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Dalton, P.

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The Acta of William the Conqueror, Domesday Book, the Oath of Salisbury, and the Legitimacy and Stability of the Norman Regime in England

Domesday Book is one of the most famous documents in English history, and arguably one of the most important. It is widely regarded as the product of a great survey of the landed resources of England set in motion at a council held by William the Conqueror with his magnates at Gloucester during Christmas 1085.[1] While the survey was in progress in 1086 William held his Easter court and wore his crown at Winchester; he celebrated Whitsun at Westminster and there dubbed his youngest son Henry as a knight; and he then travelled around before arriving on 1 August (Lammas) at Salisbury. His ‘‘council came to him there, and all the landholding men of any account throughout England, whosesoever men they were, and they all bowed to him and became his men, and swore oaths of fealty to him that they would be faithful to him against all

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[1] For the council, see Susan Irvine, ed., *The Anglo-Saxon Chronicle: A Collaborative Edition Volume 7 MS. E* (Cambridge, 2004), *s. a.* 1085 (pp. 93–4) (hereafter *ASCE*); Dorothy Whitelock with David C. Douglas and Susie I. Tucker, *The Anglo-Saxon Chronicle: A Revised Translation* (London, 1961), 161 (hereafter *ASCRT*); P. McGurk, ed. and trans., *The Chronicle of John of Worcester Volume III* (Oxford, 1998), 42–3 (hereafter *JW*); D. Whitelock, M. Brett, and C. N. L. Brooke, ed., *Councils & Synods with Other Documents Relating to the English Church I A.D. 871–1204: Part II 1066–1204* (Oxford, 1981), 632–4.

other men.''[2] This major assembly can be regarded as the Domesday survey's closing ceremony. Domesday Book and other written outputs of this survey cast enormous light on the nature of late Anglo-Saxon and early Anglo-Norman society, and on the tremendous impact of the Norman conquest. Domesday Book's historical importance is, therefore, unquestionable, but there is much debate about how and why it was made. This article aims to contribute to the debate about its purpose by discussing what some of William the Conqueror's royal acta reveal about the thinking of the king and his advisers close to the time when the great survey of 1086 was undertaken.

A detailed discussion of the relevant historiography would require an article in itself.[3]

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[2] *ASCE*, *s. a.* 1085 (p. 94); and see also *JW*, 44–5; translation from F. M. Stenton, *The First Century of English Feudalism 1066–1166*, 2nd ed. (Oxford, 1961), 112; and see J. C. Holt, ''1086,'' in *Domesday Studies: Papers Read at the Novocentenary Conference of the Royal Historical Society and the Institute of British Geographers Winchester, 1986*, ed. J. C. Holt (Woodbridge, 1987), 41–64, at 41.

[3] The bibliography on Domesday Book was already substantial by the mid 1080s. See David Bates, *A Bibliography of Domesday Book* (Woodbridge, 1986). For discussions of the historiography, see William E. Kapelle, ''F. W. Maitland and His Successors,'' *Speculum* 64, no. 3 (July 1989): 620–40; N. J. Higham, ''The Domesday Survey: Context and Purpose,'' *History* 78, no. 252 (February 1993): 7–21, at 10–16; David Roffe, ''Domesday Now: A View from the Stage,'' in *Domesday Now: New Approaches to the Inquest and the Book*, ed. David Roffe and K. S. B. Keats-Rohan (Woodbridge, 2016), 7–60; Stephen Baxter, ''The Domesday Controversy: A Review and a New Interpretation,'' *The Haskins Society Journal* 29 (2018): 225–93, at 225–78 (hereafter *HSJ*).

Only some of the outlines relating to Domesday's purpose can be sketched here. To provide a few examples, Domesday Book has been interpreted as a royal tax or geld book, probably intended to facilitate fiscal reassessment and efficiency, partly by reforming anomalies and iniquities in the tax system;[4] a register of the value of the royal demesne and the honors of tenants-in-chief and their greater sub-tenants, better enabling the king and his officials to extract, at appropriate levels, a variety of revenues, including ''feudal'' incidents and geld;[5] a record of land transfer, tenure, and annual values, and a method of increasing taxation and effectively raising other royal income (including profits from vacancies and wardships), identifying encroachments, and fixing King Edward the Confessor's death in 1066 as a legal baseline;[6] a record of shire and borough customs, and of royal and tenant estates and their value and potential, intended to help resolve conflicting claims and promote better administration and

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[4] J. H. Round, *Feudal England: Historical Studies of the XIth and XIIth Centuries* (London, 1895), 3–98, esp. 53–4, 91–8; Frederic William Maitland, *Domesday Book and Beyond: Three Essays in the Early History of England* (Cambridge, 1897), 3–5, and see also 24–5. See also Baxter, ''The Domesday Controversy,'' 235–42, who also noted Maitland's references to other purposes.

[5] V. H. Galbraith, *The Making of Domesday Book* (Oxford, 1961), esp. 10–17, 29–44, 54, 116–17; idem, *Domesday Book: Its Place in Administrative History* (Oxford, 1974), 35–7, 61–2, 165–73; Baxter, ''The Domesday Controversy,'' 242–7.

[6] Sally P. J. Harvey, ''Domesday Book and Anglo-Norman Governance,'' *Transactions of the Royal Historical Society*, 5th series 25 (1975): 175–93, at 183–9; idem, ''Taxation and the Ploughland in Domesday Book,'' in *Domesday Book: A Reassessment*, ed. Peter Sawyer (London, 1985), 86–103.

accountability by various agencies of royal government;[7] an attempt to increase royal revenues and to adjudicate claims relating to title or to the extent of properties and their rights;[8] a means (partly) of raising the revenue required to pay the troops needed to stave off foreign invasion, and ensure that they were equitably billeted in the households of the tenants-in-chief;[9] and a product not of the survey of 1086, which had different objectives, but of the revolt against William Rufus in 1088.[10]

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[7] Holt, ''1086,'' 54. See also Baxter, ''The Domesday Controversy,'' 248–51.

[8] Paul Hyams, '''No Register of Title': The Domesday Inquest and Land Adjudication,'' *Anglo-Norman Studies* 9 (1987): 127–41 (hereafter *ANS*). For a different view, see Patrick Wormald, ''Domesday Lawsuits: A Provisional List and Preliminary Comment,'' in *England in the Eleventh Century: Proceedings of the 1990 Harlaxton Symposium*, ed. Carola Hicks (Stamford, 1992), 61–102. See also Baxter, ''The Domesday Controversy,'' 248.

[9] Higham, ''The Domesday Survey,'' 13–20. See also J. R. Maddicott, ''Responses to the Threat of Invasion, 1085,'' *The English Historical Review* 122, no. 498 (September 2007): 986–97, at 996 (hereafter *EHR*).

[10] David Roffe, *Domesday: The Inquest and the Book* (Oxford, 2000), esp. ix, 224–48; idem, *Decoding Domesday* (Woodbridge, 2007), esp. 62–108, 176–82, 306–19; idem, ''Domesday Now,'' 27; David Roffe, ''Talking to Others and Talking to Itself: Government and the Changing Role of the Records of the Domesday Inquest,'' in *Domesday Now*, 289–303, at 293–303. Roffe's views have received mixed reactions. See Baxter, ''The Domesday Controversy,'' 251–60; J. J. N. Palmer, review of Roffe, *Domesday: The Inquest*, in *EHR* 116 (2001): 408–9. But see also Bruce R. O'Brien, review of idem, in *Speculum* 78, no. 3 (July 2003): 988–90; and

As well as interpretative conflict there has also been a measure of consensus, albeit incomplete. As David Bates noted, one ‘‘area of common ground … is that the [Domesday] survey and Domesday Book were political and multi-functional, with the meaning of both of these words then being subject to different definitions.’’[11] In addition, several scholars have argued, in diverse ways, that the survey was connected with a threatened invasion of England by Denmark and Flanders in 1085, or with a wider emergency facing King William, who was then in his late fifties.[12] Furthermore, a number believed or considered it possible that the survey

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Carol Symes, ‘‘Doing Things beside Domesday Book,’’ *Speculum* 93, no. 4 (October 2018): 1048–1101, at 1054, 1066–70, 1095–6.

[11] David Bates, *William the Conqueror* (New Haven and London, 2016), 463. See also Roffe, ‘‘Domesday Now,’’ 59.

[12] For the threatened invasion, see *ASCE*, *s. a.* 1085 (p. 93); *ASCRT*, 161; *JW*, 423; R. A. B. Mynors, R. M. Thomson, and M. Winterbottom, ed. and trans., *William of Malmesbury Gesta Regvm Anglorvm The History of the English Kings*, 2 vols. (Oxford, 1998–9), 1:480–83 (hereafter *GRA*); Marjorie Chibnall, ed. and trans., *The Ecclesiastical History of Orderic Vitalis*, 6 vols. (Oxford, 1969–80), 4:52–5 (hereafter *OV*). For examples of scholars drawing several connections between various threats to William’s regime and the survey, see E. A. Freeman, *The History of the Norman Conquest of England: Its Causes and Its Results*, 3rd ed., 6 vols. (Oxford, 1870–79), 4:691; 5:4; David C. Douglas, *William the Conqueror: The Norman Impact upon England* (London, 1964), 346–7, 351–3; Harvey, ‘‘Taxation and the Ploughland,’’ 103; idem, ‘‘Domesday Book and Anglo-Norman Governance,’’ 181–2; Holt, ‘‘1086,’’ 62; J. O. Prestwich, ‘‘Mistranslations and Misinterpretations in English Medieval History,’’ *Peritia: Journal of the Medieval Academy of Ireland* 10 (1996): 322–40, at 331–2; Higham, ‘‘The Domesday Survey,’’

was linked to the great assembly held by William at Salisbury on 1 August 1086; although interpretations of the nature of this link vary.[13]

As well as this partial consensus about the context of the Domesday survey, four major contributions to the debate about Domesday's purpose are particularly germane to the themes explored below. The first, by Sir James Holt, argued that in return for the homage and fealty performed to William the Conqueror at Salisbury, and for the survey of royal and aristocratic resources which strengthened the implementation of William's ''feudal rights'', England's landholders ''got a record of their tenure, in effect a confirmation of their enfeoffment.'' In this

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11–16; Roffe, *Domesday: The Inquest*, 68–9; Maddicott, ''Responses,'' 986–97; Sally Harvey, *Domesday: Book of Judgement* (Oxford, 2014), 1, 3, 32, 309–10, 314; Roffe, ''Domesday Now,'' 28; idem, ''Talking to Others,'' 299; Symes, ''Doing Things,'' 1055, 1056–7. For views placing less importance on the influence of the threat, see Bates, *William the Conqueror*, 466; Baxter, ''The Domesday Controversy,'' 292–3, who argued that the crisis ''doubtless concentrated the king's mind on his fiscal resources, and had the effect of bringing a critical mass of the 'landholders of any account' into England, thereby creating uniquely propitious circumstances for the survey. But its origins lay deeper. An operation of this scale and sophistication must have been carefully planned, probably over a long period by the inner circle of administrative agents.''

[13] *ASCE, s. a.* 1085 (p. 94); *JW*, 44–5; Stenton, *The First Century*, 112; Holt, ''1086,'' 41–4, 56, 62–3; George Garnett, *Conquered England: Kingship, Succession, and Tenure 1066–1166* (Oxford, 2007), 83; see also 84–6; Hyams, '''No Register of Title','' 139; Higham, ''Domesday Survey,'' 17, 19–20; Roffe, *Domesday: The Inquest*, 238–42, 250; idem, *Decoding Domesday*, 179–82; idem, ''Domesday Now,'' 28, 41; Bates, *William the Conqueror*, 463, 476.

view, the proceedings at Salisbury were contractual and confirmatory: ‘‘as regards the tenant-in-chief, Domesday Book was a vast land book which put a final seal on the Norman occupation.’’[14]

The second contribution, by Sally Harvey, argued that the Domesday project sought to consolidate the Norman conquest and regime in a different way.[15] Harvey considered that the Conqueror and his advisers might have regarded the threatened invasion of 1085 as God’s punishment for the heinous sins that accompanied the brutal and legally dubious conquest of England. Facing the prospect of losing England to Flemish and Danish invaders, and his soul to

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[14] Holt, ‘‘1086,’’ 54, 56. See also Hyams, ‘‘‘No Register of Title’,’’ 139.

Garnett, *Conquered England*, 85–7; For different views, see Patrick Wormald, ‘‘*Engla Lond:* The Making of an Allegiance,’’ *Journal of Historical Sociology* 7, no. 1 (March 1994), 1–24, at 7; Roffe, ‘‘Talking to Others,’’ 292; Prestwich, ‘‘Mistranslations and Misinterpretations,’’ 335–6; and J. R. Maddicott, ‘‘The Oath of Marlborough, 1209: Fear, Government and Popular Allegiance in the Reign of King John,’’ *EHR* 126 (April 2011): 281–318, at 305–6, 311, arguing that the homage performed at Salisbury was not linked to the tenure of land but probably ‘‘An inaugural act ‘for mere lordship’’’ that ‘‘might also be used to justify a demand for future service, especially military service’’.

[15] For what follows, see Harvey, *Domesday*, esp. 1–6, 32, 44–5, 53–5, 86, 102, 108, 113, 124, 140, 142, 210, 227, 232, 235–39, 242, 245, 251, 267–8, 270, 272, 275–8, 280, 286–328, quotations at 2, 3, 6, 55, 272, 318, 321, 322. See also Baxter, ‘‘The Domesday Controversy,’’ 270–78, which provides a useful summary of Harvey’s views, especially on the importance of Domesday values, and a judicious critique (especially in relation to Harvey’s interpretation of ploughland data), but pays insufficient attention to their spiritual dimensions.

the devil on Judgment Day, and listening to episcopal advice, William launched the Domesday survey to counter these threats. It sought to identify, check, and record England's resources; generate additional revenue for military reinforcements; draw on greater manpower and traction power to strengthen the country's defenses; promote the fiscal accountability of tenants-in-chief; restore stolen ecclesiastical estates; reassess more realistically and extend income from ''feudal'' incidents and other ''feudal'' dues (based on annual manorial values) and from national taxation (geld); facilitate more assiduous extraction of public dues and other income; and expose the misdeeds of royal officials and reinforce their accountability, thereby increasing royal revenues and offering Englishmen the hope of rent reductions and recovery of title, reconciling them thereby with the Normans, stifling their support for invaders, and promoting stability.

Harvey placed considerable emphasis on Domesday's spiritual and legal dimensions. ''It was vital to appearances, and to his [King William's] relations with churchmen, who were the lawyers in his council as well as the spiritual advisers, that he should not appear as a conqueror, but as the legal successor to his kinsman King Edward, for although King William's chroniclers had long claimed that his victory at Hastings demonstrated that God was on his side, this circular argument was in danger of going into reverse.'' If William ''could establish his parcelling-out of English land and English rent-payers on a more convincing legal basis, while holding his officials in tight check, perhaps the men of England would stand by him after all, despite the treatment they had received at his hands, and perhaps God would judge his stewardship charitably and assist his cause.'' This was partly why William had the massive land transfer confirmed by the oaths of Englishmen (and others) in courts and duly recorded. The outcome was ''written evidence of recent possession thereby transformed into proprietary right,'' and the conversion of ''the conquering elite … into the establishment.'' Domesday sought to ''set a final

seal on what was still an unpopular conquest'' and was ''designed to give an authoritative legal framework and some permanence to the subjugation of a peace-hungry and productive society.'' It was ''William's last great endeavour to legitimize his actions.'' And the oath of Salisbury was integral to the whole process. The high and heavily fortified site of Old Sarum conjured ''apocalyptic expectations'' and ''lent itself to an element of coercion.'' Some of Domesday's regional returns were presented to the king there on 1 August. And this date was possibly chosen to facilitate the survey's reconciliatory purpose.

The third major contribution to understanding Domesday's purpose, by David Bates, endorsed the multi-functionality of the Domesday project and advocated its legitimizing, consolidating, transformative, and stabilizing role.[16] Bates drew analogies between the Domesday survey and Carolingian and Roman inquests, noted the proximity of these surveys to times of crisis, but regarded them as more than attempts at crisis-management: ''Their essential aim was to record the present in order to stabilize the future.'' For Bates, the rationale of Domesday Book is to be found in ''the social interactions and exchanges around the survey.'' It was not just about ''resources and dues owed to the king'' but ''the multiple human investments in these'' and the ongoing ''dialogues around property, tax, and mutual obligation.'' Noting that many who gave testimony during the Domesday survey helped legitimize harmful recent events, Bates considered these experiences as central to a process that sought ''to transform conquest into government.'' The survey's implementation could be viewed by contemporaries

[16] For what follows, see Bates, *William the Conqueror*, 462–80, quotations at 468, 469, 470, 471, 472, 476–8.

> as bringing communities together in an acknowledgement that a regime imposed by violence had secured its victory and was going to last, a landmark in the creation of a new world and a launching-pad for what it was hoped was going to be a better one. Viewed idealistically, the traumas of the past were being absorbed into a new and peaceful present symbolized by a record of resources and rights to which all of the free population had in theory agreed by taking oaths, or having their representatives do so.

Bates considered that, from the ruling elite's perspective, the Domesday project sprang from more than a ''claim to legitimacy.'' Its ''comprehensiveness and theatrical solemnity made all the free classes of society accomplices and participants in the new world.'' Domesday Book served not as a register of title, but rather as ''a record from which discussion of title could proceed.'' It did not formally confirm tenure because this issue had largely been settled, but did establish ''a record against which all could be assessed if required.'' Vital to the logic that inspired it was the recording of land transfer in a kingdom where newcomers were settling into English society, and where a desire existed to define this transfer as orderly. For Bates, the Domesday project and the oath of Salisbury were ''landmarks in the consolidation and transformation of conquest.'' The oath, ''a dramatic demonstration of majesty'', confirmed the status quo, included Domesday sub-tenants (who were often vital to local government), controlled them, ''affirmed a solemn relationship which encapsulated responsibility that had to be reciprocal'', and ''flattered everyone'' by associating them with royal power. This power was linked to the ''notion of William as *patronus* and *rex*'', and this notion ''and Domesday were demonstrations of rule that consolidated and sought to lay a new foundation for social and

personal relationships including the inter-ethnic.'' The making of Domesday Book, argued Bates, ''is the ultimate monument to William's belief that he was a responsible ruler and to the attempts of Lanfranc and others to shape him as one.''

The fourth major contribution to the Domesday debate relevant to the argument below was made by Stephen Baxter. Building on a detailed review of scholarship extending back to c. 1750 on how and why Domesday was made, Baxter presented a new interpretation informed by this and by a recent, collaborative, and ongoing examination of Exon Domesday.[17] With regard to Domesday's purposes, Baxter maintained that ''the survey was carefully designed, from the inception, to generate several different outputs, each intended to serve a specific purpose.'' One output, ''cadastral documents, organized in the same way that the geld was assessed and collected, hundred by hundred'', served to make geld administration more efficient by cancelling exemptions enjoyed by tenants-in-chief on their demesne manors as well as ''artificially low geld assessments'' granted to royal favorites. It sought to undertake ''a comprehensive reassessment of geld liabilities, targeting anomalies by aligning them more closely with manorial realities.'' It also ''created the potential to effect more complex reassessments at the level of the hundred or the shire.'' Another output, ''records of contested property'', ''created considerable potential for him [the king] to generate financial and political capital'' by exploiting these property disputes; he could charge his barons for judicial assistance and choose the pace of payment ''as the logic or whims of patronage dictated.'' A further output, produced by reconstituting records organized hundredally into ''feudal'' order, gave the king and his officials a detailed record of the lands of each tenant-in-chief, and probably a summary of what they

[17] Baxter, ''The Domesday Controversy,'' 225–93, and for what follows, see 278–93, with quotations at 288, 289, 289–90, 290, 291, 291.

possessed. This was useful to them when these lands came under direct royal control, for example through escheats or forfeitures. They could speedily determine the annual value of honors, which was advantageous when negotiating ‘‘feudal’’ incidents such as reliefs, in administering the lands more efficiently, and in determining if more income could be extracted from them. Domesday also gave the king detailed information on his own royal demesne estates and their yields, increased the accountability of sheriffs, identified potential for raising income from the demesne and escheats, and ‘‘supplied all the information the king needed to auction the right to ‘farm’ royal property to the highest bidder.’’ In short, Domesday was ‘‘intended to maximize royal income from every conceivable source.’’

Baxter maintained, furthermore, that the great survey ‘‘was an extraordinary, carefully choreographed assertion of royal might, designed to make the king’s authority manifest in every honour, shire, hundred, manor and household in the kingdom.’’ Like Holt and Harvey, Baxter also believed that the major landholders received greater security for their tenure of land:

> The Domesday survey embodied virtually all the ritual and documentary elements of contemporary land conveyance customs. Stage 2 grew out of geld lists and proceeded in tandem with a major geld levy, and English law privileged the rights of those who, in Domesday parlance, ‘‘defended’’ their land to the geld. Stage 3 ensured that property rights were witnessed in public courts. It also drew upon sworn testimony, and like charters, invoked the sanction of divine retribution. Stages 4 and 5 reconstituted this matter into feudally-arranged lists, like giant confirmation charters or pancartes, and the survey reached a ritual climax with the performance of homage at Salisbury. This amounted to just about the most comprehensive package of

security that was conceivable within the framework of dependence that the survey enshrined.

Although Harvey's view that the Domesday survey sought partly to benefit the English and promote reconciliation is questionable,[18] there is much to be said in favor of the other arguments relating to royal income, security of tenure, confirmation, consolidation, legitimization, transformation, and stabilization discussed by Holt, Harvey, Bates, and Baxter. Largely untapped but important support for Domesday's purpose being linked partly to the legitimization and stabilization of the Norman regime in England is to be found in four of William the Conqueror's royal acta: a record of a plea heard before William concerning Steyning (Sussex), and three charters issued by William for the Norman abbey of Le Bec, the priory of Lewes (Sussex), and the abbey of Malmesbury (Wilts.). In studying these documents, Bates's splendid edition of William's royal acta, a major feat of scholarship, is indispensable.[19] In line with best diplomatic practice, Bates carefully assigned firm date-ranges to these acta; in many

[18] See Harvey's discussion of the harsh methods employed to coerce part-English juries, and of the survey's function of legitimizing William's illegitimate succession and the Normans' illegal seizure of land: *Domesday*, 281–2, 285, 286, 291, 298, 304–5, 307–8, 310. See also *ASCE*, *s. a.* 1085–86 (pp. 94, 97–8); *ASCRT*, 161–2, 164–5; *JW*, 44–5; *OV*, 2:266–9; W. H. Stevenson, ''A Contemporary Description of the Domesday Survey,'' *EHR* 22, no. 85 (January 1907): 72–84, at 74; Douglas, *William the Conqueror*, 351; Roffe, *Domesday: The Inquest*, 3; Roffe, ''Domesday Now,'' 26–7. See also Baxter, ''The Domesday Controversy,'' 292.

[19] David Bates, ed., *Regesta Regum Anglo-Normannorum: The Acta of William I (1066–1087)* (Oxford, 1998) (hereafter *RRANAW*).

cases adding narrower speculative dates where supportive evidence existed. The purpose of the present article is not to question correct procedure of this kind, but to discuss evidence suggesting that the four acta considered here were *possibly* linked to each other, the Domesday survey, and the oath of Salisbury, and throw important additional light on the thinking of the king and his chief advisers in 1086, and on the survey's nature and purpose. A case can be made that these acta support the argument that although William and his closest confidants were unquestionably concerned with the legitimacy and security of his kingdom throughout his reign, in the period 1085–86 these concerns intensified. William was faced then not only by a threatened Danish and Flemish invasion of England, but also by the rebellion of his eldest son Robert Curthose (which must have raised questions about the stability of the succession) and other challenges, such as the hostility of the French king, when he was not far from the age of sixty. The gravity of the situation is reflected by the fear William is said to have felt; his holding of a special council in autumn 1085 to decide how to deal with the invasion threat; his bringing into England of ''a larger force of mounted men and infantry from France and Brittany than had ever come to this country,'' and dispersal of it amongst his magnates, towns and royal ministers; his ravaging of coastal lands to prevent them being of benefit to invaders; his strengthening of town and castle walls, and replacement of abbots and filling of a bishopric in regions where the Danes might find Anglo-Danish support; his launch of the Domesday survey intended (partly) to raise the revenue needed to pay defensive troops, and to provide a more equitable billeting system for them; and his levying of a heavy six-shilling geld while the Domesday survey was in progress.[20] It is further illuminated by signs in his acta that he also sought to manage this crisis,

[20] See *ASCE*, *s. a.* 1085 (p. 93); *ASCRT*, 161; Maddicott, ''Responses,'' 986–97. For the levying of the geld in 1086, see Baxter, ''The Domesday Controversy,'' 244, 263, 283.

‘‘potentially the greatest … which Norman rule had faced in England,’’ by fulfilling the duties expected of a good Christian king and further strengthening the legitimacy and stability of his regime.[21] These acta will now be considered in turn.

1. *A Record of a Plea Concerning Steyning, Heard before King William at ‘La Choche’*

The first of the four acta under review records a plea heard by King William at the manor of ‘‘la Choche’’ in 1086.[22] Bates noted that

> the earliest surviving text, an early thirteenth-century Cartae Antiquae Roll, shows that it [*RRANAW*, no. 146] was once followed on the lost original parchment by an account of a second plea heard in the late eleventh century before king William II. The text of the record of the first plea was clearly amended in the light of subsequent events. Both are obviously partisan records ... Both set out the terms of the settlement in detail and both conclude with a list of *testes*; the only difference of any note is that 146 … concludes with a large collection of witnesses of very high status ….[23]

[21] The quotation is from Maddicott, ‘‘Responses,’’ 986.

[22] *RRANAW*, no. 146; translated in R. C. van Caenegem, ed. and trans., *English Lawsuits from William I to Richard I*, 2 vols. (London, 1990–91), 1:no. 163A (see also nos. 163B–D); also translated in *English Historical Documents 1042–1189*, ed. David C. Douglas and George W. Greenaway, 2nd ed. (London, 1981), 453–4.

[23] *RRANAW*, 34–5.

The text of no. 146 ‘‘was written some time after the plea it describes ... at the abbey of Fécamp ... the up-dated account of the plea … cannot have been written until the last years of the eleventh century’’, but the ‘‘date of the plea must be in or after April [1086] when bishop Maurice [of London, who was present at the plea] was consecrated to the see of London and before William crossed to Normandy in late 1086.’’[24]

The plea concerned a dispute between Fécamp abbey and the Norman lord William de Briouze over rights and possessions in Steyning (Sussex). The king sat in judgment from morning until evening on a Sunday. The record of the plea was drawn up in a partisan manner, from Fécamp abbey’s perspective. The king’s judgment set out the equal division of a wood between the abbey and Briouze; protected the burial rights and revenues of the abbey’s church of St Cuthman in Steyning against Briouze’s church nearby; ordered the destruction of a park and other encroachments by Briouze on the abbey’s land; prohibited him from taking toll from the abbey’s men at his bridge which had not been owed in King Edward’s time; limited payments extracted from ships sailing to and from St Cuthman’s harbor in Steyning; and confirmed that marshland, gardens, and tolls belonged to the abbey. The resolution favored Fécamp rather than Briouze. The plea was heard before ‘‘a veritable gathering of the royal court as William perambulated southern England during the period of the Domesday survey.’’[25] The description of the plea states that those present included the king, his sons, and all his barons. It later states that those who saw the plea included two of the king’s sons (William and Henry), the archbishops of Canterbury and York, eight other bishops, two abbots, three men of comital rank,

[24] Ibid., 482–3.

[25] Ibid., 35.

eighteen barons, three monks of Fécamp, and six others.[26] This was a remarkable assembly. The inhabitants of ‘‘la Choche’’ had probably seen nothing like it.[27]

It easy to understand William de Briouze’s ambition. In 1086 Steyning was a very large estate and William was one of two lords with interests there, the other being the abbot of Fécamp. The abbot held the lion’s share, assessed at 67 hides (half in the rape of Arundel and half in that of William de Briouze – that is, Bramber), incorporating a borough, and rendering nearly £122. William held the smaller portion, assessed at 12 hides and valued at £25. In addition, a berewick of Steyning, assessed at 6 hides, valued at £4, and located at Goring was held from Roger earl of Shrewsbury by a tenant named Robert.[28] In 1066, the abbot’s portion of Steyning was held by Harold Godwineson, and the smaller one by King Edward, who also held the berewick in Goring. However, as Harold is described as holding ‘‘at the end [of the reign] of King Edward’’, and as Fécamp appears (from evidence discussed below) to have acquired its portion from Edward rather than Harold, it is possible that Harold dispossessed the abbey shortly before or after Edward died, and that Edward had once held all of Steyning.[29] Steyning was clearly not just large but also important. It was a small town with the jurisdiction of a hundred

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[26] See Appendix 2 below.

[27] For the presence of the witnesses, see Appendix 1 below.

[28] Abraham Farley, ed., *Domesday Book seu Liber Censualis Wilhelmi Primi Regis Angliae*, 2 vols. (London, 1783), 1:17r (b), 24v (b), 28r (b) (hereafter *DB*). For the de Briouze portion of Steyning, see T. P. Hudson, ‘‘The Origins of Steyning and Bramber, Sussex,’’ *Southern History: A Review of the History of Southern England* 2 (1980): 11–29, at 19. Rapes were administrative districts in Sussex.

[29] *DB*, 1:17r (b), 28r (b).

attached, a port on the Adur estuary, with a market, mint, and minster church.[30] The latter had been for a time the resting place of King Alfred's father King Æthelwulf (d. 858).[31] Steyning offered much to fuel William de Briouze's ambition. He established his rival church within its parish, at Bramber. There also he founded a borough and built a substantial castle on a hill dominating Steyning.[32] Under much pressure from him, Fécamp abbey turned to King William for help.

There are signs that the abbey or the king chose the occasion on which help was given very carefully. Bates argued convincingly that some of the tenurial encroachments, claims, and disputes recorded in the Domesday survey gave rise early in William II's reign (1087–1100) to royal writs commanding tenurial inquiries, pleas, and restorations or confirmations that show the

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[30] Hudson, ''The Origins,'' 14–16; idem, ''Steyning,'' in *VCH: A History of the County of Sussex Volume 6 Part 1: Bramber Rape (Southern Part)*, ed. idem (Oxford, 1980), 220–46, at 220, 222, 226–7, 231, 234, 241; John Blair, ''Saint Cuthman, Steyning and Bosham,'' *Sussex Archaeological Collections* 135 (1997): 173–92, at 183–5.

[31] David Dumville and Michael Lapidge, ed., *The Anglo-Saxon Chronicle: A Collaborative Edition Volume 17 The Annals of St Neots with Vita Prima Sancti Neoti* (Cambridge, 1985), *s. a.* [857] (p. 51); Blair, ''St Cuthman,'' 183–4.

[32] Bramber's church and castle existed by 1080: J. Horace Round, ed., *Calendar of Documents Preserved in France, Illustrative of the History of Great Britain and Ireland. Vol. I. A.D. 986–1206.* (London, 1899), no. 1130, 405; *RRANAW*, no. 266 and note; *English Lawsuits*, 1:no. 163B. For discussion of Bramber and de Briouze's interference in Steyning, see also Hudson, ''The Origins,'' 19–22; idem, ''Bramber,'' in *VCH: Sussex Volume 6 Part 1*, 201–14, at 201, 203, 204–5, 208–9, 212–14.

team that managed the making of Domesday Book, including William bishop of Durham, still at work after the Conqueror's death.[33] The Steyning plea might provide another earlier example of this remedial labor. However, there is no evidence in Domesday Book of Fécamp abbey complaining about the encroachments that generated the Steyning plea, some of the matters addressed in the plea were ones that did not concern the survey, and while others did involve land, this was not land assessed in hides, the usual focus of disputes recorded in Domesday.[34] Nevertheless, several considerations suggest that the assembly that heard the plea, at which William bishop of Durham was present, was an extension of the great assembly at Salisbury (also attended by William) where the great oath to the Conqueror was sworn, and that it occurred very soon afterwards.[35]

One of them is the location of ''la Choche.'' J. H. Round tentatively proposed that this was ''Laycock'' (actually Lacock) in Wiltshire.[36] This is entirely understandable, as Lacock appears as ''Lacoch'' or ''Lacoc'' in Domesday Book.[37] However, Round's suggestion was rejected by H. W. C. Davis because the record of the Steyning plea states that ''la Choche'' was a manor of William of Eu, whereas in Domesday Book William held no possessions in Lacock.[38]

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[33] David Bates, ''Two Ramsey Abbey Writs and the Domesday Survey,'' *Historical Research* 63, no. 152 (October 1990): 337–9.

[34] I am grateful for this point to one of the anonymous reviewers.

[35] For Bishop William's presence at Salisbury, see Harvey, *Domesday*, 113.

[36] *Calendar of Documents*, no. 114 and 542. See also *RRANAW*, 482.

[37] *DB*, 1:69v (b), 70v (a).

[38] H. W. C. Davis, Charles Johnson, H. A. Cronne, and R. H. C. Davis, ed., *Regesta Regum Anglo-Normannorum*, 4 vols. (Oxford, 1913–69), 1:no. 220 n. (p. 59) (hereafter *RRAN*).

But Domesday shows that William, who attended the Steyning plea, held land in Lackham (‘‘Lacham’’) immediately north of Lacock and within its parish but treated by Domesday as a distinct holding from Lacock.[39] The closeness of Lacock and Lackham is further reflected in the fact that in Henry II’s reign (1154–89) the advowson of Lacock’s church was shared between the descendants of Edward the sheriff of Wiltshire (also known as Edward of Salisbury), who held land in Lacock in 1086, and the lords of Lackham, suggesting that the sharing might date back to William the Conqueror’s reign.[40] It is possible that the representation of Lackham as ‘‘la Choche’’ sprang from this closeness, or from scribal error, or confusion or inaccuracy regarding the tenurial geography within Lacock parish.[41] The key point is that Lackham and Lacock were less than thirty miles (as the crow flies) north-north-east of Salisbury, a distance that could be covered on horseback in less than a day.

Another consideration indicating that the king was at Lackham very soon after the Salisbury oath is the identity of Lacock church’s patron saint, Cyriac. Although Domesday Book makes no mention of a church at Lacock, one could have existed there in 1086. ‘‘Churches are

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[39] *DB*, 1:71v (b); *VCH: A History of Wiltshire Volume II*, ed. R. B. Pugh and Elizabeth Crittall (London, 1955), 101, 149, 187. See also *RRANAW*, 484; Eilert Ekwall, *The Concise Dictionary of English Place-Names*, 4th ed. (Oxford, 1960), 283.

[40] For Edward, see Ann Williams, *The English and the Norman Conquest* (Woodbridge, 1995), 105–7. For his land in Lacock, see *DB*, 1:69v (b). For the advowson, see *The Wiltshire Archaeological and Natural History Magazine* 33 (Devizes, 1904 for 1903–4), 365, translated in Kenneth H. Rogers, ed., *Lacock Abbey Charters*, *Wiltshire Record Society* 34 (Devizes, 1979 for 1978), no. 29, see also 2.

[41] For the argument above identifying ‘‘La Choche’’ as Lackham, I am indebted to 0000.

not regularly enumerated in the folios for Wiltshire, and they are mentioned in connection with only 29 out of the 335 places recorded for the county.''[42] The dedication of Lacock's church to St Cyriac was unusual in England, and probably owed much to Salisbury connections.[43] By 1220 a book containing a *Life* of St Cyriac was kept at Sonning (Berks.), an important manor of the

[42] *The Domesday Geography of South-West England*, ed. H. C. Darby and R. Welldon Finn (Cambridge, 2009), 49. Churches might not be mentioned in Domesday because they were exempt from taxation, or listed ''under the name of a hamlet on the land of whose lord it was probably built'', or held by a religious house that had ''appropriated its endowment, or established it unendowed and served it from its own house'': William Page, ''Some Remarks on the Churches of the Domesday Survey,'' *Archaeologia* 66 (1915), 61–102, at 61, with a discussion of Wilshire churches at 72–3. See also John Blair, *The Church in Anglo-Saxon Society* (Oxford, 2005), 418–19, showing that places where churches and/or priests are mentioned in Wiltshire in Domesday Book are in the range of 5–20% of all places mentioned in the county, and noting that Wiltshire is one of the counties where there is architectural evidence of ''well-financed building campaigns'' before c. 1050. My thanks are due here to one of the anonymous reviewers for the references to Page and Blair.

[43] This St Cyriac was probably the Roman noblemen killed in Emperor Diocletian's time rather than the child saint of the same (or a similar) name, since the former's feast was celebrated at Salisbury cathedral on 8 August rather than 16 June, the child's feast day. See W. H. Rich Jones, ed. and trans., *Vetus Registrum Sarisberiense Alias Dictum Registrum S. Osmundi Episcopi. The Register of S. Osmund*, 2 vols. (London, 1883–84), 1:114–15; *Acta Sanctorum Augusti ... II*, ed. Joanne Carnandet (Paris and Rome, 1867), 327–40.

bishops of Salisbury.[44] St Cyriac was a citizen of the Roman empire executed for refusing to abandon his Christianity.[45] His feast day, kept at Salisbury cathedral (possibly as early as the pontificate of Bishop Osmund, 1078–99), was celebrated just one week after the oath of Salisbury, on 8 August, a Saturday. Although King William might, as Bates suggested, have heard the Steyning plea either shortly before several bishops set out to undertake their work on the Domesday survey or as they were convening to consider its results,[46] it is tempting to envisage a different scenario. This would see the king celebrating St Cyriac's feast day on 8 August 1086 in the church of Lacock, attending mass there the following morning and spending the rest of Sunday 9 August just a mile away at the manor of Lackham hearing the Steyning plea and dispensing the justice he owed the landholders of England for the oath recently sworn to him at Salisbury.

The links between the Lackham assembly and the oath of Salisbury are further strengthened by the close association between several magnates present at the Steyning plea and the Domesday survey. As Bates noted, a number of these magnates were also with the king during the Christmas council of 1085 where the Domesday survey was launched. This group included the king's sons William Rufus and Henry, Lanfranc archbishop of Canterbury, Thomas archbishop of York, Geoffrey bishop of Coutances, the Domesday commissioner Remigius bishop of Lincoln, Robert count of Mortain, Roger de Montgomery, and Alan count of

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[44] *Vetus Registrum Sarisberiense*, 1:276, see also n. 4 for a reference to a chapel or altar dedicated to St Cyriac in the church of Sonning.

[45] For his life and miracles, see *Acta Sanctorum Augusti … II*, 327–40.

[46] Bates, *William the Conqueror*, 474.

Brittany.[47] It also included three more bishops linked in other ways to Domesday.[48] One was William, bishop of Durham, probably a Domesday commissioner with ties to Domesday Book's main scribe, almost certainly present at the oath of Salisbury, and regarded by some historians as Domesday's mastermind.[49] The second was Osmund, bishop of Salisbury, possibly a Domesday commissioner with connections to Domesday Book's main scribe, whose cathedral was located within the royal castle where the Salisbury oath was sworn, and who had, or later came to have, books produced by some of the scribes who helped to write Exon Domesday.[50] And the third was Walchelin, bishop of Winchester, another possible attendee of the oath of Salisbury whose episcopal city possibly housed the writing office where Domesday Book was (partly at least) compiled and certainly incorporated the royal treasury where it eventually came to reside.[51] Present too at Lackham, but perhaps not at Gloucester, were Henry de Ferrers, another

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[47] Ibid. For Remigius, see Harvey, *Domesday*, 50, 72, 91.

[48] Bates, *William the Conqueror*, 465.

[49] See Pierre Chaplais, ''William of Saint-Calais and the Domesday Survey,'' in *Domesday Studies*, 65–77, esp. 73–7. But see also Harvey, *Domesday*, 91, 104, 112–14; Baxter, ''The Domesday Controversy,'' 283.

[50] H. R. Loyn, ''William's Bishops: Some Further Thoughts,'' *Anglo-Norman Studies* 10 (1988): 223–35, at 229 (hereafter *ANS*); Teresa Webber, *Scribes and Scholars at Salisbury Cathedral c. 1075–c. 1125* (Oxford, 1992), 7, 16–17. See also Harvey, *Domesday*, 25, 41, 91, 94–5, 106, 114–15; Baxter, ''The Domesday Controversy,'' 268 and 269, agreeing with Flight that it is possible that Osmund, bishop of Salisbury, ''commissioned treasury scribes to write books for the Salisbury library, or that the treasury was periodically staffed with scribes trained at Salisbury''.

[51] Chaplais, ''William of Saint-Calais,'' 75; Harvey, *Domesday*, 7–9, 19, 31, 101, 103, 105.

Domesday commissioner, and Robert, bishop of Hereford, who wrote a description of the Domesday survey and might have been connected with it and Domesday Book's main scribe in other ways.[52]

The connections between the Steyning plea, the Domesday survey, and the oath of Salisbury are reinforced by other links associated with the theme of legitimacy. As Baxter noted, ''Paul Hyams, Patrick Wormald and Robin Fleming and others have followed David Douglas by exploring the corpus of Domesday disputes, debating whether Maitland was right to deny that Domesday was, *inter alia*, a register of title.''[53] Baxter is probably correct in arguing that Domesday was not intended to resolve disputes relating to title, but, as we have seen, there is much to be said for the view expressed by Holt, Harvey, and Baxter that it did much to strengthen the security of the property rights of landholders.[54] In doing so, it effectively reinforced the legitimacy of the vast transfer of land to King William and his followers. One dimension of this, as Harvey observed, was Domesday's adoption of ''the last day of King Edward's reign rather than that of Harold II as the departure point for tenurial rights, by establishing who held the lands in the time of King Edward and to whom the king had subsequently gifted them.'' This ''largely bypassed the difficulty of supplying a legally

[52] Harvey, *Domesday*, 90–1, 103–4, 106, 110–11, 226, 249.

[53] Baxter, ''The Domesday Controversy,'' 248 and n. 72.

[54] Ibid., 292; above 0000. For a different view, see Roffe, *Domesday: The Inquest*, 46, 47–8, see also 17–45; idem, ''Domesday Now,'' 27; although Roffe also noted that ''The definition of duty [relating to tax and service] also defined right: the tenant-in-chief and his men were confirmed in their title.'': Roffe, ''Talking to Others,'' 300.

acceptable date for William's slaughter of the crowned king'';[55] although in linking title to King Edward's time Domesday was not prescriptive.[56] Another dimension of this is Domesday's use of the canon law term ''antecessor''

> to denote an accepted Edwardian landholder from whom the king [William] or his deputies had transferred the land. Most importantly, it was Domesday Book's acknowledgement of the Edwardian holder, if only to confirm his replacement, that gave a superficial appearance of lawful sequence to the land transfer, and to the whole Domesday edifice. ... Thus, through calculating premeditation, the lawyer and theologian Lanfranc was prepared to transform the Conqueror's takeover and re-dispersal of land into a legal succession allegedly derived from moral authority, in which Domesday was to play its effectively crucial part.[57]

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[55] Harvey, *Domesday*, 53. See also Robin Fleming, *Domesday Book and the Law: Society and Legal Custom in Early Medieval England* (Cambridge, 1998), 84; Garnett, *Conquered England*, 11–24. On the treatment of Harold's titles in the Domesday project, and the Norman denial of his royal status, see Symes, ''Doing Things,'' 1057, 1092–4.

[56] Bates, *William the Conqueror*, 477.

[57] Harvey, *Domesday*, 45 (and see the references). See also Hyams, '''No Register of Title''' 134–6; Fleming, *Domesday Book*, 72–3, 84; Garnett, *Conquered England*, 24–33, 42–3, 73; Roffe, ''Domesday Now,'' 39.

In addition, Domesday also recognized that title to land could be affected by the grants, writs, and warranty of King Edward or King William.[58]

Legitimacy and security of title and possession were central to the Steyning plea. William was preoccupied there with providing justice to Fécamp abbey by confirming and protecting, against Briouze's encroachments, the possessions granted to it by King Edward; grants possibly withheld by Harold. During the plea, William explicitly recognized Edward's reign as the benchmark of legitimacy, adjudging that Briouze's extraction of toll from Fécamp's men should cease as it had not been granted in King Edward's time.[59] William also appears to have been reinforcing two of his earlier charters confirming Edward's grant of Steyning to Fécamp exhibiting the same logic of legitimacy.[60] One, dated *c.* 1070 x 1077/78, shows William's fear of God, refers to Edward as his ''dominus et antecessor'', and makes it clear that William was concerned about souls: King Edward's, his own, and those of his predecessors and successors.[61] The second charter (of which two originals survive), issued in 1085, the year of the Domesday survey's launch, granted Steyning to Fécamp as King Edward had given it, and declared that if the abbey had not held Steyning in King Edward's time, William granted it and whatever Fécamp had possessed there in his own reign.[62] This grant was made for the health of the soul of

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[58] See Hyams, '''No Register of Title','' 132–3, 135; Garnett, *Conquered England*, 16, 45–7, 71–3, 80, 87; Fleming, *Domesday Book*, 33, 50, 59, 61, 62, 64, 84, who also shows (esp. at 56–67) that title could be established by other forms of proof.

[59] *RRANAW*, no. 146; *English Lawsuits*, no. 163 (pp. 128–9).

[60] *RRANAW*, 469.

[61] Ibid., no. 141.

[62] Ibid., no. 144.

King Edward, and the souls of William, his wife Matilda, and their sons. In the same charter William added a gift of the manor of Bury as compensation for the abbey's loss to him of Hastings which it held in Edward's time. As Harvey noted, this charter ''suggests that thoughts of reparation to the Church were evidently in the Conqueror's mind at this time of crisis ... William's belated attempts to reconcile his military takeover with the historic landholding rights of Churches hinted of his awareness of his own ultimate Judgement Day.''[63] There are, therefore, clear indications in William's charters for Fécamp that, in addition to his own grants, possession in King Edward's reign was a touchstone of legitimate tenure, and that Edward, William, and William's wife and sons were regarded as members of the same legitimate royal dynasty. But the argument must not be pushed too far.[64] Only one of the three acta discussed above (*RRANAW,* no. 144 version A^1) appears to have been drawn up by a royal chancery scribe, whereas nos. 146 and 144 version A^2 were produced at Fécamp which might have had a particular devotion to King Edward, a generous benefactor.[65] Moreover, as Bates noted

> a significant number [of William's Old English writs] … call Edward William's kinsman ... A considerable number of others refer to tenurial and legal conditions

[63] Harvey, *Domesday*, 205–6, 315 quotations at 206, 315.

[64] See Emma Mason, ''Pro Statu et Incolumnitate Regni Mei: Royal Monastic Patronage 1066–1154,'' in *Religion and National Identity*, ed. Stuart Mews, *Studies in Church History* 18 (Oxford, 1982), 99–117, at 103.

[65] See *RRANAW*, 14, 469, 477, 482. For Edward and Fécamp, see Frank Barlow, *Edward the Confessor* (London, 1970), 39 and n. 3; Simon Keynes, ''The Æthelings in Normandy,'' *ANS* 13 (1991): 173–205, at 188, 193, 203.

> existing in king Edward's day ... The manner in which the documents were almost immediately adapted to the drastically changed political circumstances of the Conquest and the way in which they very soon began to stress the kinship ties between William and Edward bespeak a well-nigh universal acknowledgement of a well-versed argument and a strong central control over the drafting of documents.[66]

It is also important to note, however, that Fécamp abbey might have been a ducal chancery before 1066, and that the phraseology of William's 1085 charter for the abbey, with its reference to Edward's soul *and* association of Edward with William, his wife, and sons is very rare and

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[66] *RRANAW*, 49 (citing nos. 1, 31, 34, 36, 38, 66, 80, 98, 180, 224, 276, 339, 340, 351). For other references in William's genuine acta (or acta possibly based to some extent on genuine originals) to Edward's day or time or to Edward's grants, see also ibid., nos. 2–4, 10, 35–6, 60, 82, 100, 117, 118(?), 119–24, 126, 133, 141, 144, 146, 160, 181, 194, 216, 221, 222, 227, 249, 254, 263, 265, 270(?), 292, 295, 300, 307, 310, 311, 316, 317, 321, 322, 329, 330, 331, 333, 335, 340, 342, 347, 348, 349, 352(?); and for other references to Edward as William's kinsman or *antecessor*, see also (ibid., 2, 39, 133(?), 139, 141, 176, 181, 254, 263, 286). For the argument that William was Edward's kinsman and legitimate successor, see also R. H. C. Davis and Marjorie Chibnall, ed. and trans., *The Gesta Gvillelmi of William of Poitiers* (Oxford, 1998), 150–51 (hereafter *WP*). For William's wife and sons appearing in acta with him more generally, see David Bates, ''The Prosopographical Study of Anglo-Norman Royal Charters,'' in *Family Trees and the Roots of Politics: The Prosopography of Britain and France from the Tenth to the Twelfth Century*, ed. K. S. B. Keats-Rohan (Woodbridge, 1997), 89–102, at 95–6; *RRANAW*, 92–6.

closely (though not identically) matched in only one other extant royal acta of William: *RRANAW*, no. 176, discussed below and possibly issued in 1086.[67]

In emphasizing Norman dynastic unity, continuity, and legitimacy Fécamp abbey was a natural ally for William. It was intimately connected with his family and ducal rule. Duke Richard I, William's great-grandfather (d. 996), refounded the abbey, and Richard's son Duke Richard II (d. 1026) richly endowed it, held Easter courts there, and brought William of Volpiano from the Cluniac abbey of St-Bénigne of Dijon to rule it, after which Cluniac influence spread widely in Normandy.[68] The remains of both Richard I and Richard II were interred at Fécamp.[69] It was there that Duke Robert I, William's father, gave refuge to King Henry I of

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[67] For Fécamp as a possible ducal chancery, see Keynes, ''The Æthelings,'' 188 and n. 81. Apart from *RRANAW*, nos. 144 and 176, only three or four of William's royal acta refer to Edward's soul: ibid., nos. 2, 141, 181, 286(?).

[68] Elisabeth M. C. van Houts, ed. and trans, *The Gesta Normannorum Ducum of William of Jumièges, Orderic Vitalis, and Robert of Torigni*, 2 vols. (Oxford, 1995), 2:134–5, 288–9 (hereafter *GND*); Brian Golding, ''The Coming of the Cluniacs,'' *ANS* 3 (1981): 65–77, at 66; David Bates, *Normandy before 1066* (Harlow, 1982), 193. For the importance of Fécamp in Norman rule, see also Mark Hagger, *Norman Rule in Normandy, 911–1144* (Woodbridge, 2017), 208–9, 213, 262.

[69] Jules Lair, ed., *De Moribus et Actis Primorum Normanniæ Ducum Auctore Dudone Sancti Quintini Decano* (Caen, 1865), 298–9; Eric Christiansen, trans., *Dudo of St Quentin History of the Normans* (Woodbridge, 1998), 172–3; *GND*, 2:38–41, 263 n. 4; David Bates, *The Normans and Empire: The Ford Lectures delivered in the University of Oxford during Hilary Term 2010* (Oxford, 2013), 167 and n. 26.

France, and there also that Robert appears to have summoned his magnates to swear fealty to William before going on pilgrimage to Jerusalem in 1035.[70] Later, Fécamp was deeply involved in the Norman conquest of England. Its probable almoner, Remigius, provided William with a ship and twenty knights for his invasion, attended the battle of Hastings, and secured promotion to the bishopric of Dorchester in 1067.[71] In the same year, William held a great assembly at Fécamp to celebrate Easter and display his royal magnificence.[72] In 1072, Bishop Remigius's episcopal seat was moved to Lincoln, which for William ''became a bulwark against Danish threats'', and Remigius later served as a Domesday commissioner and attended the Steyning plea.[73] In 1076, William appointed Vitalis, abbot of Bernay, a former monk of Fécamp, on which Bernay was dependent, as abbot of Westminster.[74] He informed the abbot of Fécamp of this in a

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[70] *GND*, 2:80 and n. 2, 81; *GRA*, 1:426–7; Hagger, *Norman Rule*, 262.

[71] Elisabeth M. C. van Houts, ''The Ship List of William the Conqueror,'' *ANS* 10 (1988): 159–83, esp. 166–8, 178–9; H. E. J. Cowdrey, ''Remigius (*d.* 1092), Bishop of Lincoln,'' in *Oxford Dictionary of National Biography*, ed. H. C. G. Matthew and Brian Harrison, 60 vols. (Oxford, 2004), 46:458–9, at 458 (hereafter *ODNB*). For Remigius at Hastings, see Diana Greenway, ed. and trans., *Henry, Archdeacon of Huntingdon, Historia Anglorum: The History of the English People* (Oxford, 1996), 588–9.

[72] *WP*, 178–81.

[73] M. Winterbottom with R. M. Thomson, ed. and trans., *William of Malmesbury Gesta Pontificvm Anglorvm: The History of the English Bishops*, 2 vols. (Oxford, 2007), 1:472–3 (hereafter *GPA*); *WP*, 120 n. 1; Cowdrey, ''Remigius,'' 458–9, quotation at 458.

[74] *The Heads of Religious Houses: England and Wales, I. 940–1216*, ed. David Knowles, C. N. L. Brooke, and Vera C. M. London, 2nd ed. (Cambridge, 2001), 76.

letter referring to the burial of his lord and kinsman King Edward and his queen Edith at Westminster, and to his own receipt there of the crown and scepter of England.[75]

William's confirmation and restoration of land, rights, and revenues in Steyning and elsewhere to Fécamp abbey shows him fulfilling, as King Edward's rightful successor, his fundamental royal responsibilities of providing justice and protection to a religious community that was a power-house of Norman ducal authority and legitimacy, and that played an important spiritual and practical role in the conquest of England. If the Steyning plea was heard by William just a week after the oath of Salisbury, in which all the landholders of England swore fealty to William as their king and submitted to him for the lands recorded in the Domesday survey and (we may reasonably expect) promises of good government, it would have been an entirely appropriate act for a ruler intent on living up to this agreement. It would have been a further reaffirmation of the legitimacy of his invasion of England and the regime to which it gave birth. And it would doubtless have secured the prayers of Fécamp's monks in obtaining God's support for this regime at a time when it had recently been threatened by invasion from Denmark and Flanders and other challenges easily perceived to be the instruments of divine wrath against the sinful Normans.

For all his efforts, William's resolution of the Steyning plea did not endure. Conflict continued into and beyond the reign of his son William II. On 13 January 1103 William abbot of Fécamp and Philip de Briouze, William de Briouze's son, made a concord related to some of the matters at issue in Steyning in 1086. It is significant that they did so before the Conqueror's youngest son, King Henry I, his queen Matilda, and ''numerous barons'' at Salisbury.[76]

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[75] *RRANAW*, no. 139.

[76] *English Lawsuits*, 1:no. 163B.

2. *A Charter for the Abbey of Notre-Dame, Le Bec*

At some point between 1081 and 1087 King William confirmed and attested a record of grants to the Norman abbey of Le Bec.[77] Bates carefully demonstrated that dating it is complex. Bates observed that a letter was sent by Anselm from England to Le Bec about the king agreeing to confirm one of his charters to it only in the presence of the donors, and that as not all donors were present at court during Easter the confirmation would take place when they assembled at Whitsun. Bates also noted that F. S. Schmitt and Walter Fröhlich regarded this letter as issued during Anselm's second visit to England (1086), that Sally N. Vaughn offered an alternative date for the letter of 1081 (though the letter might refer to a different charter of King William – *RRANAW*, no. 166), that some of the grants in *RRANAW*, no. 167 appear to either post-date or pre-date the Domesday survey, and that Marjorie Chibnall pointed to William's absence from England in 1087, indicating that no. 167 ''must therefore have been confirmed before the survey was complete.'' Having said this, Bates considered it

> much more likely the charter must be treated as a typical Norman *pancarte* or confirmation and it must be accepted that its contents are likely to be a compilation of material assembled over a period of time … The fact that the charter does not describe all the grants which Le Bec had come to possess by the time of Domesday Book is a strong argument in favour of a date earlier than 1086 for the compilation of the initial text. … What is beyond doubt is that the charter was confirmed in

[77] *RRANAW*, no. 167. See also Bates, *William the Conqueror*, 471 and n. 73.

> England, since the array of English episcopal *signa* make this a near-certainty. This means that it must date to 1080 x 1081, 1082 x 1083 or 1085 x 1086. The charter's contents – and in particular the point that they do not include all Le Bec's 1086 endowment – point to an earlier date for the confirmation of the earliest draft. [Queen] Mathilda's absence and bishop William of Durham's presence perhaps point to 1086, since the former attests the Whitsun 1081 diplomas referred to above and the latter does not (see [nos.] 39, 255). It is safe only to assign the charter to the broader limits of 1081 x 1087 and to recognise that amendments were being made to it in the 1090s.[78]

A case can be made, within the secure dating limits Bates established, that some elements of no. 167 might indeed belong to 1086. It is possible that no. 167's *signa* were present when the transactions it refers to occurred before the king, and/or when a version of the charter was confirmed and attested by William.[79] Nine of them were present at the Steyning plea (*RRANAW*, no. 146 above), which certainly dates from 1086.[80] It is also significant that no. 167 is one of just three extant royal acta of the Conqueror (the two others being *RRANAW*, nos. 146 and 176 discussed above and below) in which his sons, William and Henry, appear together but without their brother Robert. As all three acta date from after 1080, when Robert's first rebellion against the Conqueror came to an end, this suggests, though it does not prove, that no. 167 was issued later than the start of Robert's second rebellion against his father that probably began sometime

[78] *RRANAW*, 560–61, see also 24.

[79] See Appendix 1 below.

[80] See Appendix 2 below.

after 9 January or 31 March 1084 and probably continued until William's death.[81] It is tempting, but hazardous, to see the well-attended Whitsun meeting referred to by Anselm in his letter to Le Bec as that held on 24 May 1086 at which William's son Henry was knighted, and to regard no. 167, or at least elements of it, as belonging to this assembly held just under ten weeks before the oath of Salisbury and regarded by Baxter as one of a series of great assemblies that structured the

[81] For Robert's first rebellion, see G. P. Cubbin, ed., *The Anglo-Saxon Chronicle: A Collaborative Edition Volume 6 MS D* (Cambridge, 1996), *s. a.* 1079 (pp. 88–9) (hereafter *ASCD*); *ASCE*, *s. a.* 1079 (p. 92); *ASCRT*, 159; *JW*, 30–33; *OV*, 3:97–101, 102 and n. 2, 103, 108–11; William M. Aird, *Robert Curthose Duke of Normandy c*. 1050–1134 (Woodbridge, 2008), 71–6, 78–89; Bates, *William the Conqueror*, 396–404; Hagger, *Norman Rule*, 135–8, 346. For the date of the beginning of Robert's second rebellion, see *RRANAW*, no. 252 and note; Bates, *William the Conqueror*, 454–6; John Hudson, ed. and trans., *Historia Ecclesie Abbendonensis: The History of the Church of Abingdon*, 2 vols. (Oxford, 2002–7), 2:16–17. This rebellion is usually regarded as continuing until William's death: Charles Wendell David, *Robert Curthose: Duke of Normandy* (Cambridge, 1920), 36–41; Douglas, *William the Conqueror*, 243 and n. 4, 347, 356, 360; Frank Barlow, *William Rufus* (London, 1983), 38–9; Aird, *Robert Curthose*, 95–8; Hagger, *Norman Rule*, 327. For a different view, see Katherine Lack, ''Robert Curthose: Ineffectual Duke or Victim of Spin?,'' *HSJ* 20 (2009): 110–40, at 128–31; Bates, *William the Conqueror*, 456, 465. But *RRANAW*, no. 156, and p. 513 supports the general view, and it is significant that Robert appears not to have attended his father's death-bed: *OV*, 3:112–13; 4:80–95; *De obitu Willelmi*, in *GND*, 2:184–91, at 186–9.

Domesday survey.[82] It is hazardous because the list of *signa* could have been amended over time, might not reflect those in attendance on the king, and is quite short.[83] Nevertheless, the status of the *signa* is consistent with a great court assembly. They include the king, two of his sons William and Henry, the two English archbishops, two more English bishops, and a Norman bishop.[84] Moreover, given that the charter's text derives from a fifteenth-century cartulary copy, the list of *signa* as we have it might have been abbreviated.[85]

Further evidence indicating that no. 167 belongs to the mid-1080s is the appearance of Miles Crispin among its *signa*. Miles was probably the same man as Miles Crispin, lord of Wallingford, a probable kinsman of the Norman Crispins who were possibly related to the ducal family and had close ties with Le Bec.[86] Miles attested only two other extant royal acta of King William (if this was the same man in each case).[87] One is no. 176, discussed below, which might

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[82] For Henry's knighting, see *ASCE*, *s. a.* 1085 (p. 94); *ASCRT*, 162; *OV*, 4:120, 121 and n. 5. See also Baxter, ''The Domesday Controversy,'' 279.

[83] See Appendix 1 below.

[84] See Appendix 2 below.

[85] For the source of the text, see *RRANAW*, 559.

[86] For Miles Crispin, see K. S. B. Keats-Rohan, ''The Devolution of the Honour of Wallingford, 1066–1148,'' *Oxoniensia* 54 (1989): 311–18, at 311–15. For the Norman Crispins, see G. R. Evans, ''Crispin, Gilbert (*c.*1045–1117/18), Theologian and Abbot of Westminster,'' in *ODNB*, 14:216–17, at 216; *RRANAW*, nos. 166–7; Christopher Harper-Bill, ''Herluin, Abbot of Bec and His Biographer,'' in *Religious Motivation: Biographical and Sociological Problems for the Church Historian*, ed. Derek Baker, *Studies in Church History* 15 (1978), 15–25.

[87] *RRANAW*, 1102.

also be linked to 1086. The other, recording grants to Le Bec, was issued in 1077.[88] We know that King William's son Henry spent the days leading up to Easter 1084 at Abingdon abbey, when Miles and Osmund, bishop of Salisbury, are described as attached to him, and it appears that Henry (then aged *c*. 16) was in their charge as he made the transition from boy to man.[89] This might explain the unconventional location of Henry's name at the end of the *signa* to no. 167, immediately after the name of Miles, although this could have resulted from the process of amendment discussed above. Other Crispins received significant responsibilities from William relating to family matters in the mid-1080s. In *c*. 1085 Gilbert Crispin, a monk of Le Bec, was chosen by Archbishop Lanfranc to be abbot of Westminster abbey, William's coronation church and Edward the Confessor's mausoleum.[90]

3. *A Charter for the Priory of St Pancras, Lewes*

The third document under consideration was granted by King William in favor of the priory of St Pancras, Lewes (Sussex), founded by the Norman magnate William of Warenne and his wife Gundrada in the late 1070s or early 1080s.[91] It concedes the manor of West Walton (Norfolk),

[88] Ibid., no. 166.

[89] *Historia Ecclesie Abbendonensis*, 2:16–19; C. Warren Hollister, *Henry I*, ed. and compl. Amanda Clark Frost (New Haven and London, 2001), 36–7.

[90] Evans, ''Crispin, Gilbert,'' 216.

[91] *RRANAW*, no. 176. For the foundation date of Lewes priory, see Graham Mayhew, *The Monks of Saint Pancras: Lewes Priory, England's Premier Cluniac Monastery and its Dependencies 1076–1537* (Lewes, 2014), 12–13; Golding, ''Coming of the Cluniacs,'' 65; C. P. Lewis,

held by Warenne of the king, and is probably therefore a confirmation of Warenne's gift. Its *signa*, who were all quite possibly present when the transactions recorded in the charter were made and/or when King William confirmed the document, include the king, his sons William and Henry, William of Warenne, Thomas archbishop of York, the bishops of Salisbury, Winchester, Lincoln, and Durham, Edward the sheriff, and Miles Crispin.[92] Bates established firm date limits of 1081 x 1086 for the charter, based on the consecration of William bishop of Durham in 1081, and the fact that Little Domesday Book, which can be dated with a reasonable degree of certainty to 1086, records that Cluny abbey, Lewes priory's mother house, held West Walton from William of Warenne.[93]

Within these secure dating limits, a narrower possible chronological envelope can be suggested. A date after the commencement of Robert Curthose's second rebellion against his father (which began sometime after 9 January or 31 March 1084) is suggested by the fact that *RRANAW*, no. 176 is one of the three extant acta of King William in which his sons William and Henry appear together but without their elder brother Robert (see above), one of which (no. 146) was issued in 1086.[94] Added to this, nine of no. 176's sixteen *signa* were present at the Steyning plea (no. 146), four of them (the bishops Osmund of Salisbury, Walchelin of Winchester, Remigius of Lincoln, and William of Durham) being closely associated with the Domesday

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''Warenne, William (I) de**,** First Earl of Surrey [Earl Warenne] (*d.* 1088), Magnate,'' in *ODNB*, 57:404–6, at 405–6.

[92] See Appendix 1 and Appendix 2 below.

[93] *RRANAW*, 585; *DB*, 2:160r (a), 450r. For the importance of West Walton in the early endowment of the priory, see Mayhew, *The Monks of Saint Pancras*, 16.

[94] For the date of Robert's second rebellion, see 0000 above.

survey.[95] Moreover, Walter Giffard, whose name also appears amongst no. 176's sixteen *signa*, was a Domesday commissioner.[96] No. 176 might even have been issued at Salisbury. This is suggested by the precedence given in its list of *signa* to Osmund bishop of Salisbury (consecrated bishop in 1078), over his senior bishops Remigius of Lincoln (consecrated possibly in 1067) and Walchelin of Winchester (consecrated 1070), and by the appearance in this list of Edward the sheriff who was probably Edward the sheriff of Wiltshire, also known as Edward of Salisbury.[97] As noted above, Edward held land in Lacock. He also had links with Domesday Book beyond the conventional recording of his lands. He was connected with Salisbury, and Domesday Book respects his desire to articulate in his testimony how proud he was of his Wiltshire manor of Wilcot, which had ''a new church, and an excellent house, and a good vineyard.''[98] It is also significant that no. 176 uses Domesday language. It refers to West Walton as a *mansionem* which was the normal word used for an estate in Exon Domesday, and it speaks of my (that is, the king's) barons (*barones mei*), which is the term commonly used in the geld accounts in Exon to describe those who held land directly of the king. The same terms were used in the questions asked by those who conducted the Domesday survey.[99]

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[95] See above 0000, and Appendix 2 below.

[96] Harvey, *Domesday*, 91.

[97] See Appendix 2 below; *Handbook of British Chronology*, ed. E. B. Fryde, D. E. Greenway, S. Porter, and I. Roy, 3rd ed. (London, 1986), 255, 270, 276.

[98] *DB*, 1:69r (b). My thanks are due to 0000 for drawing my attention to Wilcot. *Domesday Geography*, 49 underlines the unusual nature of the reference to the church there.

[99] I am grateful to one of the anonymous reviewers for this point about the use of Domesday language, and the observation that the charter is a confirmation rather than a new grant by the

It is also significant that no. 176 reflects the logic of legitimacy evident in the Conqueror's acta relating to Fécamp abbey, and in the Domesday survey. King William granted West Walton to Lewes priory for the soul of his lord and ''antecessoris'' King Edward, the soul of his father Robert, his own soul, the souls of his wife, his sons, and successors (indicating that his family and Edward's were one and the same), and those of William and Gundrada of Warenne who were the donors. As another section of this charter, dealing with ''the privileges of baronial religious foundations'', is ''much more likely to be the formulation of the king's will than a mere monastic scribe working for the beneficiary'', it is probable that this also applies to the clause concerning souls.[100] In granting West Walton to Lewes priory, the king, it appears, was greatly concerned with the spiritual welfare and legitimacy of his dynasty.

Further light on the nature of William's patronage of Lewes priory is cast by other royal charters for the house. One is a diploma William issued between 1078 and 1080/81, possibly at a time when Robert Curthose was in rebellion against him.[101] In it William declared that, moved by divine inspiration, he agreed to grants made by the Warennes to Cluny, including the church of St Pancras, Lewes, for the safety of his realm and the health of his soul.[102] The diploma was written by the same chancery scribe, the only one known from William's reign, who also wrote two more charters for him, including one version of the charter granting Steyning to Fécamp

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king. See Henry Ellis, *A General Introduction to Domesday Book* ..., 2 vols. (London, 1833), 1:45, 242; Frank Thorn, ''*Non Pascua sed Pastura*: the Changing Choice of Terms in Domesday,'' in *Domesday Now*, 109–36, at 112, 120.

[100] For the quotations, see *RRANAW*, 72.

[101] For Robert's first rebellion against William, see above 0000.

[102] *RRANAW*, no. 101.

abbey in 1085.[103] Another royal charter for Lewes priory, issued by Henry I between c. September and Christmas 1100, shortly after his questionable and soon to be contested accession, was granted for the health of Henry's soul and those of his parents and faithful men, and for the state of his realm.[104] Commenting on Anglo-Norman royal charters linking the souls of the ruling family with the safety of the realm, Emma Mason argued that, ''Dangers to the cohesion of the Anglo-Norman *regnum* correlate to a marked extent with the fluctuating patronage extended by the Anglo-Norman kings towards Westminster Abbey, and other religious houses, in their search for one which would symbolize and enhance the stability of their dynasty.'' Mason pointed out that, after the death of his only legitimate son William in 1120, a deeply destabilizing event, Henry I was keen to make benefactions to Westminster abbey ''for the souls of … himself, king Edward his kinsman, and those of his *antecessors* and successors'', and (separately) for his own soul and those of Edward, his father William, his mother Matilda, his brother William Rufus, his wife Matilda, and his dead son William.[105] It is also significant that in the year following William's death, Henry founded a new abbey at Reading that was closely linked with Lewes priory. Although the surviving text of Henry's foundation charter for

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[103] Ibid., 13–14, 38–9, 97, 376, 477, nos. 144, 334.

[104] William Dugdale, *Monasticon Anglicanum*, ed. John Caley, Henry Ellis, Bulkeley Bandinel, 8 vols. (London, 1817–30), 5:13–14; *RRAN*, 2:no. 510; Mayhew, *The Monks of Saint Pancras*, 40–41; Judith A. Green, *Henry I: King of England and Duke of Normandy* (Cambridge, 2009), 43.

[105] Mason, ''Pro Statu,'' 99–117, esp. 99, 101, 103, 104–5, 109. Similar links between crises and ecclesiastical patronage undertaken to promote the stability and safety of kingdoms can be found in the Frankish world: Alan Harding, *Medieval Law and the Foundations of the State* (Oxford, 2001), 38–42.

Reading might be an improved version of the original,[106] his concern there for his own soul, that of his wife Queen Matilda, and the souls of the members of his dynasty (William I and his queen Matilda, William II, and his predecessors and successors) rings true.[107] Reading abbey was staffed with monks drawn not only from Cluny abbey but also from Lewes priory whose prior, Hugh of Amiens, became Reading's first abbot.[108] It is clear, therefore, that during the reigns of William the Conqueror and his youngest son, Lewes priory was closely linked at times of crisis with the spiritual welfare of the Norman royal dynasty and the stability of the realm it ruled.

Two more considerations support the argument that no. 176 reflects (in part) an attempt to support the legitimacy and maintain the stability and security of the Norman regime and dynasty during the troubled political circumstances of 1085–86. The first is that Lewes priory's patron saint, Pancras, might have been used by the Normans to help justify their conquest of England.[109] The twelfth-century *Warenne Chronicle*, a source linked closely to the Warenne family, depicts Harold Godwineson swearing his famous (allegedly broken) oath to Duke William on sacred relics and an amulet of St Pancras called ''the bull's eye.''[110] Although this has rightly been

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[106] On the foundation of Reading, see Green, *Henry I*, 170–71.

[107] Henry granted a charter to Lewes priory's daughter house, Castle Acre priory, for the health of the souls of himself and his ancestors, and for the ''state and prosperity'' of his kingdom: Mayhew, *The Monks of Saint Pancras*, 398.

[108] Ibid., 171.

[109] For St Pancras, see *Acta Sanctorum Maii ... III*, ed. Joanne Carnandet (Paris and Rome, 1866), 17–22; Mayhew, *The Monks of Saint Pancras*, 114, 116.

[110] Elisabath M. C. van Houts and Rosalind C. Love, ed. and trans., *The Warenne (Hyde) Chronicle* (Oxford, 2013), 14 (hereafter *WHC*). For discussion of this source's date and political

questioned, it cannot be ruled out.[111] From the sixth century at least, St Pancras was regarded as an avenger of perjurers and swearers of false oaths.[112] He would have been a logical spiritual ally for William the Conqueror against Harold and Robert the Frisian, the count of Flanders who threatened to invade England in 1085. Like Harold, Robert was an alleged perjurer, accused of breaking an oath renouncing his claim to Flanders, and another oath (of fealty) to his nephew and lord, Arnulf count of Flanders, who he subsequently fought at the battle of Cassel in 1071 (during which Arnulf was killed) and then superseded as count.[113]

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purpose, see ibid., xxviii–xliii; but see also Nicholas Vincent's review in *History* 100, no. 341 (July 2015): 442–3. For other references to the ox's eye, see *WHC*, 14 n. 22; C. P. Lewis, ''The Earldom of Surrey and the Date of Domesday Book,'' *Historical Research* 63, no. 152 (October 1990), 329–36, at 332–4.

[111] For reasonable doubts, see Lewis, ''Earldom of Surrey,'' 334.

[112] Ibid., 332 and n. 26. See also Joan E. Barclay Lloyd, ''The Church and Monastery of S. Pancrazio, Rome,'' in *Pope, Church and City: Essays in Honour of Brenda M. Bolton*, ed. Frances Andrews, Christoph Egger, and Constance M. Rousseau (Leiden, 2004), 245–66, at 246 and n. 4, 248–9; Thomas F. X. Noble, trans., *Charlemagne and Louis the Pious: The Lives by Einhard, Notker, Ermoldus, Thegan, and the Astronomer* (Pennsylvania, 2009), 82 n. 50; Patricia Healy Wasyliw, *Martyrdom, Murder and Magic: Child Saints and their Cults in Medieval Europe* (New York, 2008), 41.

[113] For Robert's oaths, see *Genealogia comitum Flandriae Bertiniana*, ed. L. C. Bethmann, in Georg Heinrich Pertz, ed., *Monumenta Germaniae Historica … Scriptorvm … IX*. (Hanover, 1851), 306; Jeff Rider, ed., *Galbertus Notarius Brugensis, De Multo Traditione, et Occisione Gloriosi Karoli Comitis Flandriarum*, *Corpus Christianorum, Continuatio Mediaevalis* 131

The second further consideration supporting the argument that no. 176 reflects an effort to support the legitimacy, stability, and security of Norman rule in England, stems from evidence that earlier attempts were made by the ruling family to use benefactions to Lewes priory as a means of expiating political and military sins committed by some of its members. Although the priory's foundation certainly involved conventional piety,[114] there are signs it was also influenced by the ramifications of the death of Arnulf, count of Flanders, during the battle of Cassel. According to some accounts, Arnulf was killed (perhaps murdered) by one of his own men, Gerbod (brother of Gundrada of Warenne), who sought papal forgiveness and was sent to Cluny to do penance as a monk.[115] It has been suggested that the foundation of Lewes priory was

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(Turnhout, 1994), ch. 69; idem, ''Vice, Tyranny, Violence, and the Usurpation of Flanders (1071) in Flemish Historiography from 1093 to 1294,'' in *Violence and the Writing of History in the Medieval Francophone World*, ed. Noah D. Guynn and Zrinka Stahuljak (Cambridge, 2013), 55–70, at 57, see also 65–7; Alan V. Murray, ''Voices of Flanders: Orality and Constructed Orality in the Chronicle of Galbert of Bruges,'' *Handelingen der Maatschappij voor Geschiedenis en Oudheidkunde te Gent*, new ser. 48 (1994): 103–19, at 107.

[114] See *OV*, 4:180–81; Elisabeth van Houts, ''The Warenne View of the Past 1066–1203,'' *ANS* 26 (2004): 103–21, at 108 and n. 42, 109; Frank Barlow, ''William I's Relations with Cluny,'' *Journal of Ecclesiastical History* 32, no. 2 (April 1981): 131–41, at 135; Golding, ''Coming of the Cluniacs,'' 65; Mayhew, *The Monks of Saint Pancras*, 10–12, 18.

[115] L. C. Bethmann and W. Wattenbach, ed., ''Chronicon sancti Huberti Andaginensis usque ad a. 1106,'' in Georg Heinrich Pertz, ed., *Monumenta Germaniae Historica ... Scriptorvm ... VIII* (Hanover, 1848), 565–630, at 582–3; Karl Hanquet, ed., *La Chronique de Saint-Hubert Dite Cantatorium* (Brussels, 1906), 65–7; Léon Vanderkindere, ed., *La Chronique De Gislebert De*

part of a deal in which the abbot of Cluny promised in return to care for Gerbod, ‘‘and by implication’’ accepted ‘‘a settlement for the atonement of his [Gerbod’s], and by extension, his family’s culpability’’ in Arnulf’s death.[116] It has also been proposed that William the Conqueror’s willingness to support Cluny abbey and Lewes priory might have been influenced by his wife Matilda’s position as Arnulf’s aunt and possible kinship with Gerbod.[117]

When considering King William’s patronage of Lewes priory, it is also noteworthy that the abbot of Cluny and other Cluniac monks were involved in negotiating the peace between William and Robert Curthose established by Easter 1080, after Robert’s first rebellion against his father.[118] With Robert probably again in rebellion against William in 1086, at a time when England had recently been threatened by foreign invasion, it is quite possible that the Conqueror looked once more to Cluny to promote the peace and stability of his dominions, and to his relative and stalwart supporter, William of Warenne, to help him.[119] As with the holders of other honors along the south coast, Warenne’s castle at Lewes and lands in Sussex were well-placed to

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Mons (Brussels, 1904), 8–10; C. P. Lewis, ‘‘Warenne, Gundrada de (*d*. 1085), Noblewoman,’’ in *ODNB*, 57:392; *WHC*, 98 and n. 33. But see also *OV*, 2:260–61; *WHC*, 26–7.

[116] *WHC*, 98–100, quotations at 100.

[117] Ibid., 100–101.

[118] Barlow, ‘‘William I’s Relations with Cluny,’’ 131–2, 137, 140.

[119] Warenne had fought at Hastings and was a major stakeholder in the Norman regime. See Lewis, ‘‘Warenne, William,’’ 404–6; van Houts, ‘‘Warenne View,’’ 104; Hagger, *Norman Rule*, 89–90.

help defend England's southern shore against invasion.[120] His main Norman lands were in north-east Normandy, not far from Flanders.[121] His wife Gundrada was a daughter of Gerbod, hereditary advocate of the monastery of Saint Bertin at Saint-Omer, sister of the Gerbod who took refuge at Cluny, and her Flemish relations were certainly ''players in the politics of the marcher counties between Flanders and Normandy.''[122] And the priory William and Gundrada had founded at Lewes was a daughter house of Cluny.

4. *A Charter for the Abbey of St Mary and St Aldhelm, Malmesbury*

Another document of William the Conqueror possibly issued in 1086 is a writ notifying his grant to St Aldhelm – that is, to Malmesbury abbey, which was dedicated to Aldhelm and St Mary – of a three-day fair on Aldhelm's feast-day (25 May), the day before it, and the fourth day after it. It was witnessed by Henry the king's son, the counts of Mortain and Meulan, Hugh of Montfort-sur-Risle, Edward the sheriff, and ''R. filii Alwart'', who were quite possibly present when it was issued;[123] and firmly dated by Bates to 1080/1 x 1087, partly on the basis of the date at which one of the witnesses became count of Meulan.[124]

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[120] J. F. A. Mason, *William the First and the Sussex Rapes* (Hastings and Bexhill, 1966), 5–6, 8–9. 15, 20–21, and see also the map at the end.

[121] William Farrer and Charles Travis Clay, ed., *Early Yorkshire Charters Volume 8: The Honour of Warenne* (Cambridge, 2013), 1–3.

[122] Lewis, ''Warenne, Gundrada,'' 392. See also *WHC*, xlvi–vii, 26–7, 93–106.

[123] See Appendix 1 and Appendix 2 below.

[124] *RRANAW*, no. 195 and note.

There are good reasons for suggesting that this writ was issued soon after Whitsun (24 May) 1086. They emerge from a story, told by William of Malmesbury, of St Aldhelm's miraculous cure at Malmesbury of a boy named Folcwine who is described as having physical disabilities. William placed the story after the translation of St Aldhelm's relics at Malmesbury in 1078, and during Osmund's tenure as bishop of Salisbury which began in the same year.[125] William also states that the cure happened on St Aldhelm's feast day (25 May) when it coincided with the first day of Whitsun, the ceremonies of the feast having been postponed until the following day. After the cure, the monks of Malmesbury wrote to inform their abbot who was attending the royal court and brought the miracle to Archbishop Lanfranc's attention. Lanfranc duly promulgated a law throughout England ordering that Aldhelm be worshipped as a saint. An annual market was then established to be held on Aldhelm's feast day. This occurred at a time when Osmund bishop of Salisbury was trying to secure some of Aldhelm's relics, received the saint's left arm bone, and paid for a silver casket to house it.[126] As it appears likely that this market was the same institution as the fair granted to Malmesbury abbey by the Conqueror, the Folcwine miracle occurred at some point between 1078 and the king's death in September 1087. The key to a narrower dating is provided by William of Malmesbury's statement that the miracle happened when St Aldhelm's feast day (25 May) coincided with Whitsun, the seventh Sunday

[125] *GPA*, 1:632–5; *Handbook of British Chronology*, 270.

[126] *GPA*, 1:636–41.

after Easter Sunday. If the dates of Easter Sunday and Whitsun between 1078 and 1087 are tabulated, the results are revealing:[127]

Year	Date of Easter Sunday	Date of Whitsun
1078	8 April	27 May
1079	24 March	12 May
1080	12 April	31 May
1081	4 April	23 May
1082	24 April	12 June
1083	9 April	28 May
1084	31 March	19 May
1085	20 April	8 June
1086	5 April	24 May
1087	28 March	16 May

The table shows that in the period 1078–87 Whitsun never fell on 25 May. However, in one year it did fall on the 24 May: 1086. It is quite possible that William of Malmesbury was wrong about the coincidence of St Aldhelm's feast day and Whitsun, but correct in stating that the feast day

[127] Based on *A Handbook of Dates for Students of British History*, ed. C. R. Cheney, new ed., revised by Michael Jones (Cambridge, 2004), 160, 168, 174, 182, 184, 190, 192, 198, 214–5, 222–3.

celebrations were held the day after Whitsun. If this view is accepted, the miracle occurred on 25 May 1086 and its timing was significant. The king's court that the abbot of Malmesbury attended would have been the Whitsun court held at Westminster in 1086, where the Conqueror, together possibly with Lanfranc, knighted his youngest son Henry, the first witness to no. 195.[128] The monks of Malmesbury and their abbot appear very keen in 1086 to bring the power of their patron saint, a probable relative of the West Saxon kings, to the attention of the royal court at a time when it was much concerned with the future stability of the Norman dynasty.[129] It also appears that Osmund, bishop of Salisbury, who is very likely to have been present at the oath of Salisbury a little less than ten weeks after Whitsun 1086, was alert to the advantages of sharing in St Aldhelm's reinvigorated, and now royally sanctioned, cult.

Other considerations support a link between no. 195 and the events of 1086. This writ is linked with some of the acta considered above. It was witnessed by Edward the sheriff (of Wiltshire), also known as Edward of Salisbury, doubtless because it concerns the establishment of a new fair in the shire where he was sheriff. But Edward and two more of its six witnesses – Henry, the king's son, and Robert count of Meulan – were among the sixteen *signa* of the Conqueror's charter for Lewes priory (no. 176).[130] The recipient of no. 195, Malmesbury abbey, was only eleven miles (as the crow flies) from Lackham, the location of the Steyning plea (no.

[128] *ASCE*, *s. a.* 1086 (p. 94); *ASCRT*, 162; *OV*, 4:120, 121 and n. 5.

[129] For Aldhelm's royal connections, see Nicholas Brooks, ''Introduction,'' in *Aldhelm and Sherborne: Essays to Celebrate the Founding of the Bishopric*, ed. Katherine Barker with Nicholas Brooks (Oxford and Oakville, 2010), 1–14, at 3–4.

[130] See Appendix 2 below.

146), and had held land in Lacock.[131] And the abbey and its saint, Aldhelm (d. 709/10), had strong links with Salisbury. As well as being abbot of Malmesbury, Aldhelm was also, from 706, the first bishop of Sherborne, a see which amalgamated with that of Ramsbury in 1058 and whose center then moved (1075 x 1078) to Salisbury.[132] Before 1066, Bishop Hereman of Ramsbury tried to relocate his episcopal seat to Malmesbury.[133] In 1078, the translation of St Aldhelm's remains at Malmesbury was presided over by Osmund, bishop of Salisbury.[134] And, as we have seen, Osmund successfully acquired Aldhelm's left arm bone as a sacred relic.[135]

It is not certain that Osmund did so by 1 August 1086, but the presence of relics of St Aldhelm at the oath of Salisbury would have been particularly apposite in view of the great store placed by Aldhelm on loyalty to lords in the face of adversity, knowledge of which was preserved by William of Malmesbury. William's *Life* of Aldhelm cites a letter written by Aldhelm to the abbots subject to the episcopal authority of St Wilfrid after Wilfrid was expelled from Northumbria by King Ecgfrith in 678. Its purpose was to persuade the abbots, who were

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[131] S. E. Kelly, ed., *Charters of Malmesbury Abbey* (Oxford, 2005), no. 18, but noting at p. 191 that ''There is no evidence of any post-Conquest Malmesbury interest in this area.'' My thanks are due to one of the anonymous reviewers for this reference. See also *GPA*, 1:582–5.

[132] *GPA*, 1:562–3; Michael Lapidge, ''Aldhelm [St Aldhem] (*d.* 709/10), Abbot of Malmesbury, Bishop of Sherborne,'' in *ODNB*, 1:620–21.

[133] B. R. Kemp, ed., *English Episcopal Acta 18: Salisbury 1078-1217* (Oxford, 1999), xxx (cited hereafter as *EEA 18*).

[134] *GPA*, 1:634–5; *EEA 18*, xxix.

[135] *GPA*, 1:640–41; discussed by John Crook, *English Medieval Shrines* (Woodbridge, 2011), 119. See also *EEA 18*, xxxv, xxxvii.

thinking of deserting Wilfrid and allying with his enemies, to remain loyal to their bishop. It poured scorn on those who loved their lords during good times but deserted them during periods of adversity.[136] In the light of this letter, William the Conqueror's writ announcing that he had granted St Aldhelm's abbey of Malmesbury a fair, close to the time of the oath of Salisbury and the recent military emergency, would have been entirely pertinent, as would Lanfranc's decision to have Aldhelm worshipped as a saint.

The lives of St Aldhelm and St Wilfrid suggest further links between no. 195, the Steyning plea (no. 146), and the Norman conquest. They partially overlapped chronologically with the life of St Cuthman, the probable founder of Steyning's church, who might, like St Aldhelm, have been related to the West Saxon kings.[137] This church was also dedicated, by the thirteenth century if not earlier, to St Andrew, a focus of St Wilfrid's devotion.[138] There is

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[136] For the life, see *GPA*, 1:498–662, and for the letter 508–13. For discussion of the theme of loyalty in the letter, see Milton McC. Gatch, ''The Anglo-Saxon Tradition,'' in *The Study of Spirituality*, ed. Cheslyn Jones, Geoffrey Wainwright, and Edward Yarnold (Oxford, 1986), 225–34, at 227–8. See also Sarah Foot, ''Wilfrid's Monastic Empire,'' in *Wilfrid: Abbot, Bishop, Saint: Papers from the 1300th Anniversary Conferences*, ed. N. J. Higham (Donington, 2013), 27–39, at 28–9.

[137] Hudson, ''The Origins,'' 14; Blair, ''Saint Cuthman,'' 173–4, 183–4.

[138] Bertram Colgrave, ed. and trans., *The Life of Bishop Wilfrid by Eddius Stephanus* (Cambridge, 1927), 13, 44–7; Blair, ''Saint Cuthman,'' 174, 179; Alan Thacker, ''Wilfrid, His Cult and His Biographer,'' in *Wilfrid: Abbot, Bishop, Saint*, 1–16, at 5; Foot, ''Wilfrid's Monastic Empire,'' 30; Éamonn Ó Carragáin and Alan Thacker, ''Wilfrid in Rome,'' in *Wilfrid: Abbot, Bishop, Saint*, 212–30, at 219–20.

evidence, though late and problematic, that St Cuthman was born at Chidham, just twenty-five miles from Steyning and only eight from Selsey, St Wilfrid's base when converting the South Saxons.[139] Chidham was just a mile from Bosham, the site of another monastery probably involved in this conversion.[140] It was from Bosham that Harold Godwineson, who held a manor there, embarked on the fateful journey that led to him swearing his famous oath to Duke William.[141] We can only guess if Harold included Sts Cuthman and Wilfrid, and King Edward, who held a college of secular canons and land in Bosham, in the prayers he said at Bosham's church before sailing across the Channel.[142] But we can be certain, from the record of the Steyning plea, that William the Conqueror and Fécamp abbey honored and respected St Cuthman and King Edward in 1086 when the Norman regime, the legitimacy of which owed so much to Harold's oath and to Edward's status as William's kinsman and *antecessor*, had recently been seriously threatened.

Conclusion

The links suggested above between the four acta under review, the Domesday survey, and the oath of Salisbury support the argument that William the Conqueror was much concerned in

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[139] *Life of Bishop Wilfrid*, 81–3.

[140] Blair, ''Saint Cuthman,'' 173, 176–7, 180–81, 182.

[141] *DB*, 1:16r (b); David M. Wilson, *The Bayeux Tapestry* (London, 1985), images nos. 2–5.

[142] *DB*, 1:17r (b); *VCH: Sussex Volume Two*, ed. William Page (London, 1907), 109; *VCH: Sussex Volume Four: The Rape of Chichester*, ed. L. F. Salzman (London, 1953), 185; Wilson, *Bayeux Tapestry*, image no. 3.

1085–86 to respond to a crisis easily perceived to be God's punishment for the sins of the Normans. These sins included the invasion of a Christian kingdom to which the Normans had a dubious claim, and the killing of a Christian king, ''the Lord's anointed.''[143] William and his supporters took steps to justify their actions and atone for the violence used in their invasion campaign.[144] But the bloodshed and the oppression of the English continued long after 1066.[145] In 1085 the crisis was manifest in a threatened invasion from Denmark and Flanders, the hostility of the French king, the rebellion of William's eldest son, and other challenges to the ageing Conqueror.[146] The situation was so serious that William brought a large army from the continent

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[143] For the gravity of using arms against kings, see Matthew Strickland, ''Against the Lord's Anointed: Aspects of Warfare and Baronial Rebellion in England and Normandy, 1075–1265,'' in *Law and Government in Medieval England and Normandy: Essays in Honour of Sir James Holt*, ed. George Garnett and John Hudson (Cambridge, 1994), 56–79.

[144] For the justification, see, for example, *WP*, 120–21, 150–51; Wilson, *Bayeux Tapestry*, images nos. 1, 24–6, 31. For atonement, consider the so-called Penitential Ordinance and William's foundation of Battle abbey: H. E. J. Cowdrey, ''Bishop Ermenfrid of Sion and the Penitential Ordinance following the Battle of Hastings,'' *The Journal of Ecclesiastical History* 20, no. 2 (October, 1969): 225–42; Eleanor Searle, ed. and trans., *The Chronicle of Battle Abbey* (Oxford, 1980), 36–7.

[145] Reflected, for example, in William's harrying of the north, the criticism of William in the E version of the Anglo-Saxon Chronicle, and the massive dispossession of the English evident in Domesday Book. See *ASCE, s. a.* 1069 (p. 88), 1086 (pp. 97–8); *ASCRT*, 150, 164–5; *DB*; Bates, *William the Conqueror*, 313–21.

[146] See 0000 above.

to defend England, an element of which remained there even after he learned that his enemies could no longer invade.[147] The need to raise money to pay for troops and improved defenses for England was a major stimulus for the Domesday survey that sought (partly) to provide William with more information about, and generate increased income from, England's resources. But the survey was also concerned with recording, legitimizing, reinforcing, and stabilizing the transfer of these resources from the English to their conquerors; a transfer threatened by the crisis of 1085–86. The same concern probably inspired the major assembly at Salisbury on 1 August 1086, where the transfer was made even more secure by the homage performed by the landholders to William for the lands recorded in the Domesday survey, and by the sacred oath they swore to be faithful to him against all other men. Together with the demonstration of royal majesty, the promotion of legitimacy, unity, loyalty, and stability was at the core of this great ceremony, the survey's remarkable finale.

Viewed against this background, the four acta of William considered above, one of which (no. 146) was certainly issued in 1086, chime with his efforts in the Domesday survey and the Salisbury oath to strengthen his earthly and heavenly support, and the legitimacy and stability of his regime, in the face of the threatened invasion and the wrath of God. No. 146 refers, as Domesday Book commonly did, to the situation in King Edward's day, and is linked to another charter that depicts Edward as William's lord and ''antecessor''.[148] It was also closely connected to a charter (no. 144) that articulates dynastic ties between Edward, William, and William's wife and sons. Another of the four acta (no. 176) uses Domesday language and indicates that Edward, William, and William's immediate family were part of the same legitimate royal dynasty. Three

[147] *ASCE*, *s. a.* 1085 (p. 93); *ASCRT*, 161.

[148] *RRANAW*, no. 141.

of the four acta (nos. 146, 176, and 195) honor or are associated with three saints especially renowned for their commitment to faithfulness (Cyriac, Pancras, and Aldhelm), two of them (Cyriac and Aldhelm) having close links with Salisbury. And two of the acta (nos. 146 and 195) concern saints (Cuthman and Aldhelm) probably related to the West Saxon royal house.

Further considerations link these four acta to 1086 and Domesday. No. 195 could well have been issued at the Whitsun court held at Westminster in 1086, no. 176 was possibly issued at Salisbury, and no. 146 describes a plea heard by a great assembly at Lackham (attended by several men present at the Gloucester council of Christmas 1085), less than thirty miles from Salisbury, and possibly only eight days after the assembly held there on 1 August 1086. [149] Lackham was situated in the parish of Lacock where Edward of Salibsury, sheriff of Wiltshire, held land and possibly shared (with Lackham's lord) the advowson of Lacock's church, dedicated to St Cyriac. Edward also attested two of the four acta under review (nos. 176 and 195). And the presence at the Steyning plea (no. 146) and among the *signa* of no. 176 of four bishops (those of Salisbury, Durham, Lincoln, and Winchester) closely associated with the Domesday survey further reinforces the possible connections of these acta with 1086, as does the attestation of no. 176 by the Domesday commissioner Walter Giffard.[150]

This is not to deny the dangers of assuming that the *signa* or witnesses to acta were present when the acta were drawn up, or the likelihood that a number of the witnesses of the four acta under review were probably together with the king on numerous occasions. However, given that it is quite possible that all of the attesters of the four acta were present when the transactions

[149] For the overlap between those present at Gloucester and at Lackham, see Bates, *William the Conqueror*, 474.

[150] See Appendix 2 below.

recorded in them took place and/or when the acta were granted or confirmed by King William, it is reasonable to suggest that the significant overlaps in the attestation of these documents reflect chronological and other connections between them.[151] Other features of these attestations also suggest links with the mid-1080s. One is the appearance in three of them (nos. 146, 167, and 176) of the king's sons William and Henry without their older brother Robert – the only genuine acta of William I in which these younger sons feature in this way. As all of these acta post-date 1080, this suggests that they were issued after Robert's second rebellion against his father, which began sometime after 9 January or 31 March 1084 and probably continued until William's death. In the case of nos. 167 and 176, which share a good number of *signa* (seven – out of ten and sixteen respectively), a date in the mid-1080s is also indicated by the attestation of the king's son Henry and Miles Crispin who was attached to Henry by Easter 1084.[152] A further narrowing of the possible date of these two acta to 1086 is indicated by the significant proportion of their *signa* (nine – out of ten and sixteen respectively) who were also present at the Steyning plea (no. 146).[153]And if no. 176 was issued in 1086, the appearance among its *signa* of three of the six witnesses to no. 195 adds to the impression, given by the account of the miraculous cure of the boy Folcwine, that the Conqueror's charter for St Aldhelm also belongs to this year.[154]

Of the four acta discussed above, the one that brings us closest to the rationale of the Domesday survey and the Salisbury oath is the record of the Steyning plea (no. 146). It shows King William behaving as a truly responsible ruler, eschewing resting on the Sabbath and

[151] See Appendix 1 below.

[152] See Appendix 2 below.

[153] Ibid.

[154] Ibid.

preferring instead to work overtime worshipping God through the fulfillment of his God-given royal duties. These included exercising justice and protecting an abbey intimately connected with his dynasty and the conquest (as well as a church subject to this abbey and dedicated to an Anglo-Saxon saint possibly of the royal blood) from encroachments by one of his Norman followers. They also included confirming grants to this abbey and church made by the Conqueror's legitimate royal predecessor, King Edward. In this it is easy to see William promoting and consolidating the strength, security, stability, and legitimacy of the Norman conquest and the Norman regime and ruling dynasty to which it gave rise. And it is significant that he set this example of good kingship, which resonates with what happened at Salisbury on 1 August 1086, before another great assembly of magnates, including two of his sons and potential heirs (William Rufus and Henry) at Lackham in 1086, not far from Salisbury and possibly within a few days of the great oath sworn there. If, as is very likely, William Rufus and the recently knighted Henry were also with their father at this oath, it is even possible that this magnificent occasion also involved the establishment of loyalty to them as their father's heirs.[155]

This suggests a further link between the Salisbury oath and Henry's knighting less than ten weeks earlier, a ceremony marking his coming of age and ability from this point to inherit,

[155] For later oaths in recognition of royal heirs taken by the magnates or broader groups, see Maddicott, ''The Oath of Marlborough,'' 297–9, but with reservations expressed at 298. Against the idea that an oath was sworn to Henry at Salisbury is the absence of any reference to this in the context of the events of 1100–1101, when Henry seized the crown and was challenged by Curthose.

defend, and rule dominions.[156] If, as seems probable, Robert Curthose was still in rebellion against his father in 1086, there was all the more reason for the ageing Conqueror to make the Salisbury oath and the Steyning plea dramatic demonstrations not only of royal majesty,[157] but also of royal dynastic strength, unity, continuity, and stability. William could send, thereby, a message to the political community of England and his enemies that, although Curthose had rebelled and England was threatened with invasion, the king still had two loyal adult sons able to succeed him and rule, and that this community had been extended, unified, and reinforced by its overriding loyalty to him as the legitimate ruler of England. William's success in doing so might well explain why, not long after the Salisbury oath, Edgar Ætheling, a grandson of King Edmund Ironside who had periodically challenged William's authority before joining his court in 1074, ''left him [William] because he did not have much honour from him'', and remained a threat to the Norman regime after William's death.[158]

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[156] For knighthood, see, for example, David Crouch, *The Image of Aristocracy in Britain 1000–1300* (London and New York, 1992), 137; Aird, *Robert Curthose*, 54–5; Matthew Strickland, *Henry the Young King 1155–1183* (New Haven and London, 2016), 82. For late twelfth-century evidence, see Max Lieberman, ''Knighthood and Chivalry in the Histories of the Norman Dukes: Dudo and Benoît,'' *ANS* 32 (2010): 129–83, at 172–6.

[157] Bates, *William the Conqueror*, 476.

[158] *ASCE*, *s. a.* 1086 (p. 94); *ASCRT*, 162. See also *JW*, 44–5. For Edgar's career, see N. Hooper, ''Edgar the Ætheling: Anglo-Saxon Prince, Rebel and Crusader,'' *Anglo-Saxon England* 14 (1985): 197–214. But for an important reappraisal of the sources, and the lack of a true reconciliation between Edgar and the Norman regime (reflected in the Anglo-Saxon Chronicle) in 1074 and thereafter, see Emily A. Winkler, ''1074 in the Twelfth Century,'' *ANS* 36 (2014):

The questionable legitimacy of the Norman conquest, the survival of Edgar and his claims to the crown beyond William's reign, and (by 1086) the birth of several sons to Edgar's sister Margaret, queen of Scots, underlines Harvey's point that ''it was fundamentally the Conqueror who needed his charter, even more than the magnates did theirs.''[159] William also needed the support of these magnates and their followers who doubtless expected something in return for their submission and oath at Salisbury. Holt saw this as confirmation of their tenure enshrined in Domesday Book which ''put a final seal on the Norman occupation.''[160] This is not inconsistent with Harvey's view that, threatened by a Danish and Flemish invasion, the Norman settlement was legitimized during the Domesday survey by the oaths of Englishmen sworn in public courts that transformed recent possession into proprietary right, and ''the conquering elite … into the establishment''; and that the oath of Salisbury helped to serve these ends.[161] Nor is it incompatible with Baxter's views on Domesday promoting security of tenure, or with Bates's arguments that Domesday was an attempt to stabilize the future, legitimize harmful events, depict the transfer of lands from the English to their conquerors as orderly, ''transform conquest into government,'' and absorb past traumas into a peaceful new order sanctioned by all the free

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241–58, esp. 244–5, 256–7, who argues that several twelfth-century chroniclers rewrote the events of 1074 in ways intended to portray it as a final resolution between Edgar and William and to support thereby William's legitimacy as king.

[159] For Margaret's sons, see A. A. M. Duncan, ''Edgar (Late 1070s?–1107), King of Scots,'' in *ODNB*, 17:703–4, at 703; Harvey, *Domesday*, 236.

[160] See 0000 above. The quotation is from Holt, ''1086,'' 56.

[161] See 0000 above. The quotation is from Harvey, *Domesday*, 318.

population.[162] Bates rightly regarded the oath of Salisbury as confirming this new order, demonstrating royal majesty, associating the oath-takers with royal power, and affirming ‘‘a solemn relationship which encapsulated responsibility that had to be reciprocal.’’[163] Indeed, if the reciprocity and the religion at the heart of what happened in England in 1086 are further explored, we may yet achieve an even deeper understanding of the ultimate purpose of both the oath of Salisbury and the magnificent Domesday Book with which it was so intimately connected.[164]

[162] See 0000 above. Bates, *William the Conqueror*, quotation at 470.

[163] Ibid., 476–7, quotation at 477.

[164] I intend to undertake such an exploration on another occasion.

Appendix 1: The Attestation of William's Acta

In discussing William I's acta David Bates made a series of important and incontrovertible observations relating to the caution required in using attestations as evidence. Among them, he noted that,

> counting attestations is of only limited value; both documentary loss, which could affect the conclusions in an obvious way, and documentary survival, which could give unjustified prominence to a particular kindred group, can … drastically distort the picture. The statistics of attestations have meaning only on the basis of a full understanding of documentary form and its implications. It follows that all attestations do not necessarily have equal significance either for an understanding of politics and power or for an individual's career. … The Anglo-Norman world which I am discussing was one in which the inter-play of ''public'' and ''private'' forms of power were reflected in documents whose form was structured by lordship, family and custom. All documents must be evaluated with this statement in mind.[165]

Bates also observed that William's acta also reflect ''several diplomatic traditions – of which the Norman and the English are of course the dominant – and have to be analyzed according to different principles.''[166] Whereas ''the vast majority of Norman and continental *acta* are diplomas followed by *signa*, a very high proportion of the English are writs which have

[165] Bates, ''Prosopographical Study,'' 89–90.

[166] Ibid., 90.

few or no witnesses.''[167] It is possible that a short witness list might not represent all those present.[168] Different versions of the same document might be produced, and the attestations added to and otherwise changed, sometimes over considerable periods of time, especially in the case of long confirmation charters and *pancartes* which were edited composite texts often containing multiple, and originally distinct, benefactions. Thus, ''we can no longer assume that those who attested were in the king's presence at the moment that the confirmation was made. Rather they must represent the individuals whose confirmation the beneficiaries of the document believed to be desirable.'' Texts of confirmations, *pancartes*, *conventiones*, reports of pleas, and cartulary copies might be partisan and written long after the transactions or events they describe, and could evolve over time, distorting what originally happened.[169] Even short diplomas, the most common form of William's Norman acta, might go through a process of evolution. The ''*signa* of the majority of the diplomas give the impression of being chosen with the contents of the diplomas in mind.''[170] The choice was often determined by authority/lordship, kinship, locality, and interest in the document; and it could be reflected, for example, in the attestation of King William, his wife and sons, the archbishops, the diocesan bishop, prominent magnates, the donors and their family and lords, and neighbors. Moreover,

> The appearance of the surviving originals of both short diplomas and confirmations suggests that they were written in advance of confirmation, that a considerable

[167] Ibid.

[168] Ibid.

[169] Ibid., 90–2, quotation at 92; *RRANAW*, 10–11, 22–35.

[170] *RRANAW*, 19.

> amount of parchment was left blank to accommodate the *signa* and that the scribe inserted the names of the *signa* after the crosses had been made. Their production probably took the form of negotiation between the beneficiary and the grantor which, when concluded, was followed by the writing of the document and its presentation to William for confirmation. … The dominant influences in the making of most diplomas were clearly those of lordship and kinship. Very few among the *signa* appear to have been selected at random. Very few are therefore a direct commentary on an individual's power-relationship with the king/duke; instead they are a direct comment on his or her relationship to the gift or agreement being recorded.[171]

Bates also observed that many Norman diplomas ''passed through several stages of authentication.''[172]

It is clear, therefore, that considerable caution must be exercised when using attestations as evidence for the presence of attesters at transactions recorded in charters or on the occasions when the charters were granted or confirmed. This also applies to arguments that might derive from this, such as the political and administrative relationships between attesters and the king, and the links between different acta. However, Bates did not rule out the possibility that attesters could be present at some of these transactions or occasions; stating that some of the Conqueror's acta ''demonstrate beyond any doubt the presence alongside the king of large numbers of high

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[171] Bates, ''Prosopographical Study,'' 93–4, quotation at 94. For discussion of the rationale for choosing the attesters of Norman diplomas, see also *RRANAW*, 19–20.

[172] *RRANAW*, 20. On the problems associated with the evidence of witness lists, see also Hagger, *Norman Rule*, 371–8.

status *signa*'', and eschewing the establishment of ''any unbreakable rules.''[173] In line with correct diplomatic practice, where appropriate Bates often used attestations to help date William's royal acta. Moreover, a recent study of private charters from a British context argues that the ''overwhelming likelihood is that witnesses were normally present together on the occasion when their names were recorded'', either at the event or ceremony when the transactions eventually recorded in charters were made, or later when the charters were drawn up, granted, or confirmed.[174] It remains *possible* that this was also the case in the four royal acta under review here. To support this contention, the attestation of each of these acta will be considered more closely.

No. 146. This record of a plea heard before King William lists the names of forty-four individuals after the statement ''Hii barones viderunt hanc finem.'' Can we accept this at face value? As Bates noted, this is a partisan document written at Fécamp abbey.[175] It is possible that some of the forty-four individuals might have been chosen for the list according to the principles of authority/lordship, kinship etc. discussed by Bates. This might apply, for example, to the king's sons, William and Henry, the two English archbishops, the eight other bishops, the three

[173] Bates, ''Prosoprographical Study,'' 101.

[174] Dauvit Broun, ''The Presence of Witnesses and the Writing of Charters,'' in *The Reality Behind Charter Diplomatic in Anglo-Norman Britain*, ed. Dauvit Broun (Glasgow, 2011), 235–90, quotation at 238. For pertinent comments on royal charters, see ibid., 237, and for the problems of charters inscribed with *signa*, see ibid., 236 n. 5, citing Bates, ''Prosopographical Study,'' 91–5.

[175] *RRANAW*, 34, 482.

men of comital rank (one of whom, Roger of Montgomery, earl of Shrewsbury, held land attached to Steyning), the long list of *barones* (including William of Eu, who had interests in Lackham where the plea was heard), and the three monks of Fécamp.[176] However, the list of attendees is so long and, for the most part, distinguished that there is probably more to its composition than this. As Bates noted, there is ‘‘a strong tendency for the Norman reports of pleas and *conventiones* from William’s reign to have a larger number of more prestigious *testes* and *signa* than the majority of Norman diplomas. … These documents indicate that there were occasions on which the full weight of the ‘public’ authority of William’s Normandy – that is, of the king/duke and his great men – was brought to bear’’; although ‘‘Prosopographical analysis of them needs to bear in mind earlier remarks about the way in which *signa* could be accumulated.’’[177] Bates also appears to consider no. 146 to be among the ‘‘diplomas for English and Norman beneficiaries concerning English property, which date from the last seven years of William’s reign, and which demonstrate beyond any doubt the presence alongside the king of large numbers of high status *signa*.’’[178] In addition, Bates regarded the appearance of Maurice bishop of London among the ‘‘barones’’ of no. 146 as evidence for establishing the earliest dating limit of the plea.[179] Moreover, in his recent biography of William the Conqueror, Bates noted that the gathering at Steyning had ‘‘a remarkably prestigious attendance’’, adding that some of those present were ‘‘the same group that had been present at Gloucester at

[176] See Appendix 2 below.

[177] Bates, ‘‘Prosopographical Study,’’ 94–5.

[178] Ibid., 101 and n. 70 citing ‘‘Bates, *Regesta*, nos. 39, 60, 146, 153 (*Regesta*, i, nos 137, 149, 147, 204)’’.

[179] *RRANAW*, 482–3.

Christmas.''[180] There are good grounds, therefore, for regarding the individuals named as witnessing the Steyning plea as actually present when it was heard.

No. 167: As noted above, this is a complex document, regarded by Bates as most likely a *pancarte* or confirmation incorporating ''material assembled over a period of time'', possibly compiled in its initial form before 1086, and confirmed in England in 1080 x 1081, 1082 x 1083, or 1085 x 1086. Queen Matilda's absence from the list of *signa* and Bishop William of Durham's inclusion might point to 1086 ''since the former attests the Whitsun 1081 diplomas referred to above and the latter does not (see [nos.] 39, 255 [for these diplomas])'', but it ''is safe only to assign the charter to the broader limits of 1081 x 1087 and to recognise that amendments were being made to it in the 1090s.''[181] The amendments referred to relate to grants contained within the charter, rather than to its *signa*.[182] It is possible that some, at least, of these *signa* were added to the list over a period of time (although most likely before 1087), and also that some of them were chosen according to the principles suggested by Bates. Anselm ''took the diploma from Normandy to England ready prepared for William's confirmation.''[183] It might be, therefore, that the names of the *signa* had already been included in the diploma before Anselm arrived in England. But the king refused to confirm the diploma until all of its donors were present at Whitsun.[184] As Whitsun was one of the three occasions each year when the king held a great

[180] Bates, *William the Conqueror*, 474.

[181] Ibid., 561.

[182] Ibid., 560.

[183] The quotation is at *RRANAW*, 30, and see also 24.

[184] Ibid., 560.

court assembly, it remains possible that the *signa* of no. 167 were present when the transactions referred to in the charter occurred before the king, and/or when a version of the charter was confirmed and attested by William. Bates regarded the bishop of Durham's attestation of no. 167 as evidence for the charter's earliest possible date.[185]

No. 176: It is possible that some of the *signa* to this charter were chosen according to the principles considered by Bates, as there are several figures of authority among them, and they also include the donor William of Warenne, who was also the co-founder of the beneficiary, Lewes priory.[186] However, it might not apply to them all and need not, in any case, rule out the possibility that all of them were present when the transaction recorded in the charter was originally made and/or when the charter was granted or confirmed. Although Bates noted that the text ''may be an early copy, rather than the original'', he did not explicitly question the reliability of the list of *signa*, and regarded the appearance of William bishop of Durham there as evidence for establishing the earlier dating limit of the document as William's episcopal consecration in 1081.[187]

No. 195: It is possible that some, at least, of the witnesses to this Latin writ dated 1080/1 x 1087 were chosen according to the principles considered by Bates, as there are several figures of authority among them, including the king's son Henry, his half-brother Robert count of Mortain, another Norman count, and Edward the sheriff of Wiltshire, the county in which Malmesbury

[185] Ibid., 559–60.

[186] See Appendix 2 below.

[187] Ibid., 586.

abbey was located.[188] However, it might not apply to them all, and does not exclude the possibility that all of the witnesses were present when William issued the writ. Bates did not explicitly question the reliability of the witness list, and regarded the appearance of the count of Meulan's name there as grounds for establishing the writ's earliest dating limit. Pertinent here also is Bates's observation that ''Towards the end of the reign [of William I] ... the pattern [with regard to the witnessing of Latin writs] is changing; witness is evidently borne not by an interested party, but by someone known to be prominent in the king's entourage.''[189]

[188] See Appendix 2 below.

[189] Bates, ''Prosopographical Study,'' 100–101.

Appendix 2: The Four Acta and those Named as Present, Signa, *or Witnesses*

Those named as present, *signa*, or witnesses	*RRANAW*, no. 146 for the abbey of La Trinité, Fécamp *Hii barones viderunt hanc finem*:	*RRANAW*, no. 167 for the abbey of Notre-Dame, Le Bec *Signa*	*RRANAW*, no. 176 for the priory of St Pancras, Lewes *Signa*	*RRANAW*, no. 195 for the abbey of St Mary and St Aldhelm, Malmesbury *Testimonio*
King William	(*)[190]	*	*	
William the king's son	*	*	*	
Henry the king's son	*	*	*	*
Lanfranc, archbishop of Canterbury	*	*		
Thomas, archbishop of York	*	*	*	
William, bishop of Durham	*	*	*	
Walchelin, bishop of Winchester	*	*	*	
Remigius, bishop of Lincoln	*		*	

[190] William was not, of course, a baron, but he was present at the hearing of the Steyning plea.

Geoffrey, bishop of Coutances	*	*		
Robert, bishop of Chester	*			
Robert, bishop of Hereford	*			
Osmund, bishop of Salisbury	*		*	
Maurice, bishop of London	*			
Robert count of Mortain	*			*
Count Alan Rufus	/*			
Earl Roger of Montgomery	*			
Richard Fitz Count Gilbert	*	*		
Baldwin brother of Richard Fitz Count Gilbert	*			
Roger Bigod	*		*	
Henry of Ferrières-Saint-Hilaire (Ferrers)	*			
Bernard of Neufmarché	*			
William *Dou*	*			
Hugh of Port-en-Bessin	*			
Richard *Goiz*	*			
Eudo *dapifer*	*			
Robert *dispensator*	*			
Robert Fitz *Tetbaldi*	*			
William of Percy	*			
Robert of *Roolent*	*			

Nigel of *Torp*	*			
Roger of Courseulles	*			
Aluered(us) of *Nicolia*	*			
William of Falaise	*			
Henry of Beaumont-le-Roger	*			
Serlo, abbot of Gloucester	*			
Thurstan, abbot of Glastonbury	*			
William monk of Fécamp	*			
Raherius monk of Fécamp	*			
Bernard Fitz *Ospaci* monk of Fécamp	*			
William *Malcunduit*	*			
Godfrey brother of William *Malcunduit*	*			
Sotriz	*			
Leuret	*			
Richard of *Bodes*	*			
Geroldin	*			
Miles Crispin		*	*	
William of Warenne			*	
Robert count of Meulan			*	*
Henry			*	
Richard of *To[n']*			*	

Walter Giffard			*	
Edward the sheriff			*	*
Hugh of Montfort-sur-Risle				*
R. Fitz *Alwart*				*