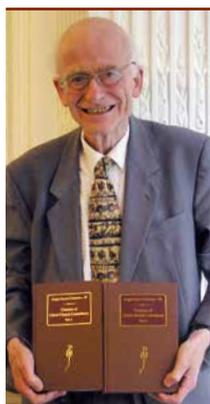


# The early charters of Canterbury Cathedral

NICHOLAS BROOKS



In September 2013, the British Academy published in its *Anglo-Saxon Charters* series a two-volume edition of the *Charters of Christ Church Canterbury*, edited by Professor Nicholas Brooks FBA and Dr Susan Kelly. Professor Brooks, pictured here holding the volumes, wrote the following article for the British Academy Review about this major historical resource, before sadly passing away in February 2014.

## Christ Church Canterbury archive

The cathedral church of Canterbury is a good example of this individuality. On the one hand, it has preserved far more charters on single sheets of parchment than any other church; but on the other, its cartularies and registers have proved to be much less comprehensive than those of other episcopal churches. The single sheets provide scholars with datable examples both of contemporary scripts from the late 7th century – with examples then found in almost every subsequent decade – and of forgeries from at least the early 9th century.

Geographically the charters concern properties extending over much of south-eastern England, from Oxfordshire in the West to Thanet at the eastern tip of Kent, and from southern Suffolk to the English Channel.<sup>2</sup> They therefore contain precious evidence for the early medieval topography and the language and written dialects of much of southern England. Characteristic spellings, such as the dropping of initial *h*-, or the introduction of a redundant *h*- in words beginning with a vowel, which we might today regard as evidence for ‘cockney’ or uneducated south-eastern pronunciation, are found to occur very frequently at periods when the charters were being written by clerks in the cathedral community. But when the charters were being produced in a central writing office or chancery, characteristic spellings of classical West Saxon (‘standard Old English’) were used instead. One gets the impression that the composition of the Canterbury community remained predominantly Kentish despite changing political circumstances there; whereas the royal court was served by a more varied team of chaplains, who developed their own ‘national’ traditions of spelling (and perhaps also of speech) in the service of kings of different backgrounds.

To give some indication of the fascination of the details to be found within the extant Christ Church charters, it seems most effective to give an impression by illustrating examples from different centuries.

In the research project established jointly in 1966 by the Royal Historical Society and the British Academy to edit the entire corpus of charters claiming to have been issued before 1066, an important stage has been reached with the publication of the documents from Canterbury Cathedral. The latest two substantial tomes in the *Anglo-Saxon Charters* series are devoted to the second of the four largest archives that will be published,<sup>1</sup> and they bring the coverage of fully edited charters to 820, which is very nearly 50 per cent of the whole corpus (of 1650 documents). Since this publication also marks the end of my period of office as Chairman of the Anglo-Saxon Charters project, it has seemed an appropriate time to reflect on the progress of the whole enterprise.

It is important to recognise that the task of editing these documents has become ever more complex, as successive editions have revealed the variety of their fortunes in different archival situations. There are indeed huge contrasts between different archives, both in the survival of original charters, and in the provision either of brief registers of their extant documentation or of cartularies which sought to copy the full texts of their surviving diplomas, wills, writs and other formal documents.

1. The first was *Charters of Abingdon Abbey*, ed. S.E. Kelly, published as volumes 7 and 8 in the *Anglo-Saxon Charters* series in 2000 and 2001. The *Charters of Christ Church Canterbury* make up volumes 17 and 18. The two large archives that have yet to be edited and published are those of the cathedrals of Winchester (Old Minster) and Worcester.

2. There are also half a dozen 10th- and 11th-century single-sheet diplomas concerning estates in Devon and Cornwall, which seem to have come into the cathedral archives on different occasions after the Norman Conquest.

## A 7th-century charter in favour of the monastery of Reculver

Charter no. 2 in our edition is an original diploma issued in the name of King Hlothhere of Kent, granting one property on Thanet at *Westanae* (that is ‘in the west of the island’) and subsequently another at Sturry in east Kent to Abbot Berhtwald (*Bercualdo*) and his monastery of Reculver. Both estates are said to have ‘very well-known boundaries’ which had been ‘demonstrated by the king and his agents’; they would therefore seem to have been ancient estates, now being given to a church, rather than properties that had been newly created when they were separated from the existing royal lands. *Westanae* is said to possess fields, pastures, marshes, little woods, streams (*fornis*, perhaps an error for *fontanis*) and all its fisheries. We are told that the charter has been enacted (*Actum*) in the ‘city’ of Reculver, in the month of May in the seventh year of a particular 15-year indictional cycle – a year which we can identify as 679 AD. Since the charter was produced at Reculver, its scribe is likely to have been a monk of the community at Reculver, and possibly even Abbot Berhtwald himself. The charter (Figure 1) is indeed written in a fine example of the most formal register of English handwriting: ‘uncials’ – a script that was normally only used for the grandest copies of the most sacred texts, that is for gospel-books or bibles. In such a way the very appearance of the charter emphasised its sacred and unchallengeable authority. It is likely to have been kept (along with gospel-books and other sacred texts) upon the high altar at Reculver. The early insertion of the charter into a volume of Holy Scripture and its retention there could indeed explain why, almost uniquely among the extant early charters from Christ Church (including those from Reculver), it never received a 12th-century endorsement by one of the Canterbury archivists indicating the name of the properties granted, the language of the document and the name of the intended recipient.

Despite the signs of the high status of its script, we can notice that the wording of the charter is replete with the most basic errors of Latin grammar: with adjectives and nouns repeatedly failing to agree in gender or case, and nouns in the wrong case following particular prepositions. Thus for example we find ‘... *pro remedium animae meae*’ where we should expect ‘*pro remedio*’; or ‘*omnibus pertinentia*’ where we should expect ‘*omnibus pertinentibus*’; and ‘*in ipsa antememorato die*’ where we should expect ‘*antememorata*’. Such schoolboy howlers suggest that in later 7th-century England it was already difficult to train Englishmen to compose or interpret Latin correctly. At that time the texts not only of the Holy Scriptures but also of the liturgy of the church brought to England by the ‘Roman’ mission would all have been in correct ‘classical’ Latin. However, this charter, written a decade after Archbishop Theodore and Abbot Hadrian had arrived at Canterbury, shows that educational standards in this coastal Kentish house were very weak. Moreover, since on Theodore’s death Abbot Berhtwald was himself to become the archbishop of Canterbury (693–731), this charter may serve as a stark sign of how difficult it was proving to be to maintain

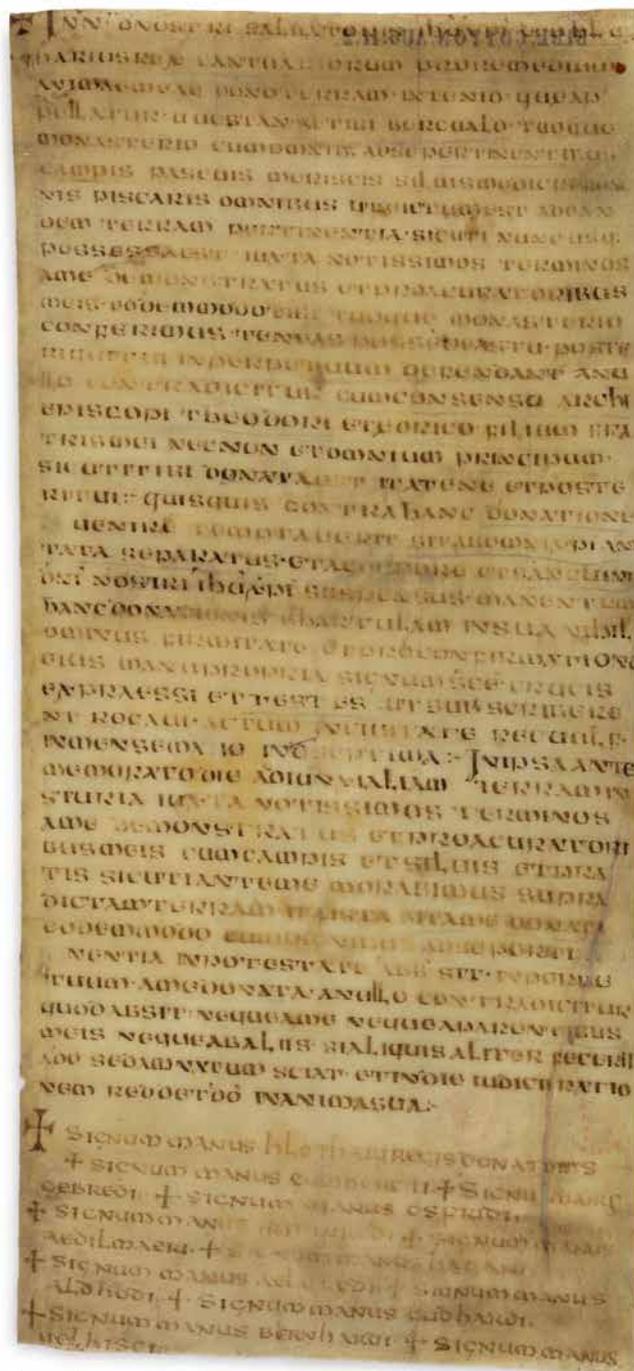


Figure 1  
Charter of King Hlothhere of Kent granting *Westanae* to Abbot Berhtwald, A.D. 679 (BL Cotton Augustus ii. 2; c.330 × 150 mm).

basic educational standards in a land where the native language was not a romance (i.e. Latin-based) language.

## A forged charter of the 9th century

Charter no. 12 in our edition purports to record the decision of a synod held at the regular meeting-place of *Clofesho* in the year 742, the 27th year of the reign of Æthelbald, king of the Mercians (716–57). As will be immediately apparent (Figure 2), this charter is written in a much less formal script than Hlothhere’s grant of

*Westanae*. It is in what palaeographers call ‘pointed insular minuscule’, not in a majuscule (i.e. upper-case) script; and the hand belongs not to the 740s but to the first half of the 9th century (c. 825). The hand is indeed very close to that of Archbishop Wulfred (805–32), who wrote two charters that are extant in original manuscripts (charters 53 and 54). They may either have been written by the archbishop himself or by a scribe whom he had trained. According to charter 12, the synod at the request of the Kentish king Æthelberht (II, 725–48) confirmed a decree of King Wihtried (of Kent, 690–725) establishing how the election of the abbesses of the nunneries in the Kentish kingdom was to be done according to the command (*imperium*) and choice (*electioni*, an error for *electionem*) of the archbishop.<sup>3</sup> In reality there is no genuine evidence that the election of such abbesses was lawfully under the control of the archbishop in the early or mid-8th century; but control of such elections was precisely one of the issues in dispute between Archbishop Wulfred and King Coenwulf of Mercia between c.809 and 821. There is therefore every reason to regard charter 12 as a forgery of Wulfred’s time.

Moreover, the charter goes on to have King Æthelbald declare that, for the safety of his kingdom and at the request of King Æthelberht and Archbishop Cuthberht (740–60), the authority and security of Christ Church on this side of the river Humber (*citra Humbrensis flufio*) was to be denied by no one; and that [the authority and security?] of the female houses (*cenubiarum*) established in Kent were to be freed from services by secular men in greater and lesser matters, as King Wihtried had established for himself and his men; and he (Æthelbald) ordered this to last for keeping and maintaining unbreakably and unchangeably until the end of time. Nothing suggests that there was any need to reinforce Canterbury’s authority south of the Humber in the 740s, whereas in Archbishop Wulfred’s day the Mercian king (Coenwulf) had recently removed the archbishop from office for several years, and King Offa’s raising of Lichfield as a metropolitan see with a Midland province of seven dioceses assigned to it, at Canterbury’s expense, was also within living memory. It seems clear that charter 12 is a forgery of the 820s, namely of the very time that the extant manuscript was written.

### An 11th-century ‘chirograph’

The final document to be considered here is charter no. 169 in the edition. Unlike the documents considered hitherto, it is written entirely in English, indeed very much in the standard form of that language as found in modern Old English grammars and ‘readers’, that is in West Saxon of the earlier 11th century. As can be seen in Figure 3, this charter was the top half of a ‘chirograph’, that is a document drawn up in duplicate with the word + C Y R O G R A P H U M + written between the two

3. It seems that the drafter of this charter intended the feminine nouns (*dominarum cenubiarum*) to apply to the noble or royal abbesses of ‘minsters’ with communities of female religious.

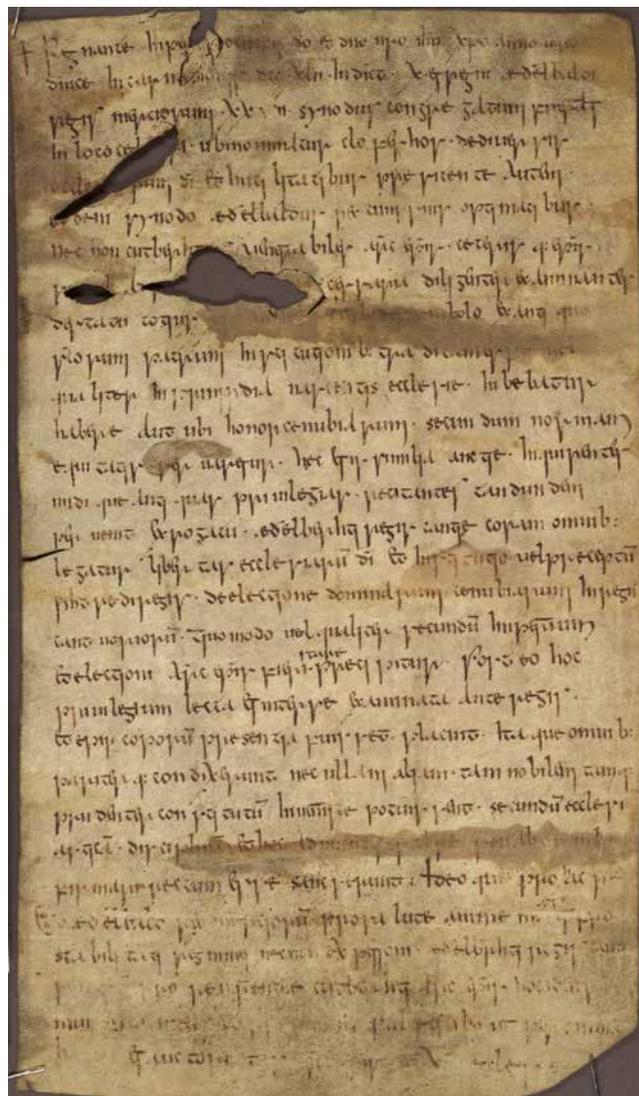
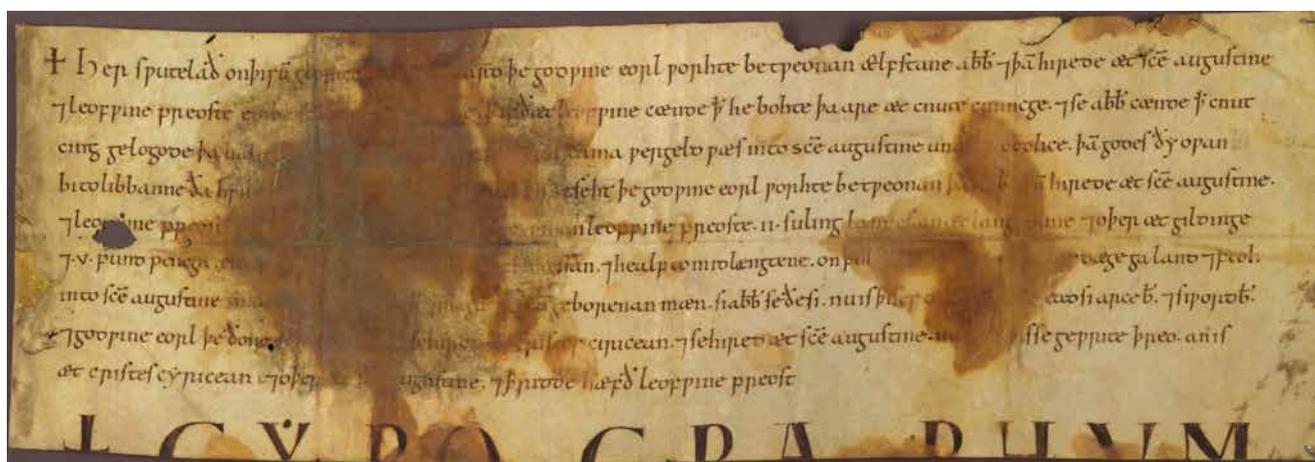


Figure 2

Spurious record of Synod of Clofesho in which King Æthelbald of the Mercians purportedly confirms a decree of King Wihtried granting the archbishop control of the election of the abbesses of religious houses in Kent and establishes the freedom of Christ Church on this side of the River Humber; A.D. 742 (Canterbury D and C, Chart. Ant. M 363; 273 × 160 mm).

copies and then cut through. Chirographs were devised in order to provide each party to a dispute with an identical copy of a settlement, whose authenticity could be established by matching the two halves of the cut word. This document was actually a further refinement, being the top one of three copies. Thus we are told at the end: ‘Now there are three of these documents (*gewrite*): one is at Christ Church, the second at St Augustine’s and Leofwine the priest has the third.’ Christ Church was here acting as the neutral third party (whose copy could be used to authenticate either of the other two, should that be needed); the community of St Augustine’s and Leofwine were the two parties to the dispute.<sup>4</sup>

4. Later, in 11th- or 12th-century concords, the neutral copy was often the middle copy of three with a cut-word at both top and bottom. In later medieval ‘final concords’, it was rather the ‘foot’ or bottom copy that was kept in the (neutral) royal archives and which was to be enrolled in the royal chancery among the ‘Feet of Fines’.



**Figure 3**

Old English record of a dispute between Abbot Ælfstan of St Augustine's and the priest Leofwine concerning 'St Mildryth's property'; and of its settlement when St Augustine's granted Leofwine property at Landon and Ileden (Kent) and an annual payment of £5 [A.D. 1044 × 5] (Canterbury D and C, Chart. Ant. A 207; c. 100 × 305 mm).

We are indeed fortunate that the cathedral kept this manuscript, for one of the 12th-century archivists who worked through the entire collection of pre-Conquest documents at Christ Church, endorsed this one as 'Inutile' ('useless'), probably intending it to be binned.

Like other extant chirographs, charter 169 should be understood as the product of legal proceedings. We can deduce this from the fact that it announces at the start that Earl Godwine (who as earl presided over the shire court of Kent in land disputes) had made or 'wrought' the agreement. Moreover, in the penultimate sentence, the first witnesses to be listed are Archbishop Eadsige (1038-50), Bishop Siward (who acted as Eadsige's assistant when the latter was ill between 1048 and 1050) and Earl Godwine. At least since 1020-3 and the lawcode of King Cnut, it had been customary for the earl and the diocesan bishop to preside jointly over English shire courts in order to oversee secular and ecclesiastical law there; and this document can thus be identified as emanating from a meeting of the shire court of Kent.

The bulk of the text of charter 169 comprises a brief statement of the case of the plaintiff, Leofwine the Priest (that he had bought 'St Mildryth's property' from King Cnut), and then of the defendants, the community of St Augustine's (that Cnut had granted the property to the community in perpetuity). Then the court's settlement is set out in much greater detail. The community was to cede to the priest Leofwine the two sulungs of land in

Kent (at Langdon and at Ileden) for his lifetime, together with a payment of £5 in pence from the estate every year. When Leofwine died, however, the estates and the income were to revert back to St Augustine's and it should be noted that the 'children, women and all the men on the estate' – that is the dependent servile peasants or workers there – were to pass to the community, no matter what abbot might then be in post. Nothing could make more clear that, for the bulk of the rural population, society was very highly stratified and that the late Anglo-Saxon period was by no means a halcyon age of general freedom, as some historians have persisted in supposing.

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