5 on the pursuit of cattle and 4 on strange livestock (Robertson 1925, 16–19). Cattle also had a dominant position in Irish law and society: see Kelly 1997, 27–9, 165–9. I owe thanks to Rory Naismith for drawing the parallel to my attention.

⁸⁷ Robertson 1925, 60–1.

⁸⁸ See for example IV Edgar 11; Robertson 1925, 36–7; III Æthelred, 5; Robertson 1925, 66–7.

⁸⁹ Campbell 2000, 220–1.

⁹⁰ VI Athelstan 6.2; Attenborough 1922, 160–1. On the West Saxon shilling, see Lyon 1969.

– were clearly a major concern to Anglo-Saxon law-makers, as work on the wider context of the laws and society has shown. How successfully this legislation was applied in practice is another, and unknowable, matter. Monetary transactions, undertaken in royal coinage, however, were clearly an area which Anglo-Saxon kings felt that they should regulate, for practical and ideological reasons. Only in this way could the kings create the Christian society to which they aspired.

The laws on forgery in context

Thus far, the evidence has suggested that royal concern for an ordered, Christian society lay behind the issuing of much of the surviving written legislation, including aspects of the laws on transactions and the coinage. In the case of the laws on forged coins, the numismatic evidence offers a better possibility of exploring the relation between the written law and contemporary practice under Æthelred II. While provisions against fraudulent moneyers already appear in II Athelstan c. 14.1,⁹¹ two codes associated with Æthelred include detailed provisions against coin forgers and forged coins. First, there are the ‘Coinage laws’ in ‘IV Æthelred’,⁹² Transmitted only in Latin, via *Quadripartitus*, and in association with material related to London, this nevertheless seems to represent authentic law of Æthelred, dated by Wormald to around 995, on the basis of the apparent citation of c. 5–5.2 in the Wantage code.⁹³ A little more can be said about the context of the Wantage code, or III Æthelred, which also contains clauses on forgers. In around 997, King Æthelred and his councillors enacted laws at Wantage ‘for the promotion of public security’, and possibly as part of a wider campaign to enforce the royal will in the Danelaw.⁹⁴ The Wantage code has a strong ‘Scandinavian’ flavour, with many Scandinavian terms appearing in the text, such as *ora* (a unit of value worth 16*d.*) and the use of *grið* instead of *frið* for ‘peace’.⁹⁵ Amidst the provisions on breaches of the peace, sections 8 and 16 turn to moneyers.⁹⁶ Among the many questions the Wantage enactment raises, it is unclear when the striking of false coins was forbidden (mentioned in c. 8): should we see this as a reference to an unknown written or non-written law of Æthelred himself, or to a law of one of his predecessors?⁹⁷ The answer obviously has implications for our understanding of the effectiveness with which Æthelred’s (and his predecessors’) written laws were disseminated.

More specifically, how far was this law, and the provision against forged coins in ‘IV Æthelred’, a response to a particular problem with forged coins in circulation? The Wantage code has stiffer penalties for errant moneyers compared to ‘IV Æthelred’, raising the question whether forged coins represented a general problem, or one which was worse in the area of the Five Boroughs. Given the position of coinage as royal property, could these laws be more an expression of control, linked to the wider assertion of control over society and transactions found in the laws? Wormald has described the increasing sophistication of the structure and style of the laws, with Æthelred’s Woodstock code, for example, providing statements of principle on surety, followed by the review of ‘a series of imaginable deviations

⁹¹ Attenborough 1922, 134–5.

⁹² Robertson 1925, 70–9, at pp. 74–9. Kinsey argued for a late, post-Cnut dating for this law; Kinsey 1958–59, 21–2.

⁹³ Wormald 1999, 327. Stewart Lyon (*pers. comm.*) would place this during the Hand type (before c.991) or during the reign of Edward the Confessor on numismatic grounds, as these would seem the most likely occasions for a reduction in numbers of moneyers (c. 9). I am very grateful to Dr Lyon for his comments on this.

⁹⁴ III Æthelred, Preface: ‘These are the constitutions which King Æthelred and his councillors have enacted at Wantage for the promotion of public security (*to friðes bôte*)’, Robertson 1925, 64–5. For the date, see Keynes 1980, 196. Wormald 1999, 329, links this law code with Æthelred’s desire to enforce his will in the Danelaw, visible also in his appointment of Sigefrith as bishop of Lindsey (attests charters 996–1004).

⁹⁵ For examples of the Scandinavian terms, see Wormald 1999, 327.

⁹⁶ Robertson 1925, 68–71; see Appendix.

⁹⁷ As Kinsey 1958–9, 18, already noted, the length of time between this law and the provision against forgers in section 14.1 of Athelstan’s Grately code of the late 920s means that the Wantage code probably refers to ‘another intermediate law’. Stewart Lyon (*pers. comm.*) suggests that it is unlikely that laws for the Danelaw would draw on Grately, which is limited to the moneyers of London, Kent and Wessex, and observes that the recoinage of 973, establishing a unified coinage for the whole country, might have provided the context for legislation on this point.

from the prescribed form'.⁹⁸ He emphasises the 'thorough planning' of the coinage laws in 'IV Æthelred', too, where '[t]he later part of 'IV' was as exhaustive a review of monetary affairs as was Woodstock's of criminal surety'.⁹⁹ To what extent were the forgers a real threat, therefore, or the result of the working out of a general point to its logical conclusion by a sophisticated draughtsman, influenced by Æthelred's more general willingness to discuss criminality?¹⁰⁰ The existence of Byzantine and Continental legislation on forgeries suggests that legislation might also have been driven by ideological concerns, and the desire to be seen to legislate in an area with imperial precedents.

In the case of the coinage, we are fortunate to be able to examine the laws in the light of our increasing knowledge about the actual coins in use, although it is still far from easy to assess how common forgeries were in practice. In 1955, in discussing one of the two known contemporary forgeries of Small Cross coins, Dolley suggested that the prevalence of pecking in Scandinavia arose in reaction to an Anglo-Saxon coinage significantly adulterated by forgeries.¹⁰¹ My own work with coins in the Norwegian collections from hoards such as Bore (*tpq* 1004) and Slethei (*tpq* 1018) suggests that entirely authentic Anglo-Saxon coins, given the 'right' conditions, may develop layers which flake away, which may suggest that fians might sometimes have been built up from thin layers of metal (Fig. 1).

Not all coins with a layered effect need, therefore, be forgeries on a base metal core. Our improved understanding of pecking in the Scandinavian coin finds, and the origins of pecking in the mixed coin and bullion economy of the late ninth-century Danelaw, means that we may dismiss Dolley's suggestion.¹⁰² Contemporary forgeries, foreign imitations and the evidence for clandestine minting must all be considered in assessing how significant a part forged coins played in the formulation of Æthelred's forgery provisions in III and 'IV' Æthelred.

Very few contemporary forgeries of Æthelred's coins are known, despite the increasing numbers of single finds made by metal detectorists in recent years. The Early Medieval Corpus lists 364 single finds of Æthelred's coins.¹⁰³ These include only two forgeries, of the Last Small Cross type, which would have been struck at least ten years after the enactment of these laws.¹⁰⁴ There is potentially one forgery of a coin of earlier type, a Long Cross/Crux mule originally in the Carlyon-Britton collection.¹⁰⁵ H.A. Parsons describes the coin as being of high weight, 25 grains (1.62 g), and of being formed from 'two thin sheets of silver overlaid on a disc of inferior but heavy metal'; judging by the description of its illegible mint-name and moneyer in the sale catalogue, it might in fact be an Anglo-Scandinavian coin.¹⁰⁶



Fig. 1. A fragment from a Last Small Cross coin of Stamford, ex Slethei (Tjore) hoard (*tpq* 1018), showing the reverse and the inside of the reverse, reading +[]ANF.

⁹⁸ Wormald 1999, 324–5, at p. 325.

⁹⁹ Wormald 1999, 325–6, at p. 326; see Robertson 1925, 52–5, for I Æthelred (Woodstock), 1.

¹⁰⁰ Wormald 1999, 326, citing the discussion of crimes in Æthelred's charters; see also Keynes 1991.

¹⁰¹ Dolley 1955–57.

¹⁰² There is a large literature on the secondary treatment of coins in Scandinavia: see for example Kilger 2006 for a useful summary of current discussions and for references. On pecking in the Danelaw, see Archibald 1990, and on coin-use there, see Blackburn 2001, 134–5.

¹⁰³ Data current at 21 March 2007. Two lead strikings of Long Cross coins are also known. Allen 2006, 502, includes a useful table of single finds by type (as at 1 April 2004).

¹⁰⁴ EMC 1952.0002, Much Hadham (Dolley 1955–57, 185–9); EMC 1977.0207, Winchester Cathedral Green excavations (Blunt and Dolley 1977, 135–7).

¹⁰⁵ Carlyon-Britton sale, Sotheby, 11 Nov. 1918 lot 1743 (part): 'Mule, obv. Hild D, rev. Hild C, rev. mint-name and moneyer illegible, unpublished and rare, but not fine'; purchased by H.A. Parsons and discussed by him in Parsons 1923–24, 83–4. I cannot trace this mule in either of the two Parsons sales (Sotheby, 28 Oct. 1929, and Glendining, 11 May 1954).

¹⁰⁶ Parsons 1923–24, 84.

It also seems unlikely that Hiberno-Norse or Scandinavian imitations of Anglo-Saxon coins can have triggered such a law, especially in around 997. Both imitative series were at an early stage at this point in time, and 'Crux' imitations are relatively few compared to the numbers of 'Long Cross' ones; for example, Brita Malmer's corpus of Anglo-Scandinavian dies includes only 35 obverse and 66 reverse dies, in comparison to the many hundreds of 'Long Cross' dies, with over 500 obverse dies alone.¹⁰⁷ Single finds of Hiberno-Norse and Anglo-Scandinavian coins within England have been very limited indeed, and include no Crux imitations, unless the Carlyon-Britton mule was actually an Anglo-Scandinavian coin and found in England.¹⁰⁸

Finally, the evidence for clandestine minting seems to be concentrated in the Last Small Cross type. Stewart Lyon has identified a die chain of the supposed Lincoln moneyer Cytlern, involving the use of four regular obverse dies and some regular reverse dies, of moneyers from London, Southwark, Stamford and Lincoln, in combination with five fabricated obverse dies and a number of fabricated reverse dies. 'Cytlern' may perhaps also have been responsible for the coins struck in the name of 'Clerne' at 'Garntet' (for Cambridge).¹⁰⁹

On balance, it seems likely that at the period when Æthelred was legislating against forged coins, in the 990s, these were excluded from the Anglo-Saxon coinage stock with as much effectiveness, or more, as foreign coins, which represent a very small proportion of the single finds, and an even smaller proportion of the coins in hoards.¹¹⁰ The single find and other evidence implies that forged coins and clandestine minting were a problem of the later part of Æthelred's reign, when the kingdom was under increasing pressure from Viking armies. In the later 990s forged coins do not appear in the single finds, suggesting the problem was either not widespread, or was dealt with effectively. The laws on forgeries may perhaps reflect a repetition of earlier legislation on the matter on the Continent and by Athelstan, forming therefore an expression of ideology (kings should be seen to legislate on forgeries);¹¹¹ or they may be an assertion of royal rights, which may or may not have been triggered by awareness of a particular problem with forgeries, or related to concern to ensure the full reminting of issues.¹¹²

Alternatively, given the local aspect to the transmission of these laws, it is possible that the provisions against forgeries in III and 'IV' Æthelred may have resonated with specific local concerns. Could the provisions in the Wantage code perhaps be linked to the memory of independent coinages in parts of the Danelaw, and therefore relate more to local concerns in the area? Similarly, forgeries and suspect coins might be of greater concern in a large port and mint such as London. Certainly, recent research has emphasised local variation and possibly local involvement in the administration of the coinage. Petersson's research revealed the distinctions in the weight standards used between eastern and western mints, for example.¹¹³ Stylistic analysis of the dies has long established a variety of regional die-cutting styles, and the existence of links between particular groups of mints.¹¹⁴ Jonsson's analysis of Edgar's pre-Reform coinage argues that local coin types and their patterns of circulation may be related to the areas of particular ealdormen.¹¹⁵ When mints become more visible in Domesday Book,

¹⁰⁷ Malmer 1997.

¹⁰⁸ Hiberno-Norse imitations: four single finds, of which 1 Helmet, 1 Jewel Cross, 1 William, 1 type unknown; Anglo-Scandinavian imitations: 1 Long Cross, see Archibald 1993, Old Romney find, BM 1993-3-25. Malmer 1997, 410.1279.

¹⁰⁹ Stewart Lyon (*pers. comm.*). I am very grateful to Dr Lyon for sharing his unpublished paper on clandestine minting with me.

¹¹⁰ Cook 1999, 236-8, discusses the finds of foreign coins in the late Anglo-Saxon period and provides a list of single finds at 268-71; see also Metcalf 1998, 85-9, Allen 2006, and the Early Medieval Corpus at <http://www-em.fitzmuseum.cam.ac.uk/coins/leml/> for more recent single finds. For the period 900-1066, the Early Medieval Corpus records 68 foreign coins out of a total of 1704 coins, representing 4% of the total, the same percentage as noted earlier in Metcalf 1998, 85.

¹¹¹ Wormald links Æthelred's early legislative activity to the period after 993, when the king turned back to his father's advisors, and which saw the revival of Edgar's ideology: Wormald 1999, 443-4; see also Keynes 1980, 176-7, 187-9. I owe thanks to Rory Naismith for reminding me of the roots of this legislation in II Athelstan, 14.

¹¹² Stafford places the punishments of III and 'IV' Æthelred in the context of the reissuing of coins: Stafford 1978, 41.

¹¹³ Petersson 1969 and 1990; see also Metcalf 1998, 56-69, for discussion of the implications.

¹¹⁴ Stafford 1978 discusses the political implications of these.

¹¹⁵ Jonsson 1987, Jonsson 2006; see the comments of Metcalf 1988.

the entries suggest that slightly different practices existed in different places.¹¹⁶ It is difficult to know, however, whether the variant practices visible in 1087 reflect gradual changes and developments to the system introduced in c.973, or reflect the persistence of local practices from before this recoinage, which survived the imposition of a 'national' system to some extent. The strength of local interests politically long after Edgar's reign is well known; how far ealdormen embodied or came to represent these interests is perhaps another question.¹¹⁷ Other aspects of Anglo-Saxon royal government were dependent upon the cooperation of those with influence locally. Reynolds has argued that early medieval law in practice was always consultative, and that local level cooperation would have been needed for the implementation of all laws.¹¹⁸ The evidence of the transmission of the coinage laws, in association with material of local interest, perhaps hints at the possibility that local concerns could influence the officials responsible for the royal coinage, and that the coinage – just like royal justice – was dependent upon local acceptance and subject to some degree of local negotiation.

Conclusion

In the words of Charles Plummer, cited as an epigraph in *The Making of English Law*, 'what [Anglo-Saxon law] all comes to is a total mystery'.¹¹⁹ In part this is to do with the medium of law in the early middle ages, which was a far more flexible category in form and purpose than law today; the mere action of legislating orally or in writing could be as significant for kings as issuing and disseminating written law effectively. As Metcalf observed in his discussion of the varying weight standards, numismatic arguments as to the purpose of the policy 'have varying built-in assumptions, e.g. that those in authority cared for the interests of ordinary people, in the way that modern politicians care for voters; or that a penny had a fixed value whatever its weight'.¹²⁰ More widely, our assumptions regarding the nature of the Anglo-Saxon state, or the Anglo-Saxon economy, inevitably colour our interpretation of the evidence too. Patrick Wormald's work is of particular importance in removing the layers of assumptions interposed over the centuries by the transmission process and past study of the laws.

The late Timothy Reuter noted the problem of the abstraction and reification of constitutional history, that is, the tendency to smooth out what he described as the 'lumpiness' of medieval history, where political activity was seasonal and personal rather than continuous and institution-based.¹²¹ This point also applies to institutional history in terms of our understanding of the operation of mints or of the royal 'chancery': the tendency has perhaps been to assume more regular and systematised institutions than may have existed in practice.¹²² The surviving written laws on coinage may in fact reflect local interests and local negotiation as well as central concern and efficient royal administration of the coinage.

Reading the references to the coinage in the context of the written laws as a whole, and recent analyses of the purposes of legislative activity, royal intentions in legislating on the use of coinage fit well into the framework of law as a reflection of royal, Christian ideology and the general purpose of legislation in creating an ordered, peaceful Christian society. Coinage legislation had imperial and biblical precedents, and the repetition of clauses on coinage from code to code was related to the authoritative roots of these laws. The references to the coinage

¹¹⁶ Brooke 1916, I, cxxxv, cxli-cxlii.

¹¹⁷ See for example IV Edgar, which has regulations for the 'English' (e.g. 14), 'Danes' (e.g. 12), 'us all' (at 12.1) and also refers to 'Earl Oslac and all the population dwelling in his earldom', and the ealdormen Ælfhere and Æthelwine (at 15.1.1); Robertson 1925, 28–39, at pp. 36–9. Chadwick 1905 remains fundamental on the role of ealdormen; for a convenient summary, see Williams 1999, 89–90, 108–9; recent studies include Wareham 2005 on East Anglia.

¹¹⁸ Reynolds 1984, 12–38. Compare for example V Æthelred 9.3, where the coinage is to be maintained 'in accordance with the decision at which we have all arrived'; it was important to kings to project a consensus.

¹¹⁹ Plummer 1902, 122, cited in Wormald 1999, 3.

¹²⁰ Metcalf 1998, 60.

¹²¹ Reuter 2001, 432.

¹²² There is a vast debate on the Anglo-Saxon 'chancery', and how far production of charters was central as opposed to local: see for example Keynes 1980 and Chaplais 1985. Distinctive groups of charters are present in the tenth and eleventh centuries, see for example Keynes 1980, 69, for a group of 'Mercian' charters under Edgar.

in II Cnut, 8, represent the culmination of this tradition.¹²³ The more detailed references to moneyers, mints and forgers in Athelstan's Grately code and III and 'IV' Æthelred perhaps hint at a different, more local story. These laws seem to belong to the category Wormald suggested were 'loose-leaf laws', texts which were intended for local officials, and only occasionally have been preserved, sometimes in different contexts. The coinage laws as they are preserved and presented to us today seem thus to be fragments from more than one puzzle: some forming part of a high royal programme recorded more centrally in the prestigious medium of written law codes, and others representing fragments of a more administrative legislative tradition, which were preserved locally.

Overall, these two contexts, 'ideological' and 'practical' help explain why the coinage and its appropriate use was so regularly the subject of legislation by Anglo-Saxon kings, leading for example in the 990s to what Patrick Wormald described as Æthelred's 'impressive monetary record'.¹²⁴ In using the laws on coinage and the use of coinage, we therefore need to consider carefully the implications of the category to which each belongs, and the general context of this legislation within contemporary royal thought on Christian society.

APPENDIX: REFERENCES TO COINAGE AND THE USE OF COINAGE IN THE LAWS

<i>Law code</i>	<i>Approx. date (after Wormald 1999)</i>	<i>Notes on transmission (* indicates the version printed in Attenborough/ Robertson; bold MSS are associated with Wulfstan)</i>	<i>Clauses on coinage, transactions, weights etc cited in the text</i>
Hlothere and Eadric	[673–85?]	Only in *Textus Roffensis (1123–24)	c. 16. If a man of Kent buys property (<i>jeoh</i>) in London, he shall have two or three trustworthy men, or the reeve of the king's estate (<i>cyninges wiegerefan</i>), as witness. (Attenborough 1922, 18–23, at pp. 22–3)
Ine	[688–94]	Transmitted with Alfred's <i>Domboc</i> . Earliest MS is *CCCC 173, Winchester, mid-10 th century/Canterbury after 1001 (the 'Parker' MS, also with ASC)	c. 25. If a trader [makes his way into] the interior of the country (<i>uppe on folce</i>) and [proceeds to] traffic (<i>ceapie</i>), he shall do so before witnesses. § 1. If stolen property in the hands of a trader is attached, and he has not bought it in the presence of trustworthy witnesses, he shall declare with an oath equal to the penalty [involved] that he has been neither an accessory nor an accomplice [to the theft], or pay a fine of 36 shillings. (Attenborough 1922, 36–61, at pp. 44–5)
Alfred-Guthrum	c.880	*CCCC 383 (11 th –12 th century) and <i>Quadripartitus</i>	c. 4. Every man shall have knowledge of his warrantor when he buys slaves, or horses, or oxen. c. 5. And we all declared, on the day when the oaths were sworn, that neither slaves nor freemen should be allowed to pass over to the Danish host without permission, any more than any of them [should come over] to us. If, however, it happens that any of them, in order to satisfy their wants, wish to trade with us, or we [for the same reason wish to trade] with them, in cattle and in goods (<i>mid yrfe 7 mid ahtum</i>), it shall be allowed on condition that hostages are given as security for peaceful behaviour, and as evidence by which it may be known that no treachery is intended. (Attenborough 1922, 98–101, at pp. 100–1)

¹²³ Robertson 1925, 178–9.

¹²⁴ Wormald 1999, 344, discussing VI Æthelred of 1008.

<i>Law code</i>	<i>Approx. date (after Wormald 1999)</i>	<i>Notes on transmission (* indicates the version printed in Attenborough/ Robertson; bold MSS are associated with Wulfstan)</i>	<i>Clauses on coinage, transactions, weights etc</i>
I Edward	c.900–5	* <i>Textus Roffensis</i> , CCCC 383 and <i>Quadripartitus</i>	<p>c. 1. And my will is that every man shall have a warrantor (<i>geteaman</i>) [to his transactions] and that no one shall buy [and sell] except in a market town (<i>porte</i>); but he shall have the witness of the 'port-reeve' (<i>portgerefan</i>) or of other men of credit (<i>ungeligenra manna</i>), who can be trusted.</p> <p>§ 1 And if anyone buys outside a market town (<i>porte</i>), he shall forfeit the sum due for insubordination (<i>oferhyrnesse</i>) to the king; but the production of warrantors shall nevertheless be continued, until the point is known at which they can no longer be found. . . .</p> <p>§ 4. If, however, he cannot do so [i.e., produce the unselected oath to substantiate ownership called for in § 2–3], then six men from the same locality in which he is resident shall be nominated to him, and he shall choose one of these six for each cow or for livestock of an equivalent value. Afterwards, if more witnesses are necessary, the number shall be increased in proportion to the value of the property (<i>ceapes æhte</i>) [in dispute]. (Attenborough 1922, 114–17, at pp. 114–15)</p> <p>c. 9. [On procedure for attaching livestock] . . . Recourse shall be had to this selected oath when the stock exceeds the value of 20 pence.</p> <p>c. 10. And no one shall exchange any cattle unless he has as witness the reeve (<i>gerefan</i>) or the mass-priest (<i>massepreostes</i>), or the landowner (<i>londhlaforde</i>), or the treasurer (<i>horderes</i>), or some other trustworthy man (<i>ungelygnes monnes</i>). . . . (Attenborough 1922, 126–43, at pp. 132–3)</p> <p>c. 12. And we have declared that no one shall buy goods worth more than 20 pence, outside a town (<i>porte</i>); but he shall buy within the town, in the presence of the port-reeve (<i>portgerefan</i>) or some other trustworthy man, or again, in the presence of the reeves (<i>gerefena</i>) at a public meeting (<i>folcgemote</i>).</p> <p>c. 13. And we declare that every fortress shall be repaired by a fortnight after Rogation days.</p> <p>§ 1. Secondly: that all trading (<i>ceaping</i>) shall be carried on in a town (<i>port</i>).</p> <p>c. 14. Thirdly: [we declare] that there shall be one coinage (<i>an mynet</i>) throughout the king's realm, and no man shall mint money except in a town.</p> <p>§ 1. And if a moneyer is found guilty [of issuing base or light coins] the hand shall be cut off with which he committed the crime, and fastened up on the mint. But if he is accused and he wishes to clear himself, then he shall go to the hot iron [ordeal] and redeem the hand with which he is accused of having committed the crime. And if he is proved guilty the same punishment shall be inflicted as we have already declared.</p>
II Athelstan (Grately)	c.925–30	*BL Cotton Otho B.xi (Winchester 1001×1015), CCCC 383, <i>Quadripartitus</i> and <i>Textus Roffensis</i>	

Law code	Approx. date (after Wormald 1999)	Notes on transmission (* indicates the version printed in Attenborough/ Robertson; bold MSS are associated with Wulfstan)	Clauses on coinage, transactions, weights etc
IV Athelstan	c.930–5	* <i>Quadripartitus</i> and fragment in <i>Textus Roffensis</i>	§ 2. In Canterbury there shall be seven money- ers: four for the king, two for the archbishop, one for the abbot. In Rochester, two for the king and one for the bishop. In London eight; in Winchester six; in Lewes two; in Hastings one; another in Chichester; two in Southampton; two in Wareham; [one in Dorchester]; two in Exeter; two at Shaftesbury, and one in [each of] the other boroughs. (Attenborough 1922, 126–43, at pp. 134–5) c. 24 § 1. And no trading (<i>cyping</i>) shall take place on Sundays; and if anyone does so he shall lose the goods (<i>ceapes</i>) and pay a fine of 30 shillings. (Attenborough 1922, 126–43, at pp. 140–1) c. 2. And first of all: all the decrees shall be observed, which were established at Grately except those which relate to trading in a town and trading on Sunday. (Attenborough 1922, 146–51, at pp. 146–7) Sixth: § 1. With reference to indemnities for livestock, we reckon a horse at half a pound, if it is worth so much . . . § 2. An ox shall be valued at a mancus, and a cow at twenty pence, a pig at ten pence, and a sheep at a shilling. (Attenborough 1922, 156–69, at pp. 160–1) Tenth: . . . the decrees should be observed, which were established at this meeting, except those which had been abrogated; namely, the decrees relat- ing to trading on Sunday and to bargaining outside a town in the presence of ample and trustworthy witnesses. (Attenborough 1922, 156–69, at pp. 166–7) 5. And no-one shall make a purchase or receive strange cattle (<i>nemo barganniet vel ignotum pecus recipiat</i>) unless he has as witness the high-reeve or the priest or the treasurer or the town-reeve (<i>summi praepositi vel sacerdotis vel hordarii vel portirevae</i>). (Robertson 1925, 12–15, at pp. 14–15) 8. And one coinage (<i>in mynet</i>) shall be current throughout all the king's realm, and no-one shall refuse it. § 1. And there shall be one system of measure- ment, and one standard of weights, such as is in use in London and in Winchester. § 2. And a wey of wool shall be sold for 120 pence, and no-one shall sell it at a cheaper rate. § 3. And if anyone sells it at a cheaper rate, either openly or secretly, both he who sells it and he who buys it shall pay 60 shillings to the king. (Robertson 1925, 24–9, at pp. 28–9)
VI Athelstan (Whittlebury)	c.935	* <i>Textus Roffensis</i> and <i>Quadripartitus</i>	
III Edmund	c.945?	* <i>Quadripartitus</i>	
III Edgar (Andover)	c.960?	* CCCC 201 (Winchester, mid-11 th century), BL Harley 55(A) (Worcester, first half of 11 th century); BL Cotton Nero A.i(B) (Worcester? or York?, early 11 th century); BL Cotton Nero A.i(A) (Canterbury? mid 11 th century), and <i>Quadripartitus</i>	

<i>Law code</i>	<i>Approx. date (after Wormald 1999)</i>	<i>Notes on transmission (* indicates the version printed in Attenborough/ Robertson; bold MSS are associated with Wulfstan)</i>	<i>Clauses on coinage, transactions, weights etc</i>
IV Edgar (Wihthorpesstan)	c.970	*CCCC 265 (Worcester, mid 11 th century) and BL Cotton Nero E.i (10 th –11 th century)	3. My will is, further, that every man be under surety, whether he live within a borough or in the country. § 1. And a body of standing witnesses shall be appointed for every borough and for every hundred. (Robertson 1925, 28–39, at pp. 32–3) 4. 36 persons shall be chosen as witnesses for every borough. 5. 12 [shall be chosen] for small boroughs and for every hundred, unless you desire more. 6. And every man shall buy or sell in the presence of these witnesses all the goods which he buys or sells either in a borough or in a wapentake. § 1. [Witnesses to swear an oath to give honest testimony] § 2. And two or three men who have taken the oath in this manner shall be present as witnesses at every transaction. 7. And he who sets out to make any purchase (<i>ceape</i>) shall inform his neighbours of the object of his journey; and when he comes home, he shall also declare who was present when he bought the goods (<i>ceap</i>). (Robertson 1925, 28–39, at pp. 34–5) 7. And if a man of our country is charged with having stolen cattle or with having slain any- one, and the charge is brought by one Viking and one man belonging to this country, he shall not be entitled to make any denial. (Robertson 1925, 56–63, at pp. 60–1) c. 5. Further, they have decided that no distinc- tion is to be drawn between those who issue base coin, and traders who take good money to such men and bribe them to produce [from it] coin which is defective in quality and weight with which they trade and buy, and, thirdly, those who make dies in secret and sell them to coiners for money, engraving upon them a name which is that of another moneyer and not that of the guilty one. § 1. It has therefore been determined by the whole council that these three [classes of] men shall incur the same punishment. § 2. And if one of them is accused, whether he be an Englishman or a foreigner, he shall clear himself by the full ordeal. § 3. And they have decreed that coiners shall lose a hand, and that it shall be fastened up over the mint. § 4. And moneyers who carry on their business in woods or work in other such places shall forfeit their lives, unless the king is willing to pardon them. (Robertson 1925, 70–9, at pp. 74–5) c. 6. And we enjoin that no-one shall refuse pure money of the proper weight, in whatever town in my kingdom it be coined, under pain of incurring the fine for insubordination to me.
II Æthelred (treaty with Olaf)	c.990?	*CCCC 383 and <i>Quadripartitus</i>	
'IV Æthelred'	c.995	* <i>Quadripartitus</i> only	

<i>Law code</i>	<i>Approx. date (after Wormald 1999)</i>	<i>Notes on transmission (* indicates the version printed in Attenborough/ Robertson; bold MSS are associated with Wulfstan)</i>	<i>Clauses on coinage, transactions, weights etc</i>
			<p>c. 7. And we have decreed with regard to traders who bring money which is defective in quality and weight to the town, that they shall name a warrantor if they can.</p> <p>§ 1. If they cannot do so, they shall forfeit their wergild or their life, as the king shall decide, or they shall clear themselves by the same method as we have specified above, [asserting] that they were unaware that there was anything counterfeit about the money with which they were carrying on their business.</p> <p>§ 2. And afterwards such a trader shall pay the penalty of his carelessness by having to change [his base money] for pure money of the proper weight obtained from the authorised moneyers.</p> <p>§ 3. And town-reeves who have been accessories to such a fraud shall be liable to the same punishment as coiners, unless the king pardon them, or they can clear themselves by a similar oath of nominated jurors, or by the ordeal specified above.</p> <p>c. 8. And the king advises and commands his bishops and earls and ealdormen and all his reeves that, both among the Danes and the English, they be on the watch for those who coin such base money and spread it abroad through the country, as has been stated above.</p> <p>c. 9. And moneyers shall be fewer in number than they have been in the past. In every principal town [there shall be] three, and in every town [there shall be] one.</p> <p>§ 1. And they shall be responsible for the production by their employees of pure money of the proper weight, under pain of incurring the same fine as we have fixed above. (Robertson 1925, at pp. 76–7)</p> <p>§ 2. And those who have the charge of towns shall see to it, under pain of incurring the fine for insubordination to me, that every weight is stamped according to the standard employed in my mint; and the stamp used for each of them shall show that the pound contains 15 ores.</p> <p>§ 3. And the coinage is to be maintained by all at the standard which I lay down in your instructions, in accordance with the decision at which we have all arrived. (Robertson 1925, at pp. 78–9)</p> <p>c. 3. And no-one shall either buy or exchange anything (<i>ne ne bycgge ne ne hwyrfe</i>), unless he have a surety and witnesses.</p> <p>§ 1. And if anyone do so, the lord of the manor shall seize and keep the stock (<i>órf</i>), until it is known who is the rightful owner. (Robertson 1925, 52–5, at pp. 54–5)</p> <p>c. 8. And every moneyer (<i>mynetere</i>) who is accused of striking false coins, after it was forbidden, shall go to the triple ordeal; if he is guilty, he shall be slain.</p>
I Æthelred (Woodstock)	c.995?	*CCCC 383, <i>Quadripartitus</i> and <i>Textus Roffensis</i>	
III Æthelred (Wantage)	c.997	* <i>Textus Roffensis</i> and <i>Quadripartitus</i>	

<i>Law code</i>	<i>Approx. date (after Wormald 1999)</i>	<i>Notes on transmission (* indicates the version printed in Attenborough/ Robertson; bold MSS are associated with Wulfstan)</i>	<i>Clauses on coinage, transactions, weights etc</i>
V Æthelred (Enham)	1008	*CCCC 201; BL Cotton Nero A.i (CB) (two versions)	<p>§ 1. And no-one except the king shall have a moneyer.</p> <p>§ 2. And every moneyer who is accused shall pay 12 ores in order to obtain the benefit of the law. (Robertson 1925, 64–71, at pp. 68–9)</p> <p>c. 16. And moneyers who work in a wood or elsewhere shall forfeit their lives, unless the king is willing to pardon them. (Robertson 1925, 64–71, at pp. 70–1)</p> <p>c. 13. The festival of Sunday shall be diligently observed in a fitting manner.</p> <p>§ 1. And marketings (<i>cipinga</i>) and meetings (<i>folcgemota</i>) shall be strictly abstained from on the holy day. (Robertson 1925, 78–91, at pp. 82–3)</p> <p>c. 24. And deceitful deeds and hateful injustices shall be strictly avoided, namely, untrue weights and false measures and lying testimonies [and shameful frauds]; [c. 25 continues very like VI Æthelred 28.2]</p> <p>c. 26. But the law of God shall henceforth be zealously cherished both in word and in deed; then forthwith God will have mercy upon this nation.</p> <p>§ 1. And the promotion of public security and the improvement of the coinage (<i>feas bote</i>) in every part of the country, and the repairing of fortresses and of bridges throughout the country on every side, and also the duties of military service, shall always be diligently attended to, whenever the need arises, in accordance with the orders given. (Robertson 1925, 78–91, at pp. 86–7)</p> <p>c. 22 § 1. And the feast of Sunday shall be diligently observed in a fitting manner; and marketings and meetings and hunting expeditions and secular employments shall be strictly abstained from on the holy day. (Robertson 1925, 90–107, at pp. 96–7)</p> <p>c. 28 § 2. And deceitful deeds and hateful injustices shall be strictly avoided, namely, untrue weights, and false measures, and lying testimonies, and shameful frauds, and foul adulteries, and horrible perjuries, and devilish deeds such as murders and homicides, thefts and robberies, covetousness and greed, gluttony and intemperance, frauds and various breaches of the law, violations of marriage and of holy orders, breaches of festivals and of fasts, sacrilege, and misdeeds of many kinds. (Robertson 1925, 90–107, at pp. 100–1)</p> <p>c. 31. Further, let us all earnestly take thought for the promotion of public security and the improvement of the coinage.</p> <p>c. 32. Public security shall be promoted in such a way as shall be best for the householder and worst for the thief.</p>
VI Æthelred (Enham)	1008	*BL Cotton Claudius A.iii	

Law code	Approx. date (after Wormald 1999)	Notes on transmission (* indicates the version printed in Attenborough/ Robertson; bold MSS are associated with Wulfstan)	Clauses on coinage, transactions, weights etc
II Cnut	c.1020?	*CCCC 383, BL Cotton Nero A.i(A) , <i>Quadripartitus</i> , and <i>Textus Roffensis</i>	<p>§ 1. And the coinage shall be improved by having one currency, free from all adulteration, throughout all the country.</p> <p>§ 2. And weights and measures shall be corrected with all diligence, and an end put to unjust practices. (Robertson 1925, 90–107, at pp. 100–1)</p> <p>c. 8. The reform of the coinage (<i>Feos bote</i>). Let us all likewise very zealously take thought for the promotion of public security and the improvement of the coinage – for the promotion of public security in such a way as shall be best for householders and worst for thieves, and for the improvement of the coinage in such a way that there shall be one currency free from all adulteration throughout this land; and no-one shall refuse it.</p> <p>§ 1. And he who henceforth coins false money shall forfeit the hand with which he made the false money, and he shall not redeem it in any way, either with gold or with silver.</p> <p>§ 2. And if the reeve is accused of having granted his permission to the man who coined false money, he shall clear himself by the triple oath of exculpation, and if it fails, he shall have the same sentence as the man who has coined the false money.</p> <p>c. 9. Weights and measures shall be diligently corrected, and an end put to all unjust practices. (Robertson 1925, 174–219, at pp. 178–9)</p> <p>c. 24. And no-one shall buy anything over four pence in value, either livestock or other property (<i>ne libbende ne ligende</i>), unless he have four men as trustworthy witnesses, whether [the purchase be made] within a town or in the open country. (Robertson 1925, 174–219, at pp. 186–7)</p>

REFERENCES

- Allen, M., 2006. 'The volume of the English currency', in Cook and Williams 2006, 487–523.
- Archibald, M., 1990. 'Pecking and bending: the evidence of British finds', in K. Jonsson and B. Malmer (eds), *Sigtuna Papers. Proceedings of the Sigtuna Symposium on Viking-Age Coinage 1–4 June 1989* (Stockholm, Commentationes de nummis saeculorum IX–XI in Suecia repertis, New Series 6), 11–24.
- Archibald, M., 1993. 'Skandinavisk Ethelred-imitation funnen i England', *Svensk Numismatisk Tidskrift* 6, 148–50.
- ASC. D. Whitelock (trans.), *The Anglo-Saxon Chronicle*, in *EHD* I, II.
- Attenborough, F.L., 1922. *The Laws of the Earliest English Kings* (Cambridge).
- Blackburn, M.A.S., 1996. 'Mints, burhs and the Grately Code cap 14:2', in D. Hill and A. Rumble (eds), *The Defence of Wessex. The Burghal Hidage and Anglo-Saxon Fortifications* (Manchester), 160–75.
- Blackburn, M.A.S., 2001. 'Expansion and control: aspects of Anglo-Scandinavian minting south of the Humber', in J. Graham-Campbell et al. (eds), *Vikings and the Danelaw: Selected Papers from the Proceedings of the Thirteenth Viking Congress* (Oxford), 125–55.
- Blunt, C.E., and Dolley, R.H.M., 1977. 'Coins from the Winchester excavations 1961–1973', *BNJ* 47, 135–8.
- Blunt, C.E., Stewart, B.H.I.H. and Lyon, C.S.S. *Coinage in Tenth-Century England from Edward the Elder to Edgar's Reform* (Oxford, 1989).
- Bosworth, J., and Toller, T.N., 1898. *An Anglo-Saxon Dictionary* (Oxford).
- Brooke, G. C., 1916. *A Catalogue of English Coins in the British Museum. The Norman Kings*, 2 vols (London).

- Campbell, J., 2000. *The Anglo-Saxon State* (London).
- Chadwick, H.M., 1905. *Studies on Anglo-Saxon Institutions* (Cambridge).
- Chaplais, P., 1985. 'The royal Anglo-Saxon "chancery" of the tenth century revisited', in H. Mayr-Harting and R.I. Moore (eds), *Studies in Medieval History presented to R.H.C. Davis* (London), 41–51.
- Chibnall, M., 1986. *Anglo-Norman England 1066–1166* (Oxford).
- Cook, B., 1999. 'Foreign coins in medieval England', in L. Travaini (ed.), *Moneta locale, moneta straniera: Italia ed Europa XI–XV secolo. The Second Cambridge Numismatic Symposium. Local Coins, Foreign Coins: Italy and Europe 11th–15th Centuries* (Milan), 231–84.
- Cook, B., and Williams, G., (eds), 2006. *Coinage and History in the North Sea World c. 500–1250. Essays in Honour of Marion Archibald* (Leiden).
- CTCE. See Blunt *et al.*
- Cubitt, C., 1997. 'The tenth-century Benedictine reform in England', *Early Medieval Europe* 6, 77–94.
- Davies, W., and Fouracre, P., (eds), 1986. *The Settlement of Disputes in Early Medieval Europe* (Cambridge).
- Davies, W., and Fouracre, P., (eds), 1995. *Property and Power in the Early Middle Ages* (Cambridge).
- Dolley, R.H.M., 1955–57. 'Contemporary forgeries of Late Saxon pence', *BNJ* 28, 185–9.
- Dolley, R.H.M., and Metcalf, D.M., 1961. 'The Reform of the English coinage under Eadgar', in R.H.M. Dolley (ed.), *Anglo-Saxon Coins: Studies presented to F.M. Stenton* (London), 136–68.
- Douglas, D.C. and G.W. Greenaway, G.W. (eds), 1981 (2nd revised edition). *English Historical Documents volume II, 1042–1189* (London).
- EHD I. See Whitelock 1979.
- EHD II. See Douglas and Greenaway 1981.
- Garipzanov, I., 2006. 'Metamorphoses of the early medieval *signum* of a ruler in the Carolingian world', *Early Medieval Europe* 14.4, 419–64.
- Grierson, P., 1962. 'Presidential address', *NC* 122, i–xvii.
- Hendy, M.F., 1985. *Studies in the Byzantine Monetary Economy c.300–1450* (Cambridge).
- Hamilton, S., 2001. *The Practice of Penance, 900–1050* (London, Royal Historical Society Studies in History).
- Hough, C., 2000. 'Penitential literature and secular law in Anglo-Saxon England', *Anglo-Saxon Studies in Archaeology and History* 11, 133–41.
- Jonsson, K., 1987. *The New Era: The Reformation of the Late Anglo-Saxon Coinage* (Stockholm, Commentationes de nummis saeculorum IX–XI in Suecia repertis New Series 1).
- Jonsson, K., (ed.), 1990. *Studies in Late Anglo-Saxon Coinage in Memory of Bror Emil Hildebrand* (Stockholm, Numismatiska Meddelanden 35).
- Jonsson, K., 2006. 'The pre-Reform coinage of Edgar – the legacy of the Anglo-Saxon kingdoms', in Cook and Williams 2006, 325–46.
- Kelly, F., 1997. *Early Irish Farming* (Dublin).
- Keynes, S., 1980. *The Diplomas of King Æthelred 'the Unready', 978–1016* (Cambridge).
- Keynes, S., 1990. 'Royal government and the written word in late Anglo-Saxon England', in R. McKitterick (ed.), *The Uses of Literacy* (Cambridge), 226–57.
- Keynes, S., 1991. 'Crime and punishment in the reign of Æthelred the Unready', in I. N. Wood and N. Lund (eds), *People and Places in Northern Europe 500–1600* (Woodbridge), 67–81.
- Keynes, S., 2007. 'An abbot, an archbishop, and the Viking raids of 1006–7 and 1009–12', *Anglo-Saxon England* 36, forthcoming.
- Keynes, S., and Lapidge, M., 1983. *Alfred the Great* (Harmondsworth).
- Kinsey, R.S., 1958–59. 'Anglo-Saxon law and practice relating to mints and moneyers. With particular reference to the mints of Chichester, London, Dover, and Northampton and the moneyer(s) Cynsig or Kinsey', *BNJ* 29, 12–50.
- Liebermann, F., (ed.), 1903–16. *Die Gesetze der Angelsachsen*, 3 vols (Halle).
- Lopez, R.S., 1942–3. 'Byzantine law in the seventh century and its reception by the Germans and the Arabs', *Byzantion* 16, 445–61.
- Lyon, S., 1969. 'Presidential address. Historical problems of Anglo-Saxon coinage (3). Denominations and weights', *BNJ* 38, 204–22.
- Lyon, S., 2006. 'Silver weight and minted weight in England c.1000–1320, with a discussion of Domesday terminology, Edwardian farthings and the origin of English Troy', *BNJ* 76, 227–41.
- Malmer, B., 1997. *The Anglo-Scandinavian Coinage, c.995–1020* (Stockholm, Commentationes de nummis saeculorum IX–XI in Suecia repertis New Series 9).
- McKitterick, R., 1977. *The Frankish Church and the Carolingian Reforms 789–895* (Cambridge).
- McKitterick, R., 1989. *The Carolingians and the Written Word* (Cambridge).
- McKitterick, R., 1993. 'Zur Herstellung von Kapitularien: Die Arbeit des Leges-Skriptoriums', *Mitteilungen des österreichischen Instituts für Geschichtsforschung* 101, 3–16.
- Metcalf, D.M., 1988. 'Were ealdormen exercising independent control over the coinage in mid tenth-century England?', *BNJ* 57, 24–33.
- Metcalf, D.M., 1998. *An Atlas of Anglo-Saxon and Norman Coin Finds, c.973–1086* (Oxford).
- Moesgaard, J. C., 2000–2002. 'Single finds as evidence for coin circulation in the Middle Ages – status and perspectives', *NNA*, 228–75.

- Mordek, H., 1984. 'Karolingische Kapitularien', in H. Mordek (ed.), *Überlieferung und Geltung normativer Texte des frühen und hohen Mittelalters* (Sigmaringen), 25–50.
- Nelson, J., 1999. '4. Rulers and government', in T. Reuter (ed.), *New Cambridge Medieval History III, c.900–c.1024* (Cambridge), 95–129.
- NRSV. *Holy Bible. New Revised Standard Version. Anglicized edition* (Oxford, 1995).
- Parsons, H.A., 1923–24. 'Assays and imitations, foreign and native, of the Late Saxon period, A.D. 975–1066', *BNJ* 17, 61–97.
- Petersson, H.B.A., 1969. *Anglo-Saxon Currency. King Edgar's Reform to the Norman Conquest* (Lund, Bibliotheca Historica Lundensis 22).
- Petersson, H.B.A., 1990. 'Coins and weights. Late Anglo-Saxon pennies and mints, c.973–1066', in Jonsson 1990, 207–433.
- Plummer, C., 1902. *Life and Times of Alfred the Great* (Oxford).
- Reuter, T., 2001. 'Assembly politics in Western Europe from the eighth century to the twelfth', in J.L. Nelson and P. Linehan (eds), *The Medieval World* (London), 432–50.
- Reynolds, S., 1984 (2nd edn, 1996). *Kingdoms and Communities in Western Europe, 900–1300* (Oxford).
- Robertson, A.J., 1925. *The Laws of the Kings of England from Edmund to Henry I* (Cambridge).
- Sawyer, P., 1973. 'Baldersby, Borup and Bruges: the rise of Northern Europe', *University of Leeds Review* 16, 75–96.
- Stafford, P., 1978. 'Historical implications of the regional production of dies under Æthelred II', *BNJ* 48, 35–51.
- Stafford, P., 1989. *Unification and Conquest: a political and social history of England in the tenth and eleventh centuries* (London).
- Stewart, B.H.I.H., 1990. 'Coinage and recoinage after Edgar's reform', in Jonsson 1990, 455–85.
- Symons, T., 1975. 'Regularis Concordia: history and derivation', in D. Parsons (ed.), *Tenth-Century Studies: Essays in Commemoration of the Millennium of the Council of Winchester and the Regularis Concordia* (London), 37–59.
- van Houts, E., 2003. 'Chapter 6. Historical writing', in C. Harper-Bill and E. van Houts (eds), *A Companion to the Anglo-Norman World* (Woodbridge), 103–21.
- Wareham, A., 2005. *Lords and Communities in Early Medieval East Anglia* (Woodbridge).
- Whitelock, D. (ed.), 1979 (2nd revised edn). *English Historical Documents volume I, c.500–1042* (London).
- Williams, A., 1999. *Kingship and Government in Pre-Conquest England, c.500–1066* (Basingstoke).
- Wormald, P., 1977. 'Lex Scripta and Verbum Regis: legislation and Germanic kingship from Euric to Cnut', in P.H. Sawyer and I.N. Wood (eds), *Early Medieval Kingship* (Leeds), 105–38. [Reprinted in P. Wormald, *Legal Culture in the Early Medieval West. Law as Text, Image and Experience* (London, 1999), 1–43.]
- Wormald, P., 1988. 'Æthelwold and his continental counterparts: contact, comparison, contrast', in B. Yorke (ed.), *Bishop Æthelwold, His Career and Influence* (Woodbridge), 13–42.
- Wormald, P., 1999. *The Making of English Law: King Alfred to the Twelfth Century. Volume I. Legislation and its limits* (Oxford).
- Wormald, P., 2003. 'The *Leges barbarorum*: law and ethnicity in the Post-Roman West', in H.-W. Goetz, J. Jarnut and W. Pohl (eds), *Regna and Gentes. The Relationship between Late Antique and Early Medieval Peoples and Kingdoms* (Leiden, Transformation of the Roman World 13), 21–53.