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THE CONCEPT OF THE THREE ORDERS OF SOCIETY IN LATE OLD ENGLISH PROSE

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ABSTRACT. ***The Concept of the Three Orders of Society in Late Old English Prose.*** Between the years 991 and 1012, the English suffered one of the worst Viking onslaughts in history. The relentless invasions coupled with an ineffective administration which was crumbling from within almost brought England to its knees. There was dire need for reformation. The first step in this process was a clear assessment of the situation. To this end, Archbishop Wulfstan of York and Abbot Ælfric of Eynsham rediscover and use the concept of the tripartite society to show the desperate need for all three social orders of England (*laboratores, oratores, bellatores)* to unite in support of the office of kingship, lest everything be lost. The present paper aims to present the evolution of the concept of a tripartite society in Anglo-Saxon England from its (pseudo)Alfredian origins to its integration into the political tracts, law codes, sermons and homilies of late Anglo-Saxon England.

Keywords*: Wulfstan of York,* Institutes of Polity*, Ælfric, secular law, ecclesiastical law, tripartite society, laboratores, oratores, bellatores*

REZUMAT. ***Conceptul societății tripartite în proza engleză veche târzie*****.** Perioada cuprinsă între 991 și 1012 reprezintă un moment de răscruce în istoria Angliei. Marcată de una dintre cele mai grave invazii vikinge din istorie,

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precum și de o administrație dezastruoasă, măcinată de lupte interne, țara a fost adusă în pragul colapsului. Nevoia unei reforme a devenit evidentă și urgentă, iar primul pas în această direcție a fost o evaluare clară a situației. Astfel, arhiepiscopul Wulfstan de York (d. 1023) și abatele Ælfric de Eynsham (d. c. 1010) au readus la lumină conceptul societății tripartite, pentru a arăta nevoia disperată a celor trei ordine sociale (laboratores, oratores, bellatores) de a se coordona în susținerea coroanei. Prezenta lucrare își propune să urmărească evoluția acestui concept în Anglia anglo-saxonă, de la originea lui (pseudo)alfredianăpână la integrarea acestuia în coduri legislative, tratate politice, omilii și predici, în ultimele decenii înainte de cucerirea normandă.

Cuvinte-cheie: *Wulfstan de York,* Rânduiala Lumii*, Ælfric, lege seculară, lege ecleziastică, societate tripartită, laboratores, oratores, bellatores*

In his extensive study of the three orders of society (those who pray, those who fight, and those who labour), Georges Duby pays little attention to the development of this concept in Anglo-Saxon England (1980, 5-6). In England, this political-theological concept first appears in the translation and adaptation of Boethius's *Consolation of Philosophy* attributed to King Alfred the Great (r. 871-899)[2], which mentions the three "tools with which to work" (*tol mid to ricsianne*): praying men (*gebedmen*), fighting men (*fyrdmen*), and working men (*weorcmen*). The sources of the Alfredian translator are still subject to debate; while they may be found in Francia (Ortigues 1986), in the works of Haymo (active 840s-860s) and Heiric of Auxerre (841-876), Powell (1994, 109) is right to remark that the Alfredian version stands out by placing the king at the centre and omitting Christian references. Against this background, the present paper aims to discuss the rediscovery of the tripartite order of society in the late Anglo-Saxon period, and how it differs from its Alfredian background.

More than a century after the (pseudo)Alfredian translation of Boethius, the idea of a tripartite society resurfaces in the works of Ælfric, abbot of Eynsham (d. *c*. 1010), and Wulfstan, archbishop of York (d. 1023). It is unclear whether the metaphor of the three pillars was commonly known at the turn of the first millennium and the sources were lost, or if it became widespread only later. It was at least familiar in late Anglo-Saxon England, as can be seen in Ælfric's letter to Wulfstan, where the author assumes that the archbishop would be familiarised

[2] King Alfred's authorship of the Old English *Boethius* is a vexed question. Godden 2007 and 2013 argues against it, whilst Pratt 2007, and Bately 2009 defend it. For a recent appraisal of the Old English *Boethius*, see Papahagi 2024 (this author regards Alfred as the patron, rather than the translator of Booethius's *De Consolatione Philosophiae*).

with it.[3] In any case, we know that Wulfstan was familiar with some of the works attributed to Alfred, including his Preface to Gregory's *Cura Pastoralis,* so it seems safe to assume he knew the Alfredian reference to the tripartite system.[4]

The circumstances of Wulfstan's and Ælfric's works are important in order to understand the concept of the tripartite society in its Anglo-Saxon context. In 980, merely two years after Æthelred's ascension to power, his reign was already being threatened by Viking raids. Granted, the scale of the raids was considerably smaller and only began to escalate towards the last decade of the millennium. However, from 991 to 1012, the English suffered through one of the worst Viking onslaughts in history and, as Simon Keynes remarks, the direness of the situation was reflected in the desperation of the measures taken (2007, 153).[5] Following the disastrous battle of Maldon in 991, and the death of a prominent military leader, the system of tribute-money was implemented, among other drastic measures. Political dissent in the higher ranks of nobility was growing, which further weakened the English. Æthelred's marriage to Emma of Normandy seems to support this theory. An Anglo-Norman alliance deprived the Vikings of precious coastline access. All these measures point towards the inability of Æthelred's regime to cope with the mounting crises. By the turn of the millennium, there was little hope for the English. The Anglo-Saxon Chronicle entry for 998 paints a grim picture:

> Her gewende se here eft eastweard into Frommuðan 7 þær æghwær up eodon swa wide swa hi woldon into Dorsætan, 7 man oft fyrde ongean hi gegaderode, ac sona swa hi togædere gan sceoldan, þonne wearð þær æfre þurh sum þing fleam astiht, 7 æfre hi æt ende sige ahton 7 þonne oðre hwile lagen heom on Wihtlande 7 eoton heom þa hwile of Hamtunscire 7 of Suðseaxum.
>
> At this time the army turned eastward towards the mouth of the Frome, and there they went everywhere as they wanted into Dorset, and often an army was gathered against them, but as soon as they should go against each other, there was always some reason for flight, and the enemy always had victory in the end, and then at other times they stayed in Wight in supplied themselves from Hampshire and Sussex (Irvine 2002, 62-63).[6]

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[3] Whitelock, Brett, and Brooke eds. 1981, I, 252; Molainen 2016, 1332. Ælfric was definitely familiarized with *The Consolation of Philosophy*. See Godden and Irvine eds. 2009, I, 48-49. For further discussion of Wulfstan's sources, see Elliot 2012 and 2013.

[4] Wulfstan's interest in Alfred's works can be seen firsthand in Oxford, Bodleian Library, Hatton MS 20, in the form of various glosses. The archbishop changes words and spellings, and can generally be seen fussing over editoral minutiae in his trademark manner. For a full discussion of Wulfstan's glossing of the Preface, see Ker ed. 1956; Dance 2004, 29-61; Wormald 2000, 193.

[5] On England's dramatic situation at the end of the tenth century, see also John 1977, 173-195.

[6] Translations from Old English are mine unless otherwise specified.

The situation deteriorated in the following years, with successive assaults on London by Thorkell's army, repeated payments (*gafol*), and culminated between 1011 and 1012 in the capture and death of Archbishop Ælfheah, the first archbishop of Canterbury to die a violent death.[7] From a social point of view, things were starting to change as well. In the tenth and eleventh centuries, English kings saw a steady increase in their powers, which in turn led to the rapid expansion of the nobility; retainers were more often rewarded with small estates, while inheritance issues sometimes caused the division of the larger ones. This increase in the ranks of small estate-owners put pressure on the peasants, who found themselves confronted with more intermediaries and more taxation in the otherwise simple process of paying their dues to king and Church.[8] Complexity brings with itself the risk of failure or, in other words, corruption. The speed with which these changes took place was too much for the old system and the new king to handle. Such were the times in which Wulfstan and Ælfric wrote.

Wulfstan's *Institutes of Polity* remains one of the most developed treatments of the tripartite order. The text can be seen as one of Wulfstan's attempts to reduce the tension between secular and ecclesiastic law. The lack of exegesis has been corrected only recently. One possible explanation may be the problematic structure of the work itself: the *Institutes of Polity* never existed as a finished product, but consists of a series of untitled chapters scattered through various manuscripts. *Institutes of Polity* in its present form is the product of Karl Jost's editorial work. Jost distinguished between two versions of the text, which he terms *I Polity* (Cambridge, Corpus Christi College MS 201, pp. 77-93) and *II Polity* (this includes additional material from Oxford, Bodleian Library, Junius MS 121 and London, British Library, Cotton Nero MS A. i). Jost's vision was challenged recently.[9]

In this tract, the archbishop is unyielding in his denunciation of widespread corruption and dissent. All the members of the body politic are linked. A wicked king cannot rule over a prosperous land or protect the Church, just as a righteous king can fail in his task if unaided by a devout people and

[7] Æthelred's byname is perhaps not entirely merited. At least some of his decisions deserve praise: he filled episcopal and abbatial seats with firm supporters of the Benedictine reform, including Ælfric and Wulfstan. Furthermore, he chose Wulfstan to elaborate laws in his name, and also conducted extensive military reforms. See Abels 2018.

[8] Taxation in Anglo-Saxon England reached a climax during the reign of Æthelred II, when £240,500 were paid to the Danes as tribute. This is without considering church tithes, a further 10 percent tax on the empoverished peasants' wealth: Baxter 2011, 98-114.

[9] Henceforth, the present article will use *Nero, Corpus* or *Junius Polity,* depending on the version cited, instead of the more confusing I or II *Polity*. See Crișan 2024. For further discussion on the issues with Jost's *Polity* see Reinhard 2020, and Reinhard 2021.

strong warriors. In the works of Ælfric, the three functions are listed in the order *laboratores, oratores*, *bellatores,* while Wulfstan brings to the front Alfred's *gebedmen* ('praying men').

The Corpus *Polity* chapter concerning the throne (*Be cynestole)* runs as follows:

> Ælc cynestol stent on þrim stapelum þe fullice ariht stent. An is oratores, and oðer is laboratores, and þridde is bellatores. Oratores syndon gebedmen, þe Gode sculon þeowian, 7 dæges 7 nihtes for ealne þeodscipe þingian georne. Laboratores sindon weorcmen þe tilian sculon, þæs þe eal þeodscipe big sceal libban. Bellatores syndon wigmen þe eard sculon werian wiglice mid wæpnum. On þisum þrim stapelum sceal ælc cynestol standan mid rihte, 7 aracige heora ænig sona se stol scilfð 7 forberste heora ænig þonne rist se stol nyðer 7 þæt wurð þare þeode eal to unþearfe.[10]
>
> Each throne that stands firmly stands on three pillars: One is *oratores*, the second *laboratores,* and the third is *bellatores*. *Oratores* are the clergy, who must serve God, and eagerly intercede for all the people day and night. *Laboratores* are the workers who must labour, so that the nation may thrive. *Bellatores* are the warriors who must protect the land with weapons. On these three pillars shall each throne stand rightly, and should any of them falter, the throne will crumble, and the nation with it.

In his *Lives of Saints, Æ*lfric writes:

> Is swaðeah to witene þæt on þysre worulde synd þreo ende-byrdnysse, on annysse gesette. Þæt synd laboratores, oratores, bellatores. Laboratores synd þe þe urne bigleafan beswincað, oratores synd þa ðe us to Gode geðingiað, bellatores synd þa ðe ure burga healdað and urne eard beweriað wið onwinnende here. Nu swincð se yrðlincg embe urne bigleofan, and se woruld-cempa sceal winnan wið ure fynd, and se Godes þeowa sceall symle for us gebiddan and feohtan gastlice wið þa ungesewenlican fynd.
>
> Nevertheless let it be known that in this world there are three orders, established together. They are *workers, those that pray,* and *warriors. Workers* are those who labor for our food; *those that pray* are those who intercede with God for us; *warriors* are those who protect our towns and defend our land against an attacking army. Now the plowman works to produce our food, and the worldly warrior must fight against our enemies, and the servant of God must pray for us always and fight spiritually against invisible enemies. (Clayton and Mullins 2019, II 335)

[10] For editions and translations of *Polity* see Jost 1959; Rabin 2015; Wulfstan (ed. Rabin) 2020. All quotes from *Polity* follow Cambridge, Corpus Christi College MS 201, fols 77-93, unless otherwise specified. Fragment here at fol. 87.

The different sequence of the orders may not be random, at least not in the case of Wulfstan, who emphasizes the greater responsibility of the clergy. Some of Wulfstan's law codes seem to follow the tripartite model: V Atr 4-10.2 elaborates on the duties of the clergy. The following clauses concern dues, tithes, feasts and fasts, namely the duties of labourers. Lastly, provisions 26.1-28.1 deal with military obligations. VI Atr presents a similar structure: 2-6 are clauses concerning clerical and episcopal duties, the vast majority are concerned with all Christian men, especially freemen, and only clauses 33-35 deal with military obligations.[11]

Meanwhile, Ælfric employs the tripartite scheme to address the issue of clergymen bearing arms and taking part in earthly warfare. This is more limited in scope, and thus the king and the kingdom are not mentioned (Powell 1994, 112). Even if Ælfric does contextualize his idea, his emphasis is on the spiritual aspect of the fight. The blame is split between those members of the clergy who willingly take up arms, and those who would compel priests to fight earthly wars—Ælfric thought worse of the former. The clergy was morally responsible for the laity, therefore their errors and sins weighed more heavily. As far as the *oratores* are concerned, Wulfstan and Ælfric seem to agree on their vital role. However, Wulfstan specifically states that the clergy need to properly fulfil their duties for the state and country to prosper. Ælfric makes no such claim: *praying men* have a duty they must not forsake, no matter the consequences; the state goes unmentioned.

Furthermore, Ælfric barely makes any mention of the many Viking incursions, even though their activity often targeted his immediate surroundings of Eynsham or Cerne. His general attitude is that of virtuous suffering (Earl 1999, 133-35). His view on the matter is clear: the duty of the clergy is to fight against the spiritual enemies of Christendom, not against military foes—that duty befalls warriors. The other two orders, warriors and labourers, are described in relation to clergy only when there is a conflict between their responsibilities. There is no suggestion of social hierarchy, and Ælfric does not attempt to equalize the importance of the three orders: while mutually dependent, they are not equivalent in terms of duties and responsibilities. In this regard, Ælfric differs from the Alfredian translator of Boethius, who considered that, though unequal in rank, the three orders were equally important to the king.

Conversely, Wulfstan was deeply concerned about the Viking incursions. They are mentioned in almost all the archbishop's law codes, and they form a cause and effect narrative with the sinfulness of the English. *7 Æthelred* is virtually a nationwide admonition, a "deeply moving document, symbolic not of

[11] Law-codes titles follow Liebermann 1903, I, ix-x, unless otherwise specified.

the futility, but of the desperation and despair which the English felt when faced yet again by a hostile force, and of their perfectly natural appeal for divine help" (Keynes 2007, 181).[12]

In one of his last works, a letter to Sigeweard, Ælfric mentions again the three orders of society, but this time he seems to place it more clearly in the political context of the time:

> Witan sceoldan smeagan mid wislicum geþ[eah]te, þonne on mancinne to micel yfel bið, hwilc [þæra] stelenna þaes cinestoles wære tobrocen, and betan ðone sona. Se cinestol stynt on þisum þrim stelum: Laboratores, bellatores, oratores. Laboratores sind þe us bigleofan tiliað, yrðlingas and æhtemen to þam anum betæhte. Oratores syndon þe us þingiað to Gode and cristendom fyrðriað on cristenum folcum on Godes þeowdome, to ðam gastlican gewinne, to þam anum betæhte, us eallum to þearfe. Bellatores sindon þe ure burga healdað and eac urne eard wið [þ]on[e] sigendne here, feohtende mid wæmnum, swa swa Paulus sæde, se þeoda lareow, on his lareowdome: "Non sine causa portat miles gladium", et cetera. "Ne byrð na se cniht butan intingan his swurd. He ys Godes þen, þe sylfum to þearfe, on ðam yfelum wyrcendum to wræce gesett". On þisum þrim stelum stynt se cynestol and gif an bið forud, he fylð adun sona, þam oðrum stelum to unþearfe gewiss.
>
> Counsellors ought to think wisely, since there is too much evil now among mankind, which of the supports of the throne is broken and should be immediately repaired. The throne stands on these three legs: *laboratores, bellatores, oratores. Laboratores* are those that feed us, farmers and ploughmen, dedicated to one purpose. *Oratores* are those who intercede with God in our stead and promote Christendom among Christian people through their spiritual labour, dedicated to this purpose, dear to us all. *Bellatores* are those who protect with weapons our towns and lands against armies, just as Paul, the teacher of people, said in his teaching: "Non sine causa portat miles gladium", *et cetera*. "The warrior carries not his sword without cause. He is God's thegn who, for our good, must punish those who commit evil". On these three legs stands the king's throne and if one weakens, it at once crumbles, undoubtedly bringing the other two to ruin as well (Marsden 2008, 228).

The first two orders receive little attention from Ælfric. On the other hand, the *bellatores,* those who fight, are now placed at the front. The issue of the clergy engaging in earthly warfare is not the point here. Instead, Ælfric emphasises the warrior's duty. By extension, through the warrior's dedication to his true purpose, those who pray can focus on their spiritual war. This remark becomes a subtle two-pronged reproach to the nobility. Their inability to fulfil their duty

[12] See further Jones 2004.

of defending the land against earthly foes has weakened the other two orders as well. The representation of the three orders as legs of the kingly chair is new. By writing in the vernacular, Ælfric intended his lines for an audience extending beyond the clergy: he presumably targeted the nobles, and urged them to better organize in defending the country. The categorical statement that each of the legs must be as strong as possible lest it should fail the other two was picked up by Wulfstan in the *Institutes of Polity*.

Ælfric's complaints were not unfounded. Clerics were occasionally expected to take part in the defence of the country. Even if combat experience and actual fighting were perhaps not required, some involvement in the process was, as numerous wills show. Bishop Theodred of London, for example, gives his lord "four horses, the best that I have, and two swords, the best that I have, and four shields and four spears…" (Whitelock 1981, 76-7). Craig Nakashian argues that the possession of such weaponry does not imply direct involvement in warfare, but it does demonstrate two equally important things: firstly, the bishop clearly owned more such items, as evidenced by the phrase "the best that I have"; secondly, he was aware of their quality and value, which implies a knowledge of weaponry (Nakashian 2016, 49-51). This is not an isolated case. Bishop Ælfwold of Crediton left in his will a considerable amount of military gear, including horses, shields, spears and various pieces of armour, not to mention a ship (Whitelock 1981, 385). This proves that Ælfric's dissatisfaction was somewhat founded. Moreover, Ælfric also had to deal with the nobility who saw nothing wrong in having powerful members of the clergy aid them in their war efforts, as well as with members of the clergy who actively engaged in warfare of their own will, in order to protect their flock (Nakashian 2016, 50). It is difficult to say how successful Ælfric's calls for reform were. In 1016, a few years after his death, both bishop Eadnoth of Dorchester and abbot Wulfsige of Ramsey participated and were killed in the battle of Assandun (Lapidge 2009, xxvii).

Ælfric's concerns about clerical involvement in warfare is only vaguely echoed by Wulfstan. Indeed, the archbishop seemed to have other priorities, and mentions the issue only twice: in the *Canons of Edgar* 68b, one of his earliest political writings, written somewhere between 1002 and 1004, and in 8 Atr 30, a law code he elaborated roughly a decade later, around 1014, during some of the most tumultous times England had seen. Furthermore, of the four extant versions of the *Canons* only that found in Oxford, Bodleian Library, Junius MS 121 (a manuscript intended for episcopal use) adds the provision.[13] In any case, members of the clergy were often present on the battlefield, and while clearly stating that priests were forbidden to wear arms inside a church, the archbishop makes little further mention of Ælfric's concerns.

[13] For *Canons,* see Rabin 2015, 85.

Powell's comparison between the two Anglo-Saxon writers is not entirely fair (1994, 115). While Ælfric was indeed more versatile and productive, his circumstances were considerably different from Wulfstan's; aside from his many ecclesiastical responsibilities, the archbishop spent a great part of his life as a statesman of foremost importance and influence. His efforts were dedicated mainly to the reformation of ecclesiastical and secular law, to advising two kings, and to drafting their legislation to the best of his abilities.[14] Furthermore, with Cnut's accession, which Ælfric did not live to witness, Wulfstan had other priorities, as well as doubts regarding the conqueror's ability to keep the order and peace in England. Wulfstan's pragmatic goals are substantiated by the offices he held in plurality. As already said, he surrendered Worcester to Leofsige, or appointed him as his proxy only in 1016, when the country was unified under Cnut.[15] Moreover, because the *Institutes of Polity* was written at the height of Æthelred's disastrous reign, Wulfstan used the text to accuse treachery, corruption and disloyalty as the main causes of turmoil (as he also does in the *Sermo Lupi*). This repetitiveness should not be considered a lack of versatility; rather, these pressing political issues were constantly at the forefront of the archbishop's mind. Wulfstan's *Polity* lacks eulogies of the (secular) ruler, and is mainly prescriptive. The rigidity with which Wulfstan insists upon the wisdom and righteousness that befit a Christian king signals his dissatisfaction with Æthelred's faults. Wulfstan was not under the illusion that Æthelred and Cnut were similar to Charlemagne. Thus, while the Carolingians saw the monarch as the source of the kingdom's health, Wulfstan replaces the king with the Church. When the monarch fails to uphold his duties, responsibility for the people falls on the Church.

[14] Relevant scolarship on Wulfstan's law codes and Anglo-Saxon legislation is too vast to be quoted exhaustively. Important titles include Jurasinski, Oliver, and Rabin eds. 2010; Jurasinski and Rabin eds. 2019; Roach 2013b, Rabin and Adair 2023.

[15] There is no indication that Wulfstan was forced to surrender Worcerster, and this is hardly the only example of pluralism. Indeed, there is ample evidence to suggest that the poorer diocese of York often came accompanied by a richer southern one. Eadwulf and Oswald, Wulfstan's predecessors at York, both held Worcester as well. Oscytel, archbishop of York from 958 to 971, held Dorchester in plurality with his northern see. There are a couple of reasons for this: northern archbishops often needed additional income, and offering them a southern diocese brought them under the king's direct supervision and tied them to the more loyal south. Furthermore, the north had previously switched alliances between the West Saxon kings and the invaders, during the tenure of another Wulfstan. After the unification of the country under Cnut in 1016, Wulfstan might have had no further reason (financial or otherwise) to hold Worcester. There does not seem to be a more valid reason for his surrender of Worcester other than the archbishop's concerns about pluralism. If Leofsige was indeed more a proxy than a fully fledged bishop, then all the more reason to suspect it. For the full argument, see Whitelock 1959, 72-76; Hill 2011; Pickles 2018. For the economic situation of the see of York in the eleventh century, see Brooke 1977. For Wulfstan's administrative habits, see Baxter 2004.

This was, in the words of Dorothy Bethurum, "revolutionary [...], for it is in implication both anti-royalist and anti-papal" (Bethurum 1971, 139-40). Obviously, terms such as *anti-royalist* and *anti-papal* seem misplaced when discussing eleventh-century England. Yet there is truth behind Bethurum's claim: Rome was far away, and its welfare, although desired, had little implications for an island at the end of the known world. Canterbury, on the other hand, was within easy reach. The state of the English Church translated into the decay or prosperity of the English people. Wulfstan's letter of protest, found in London, British Library, Cotton Vespasian MS A.xiv, fols 178r-179r, disapproves of some obligations of English archbishops to the papacy, and extensively cites Bede, Alcuin and Pope Honorius. Wulfstan argues that the archbishop of Canterbury or York should be ordained by his English peers. He disagrees with the obligation to travel to Rome in order to receive the pallium, and warns about the financial costs of such a journey, but he does not shy away from sending sinners to Rome in order to seek penance.[16] Although the letter was never sent, Wulfstan's protest can be seen as veiled criticism of the papal greed that distracted bishops from conducting their duties (Bethurum 1949, 99-104).

> Tunc temporis impleverunt sancti et apostolici viri illud laudabile preceptum Salvatoris nostri, dicentis: *Gratis accepistis, gratis date*. Tunc sine viribus elanguit simoniaca hereses, quia non pecunia emebatur donum Dei, sed gratis, sicut ipse iusserat, donabatur. Timendum est tamen vendentibus gratiam Dei hoc quod Petrus apostolus Simoni dicebat: *Pecunia tua tecum sit in perditione; non est tibi pars, neque sors in sermone hoc*. (London, Cotton Vespasian MS A.xiv, fols 178v-179r)
>
> At that time, the holy men and the apostles fulfilled that praiseworthy precept of our Saviour, who said: *You have received freely; give freely*. Then the Simoniac heresy weakened, because the gift of God was not bought with money, but was given freely, as he himself commanded. However, those who sell the grace of God should fear what the Apostle Peter said to Simon: *May your money perish with you. You have neither part nor portion in this matter*.[17]

Unlike the Alfredian translator of Boethius, who considers it the duty of the king to put the three classes to good use, Wulfstan does not lay the responsibility on the monarch. According to the archbishop, the three functions must work harmoniously together to support the throne. In other words, it is not the duty of the monarch to bring together those who pray, those who fight and those

[16] For a discussion on Wulfstan's papal letter, and punitive pilgrimages to Rome see Mann 2004, and Aronstam 1975.

[17] For a discussion on Wulfstan's letters of protest see Bethurum 1949 I, 441-447.

who work, but rather it is their own responsibility to actively come together in supporting the throne, so that the king may better work towards the prosperity of the land and its people. Should one pillar fail, the throne also crumbles, no matter how great the ruler.

Wulfstan's purpose is governance according to Christian principles. *Polity* is the representation of an ideal society, ruled according to God's will, and the responsibilities of each rank are clearly explained. The position occupied by Wulfstan himself is of vital importance: the bishop acts as mediator between secular and Christian law, and it falls on him to bring together the authorities of *regnum* and *sacerdotium*. Before the eleventh century, and for much of the rule of the House of Wessex (*Cerdicingas*), the authority of the Church was firmly grounded in the temporal power of the Crown, with the king lending weight to ecclesiastical authority. Royal legislation enforced secular power, even though most Anglo-Saxon kings who worked for the betterment of the legal system avoided taking full responsibility for the newly created laws, and referred to their bishops for advice and assistance. The intricacy of legal spheres of influences and their jurisdiction is one of the reasons why "pre-conquest English legislation has come to be recognized as among the most sophisticated in medieval Europe and as exerting a major influence on the development of the Common Law" (Rabin and Adair 2023, 3).[18] In the political theology of Wulfstan and his contemporaries, the institution of kingship was firmly based on the divine.[19] The source of the king's sovereign power originates in the divine right to rule. In the opening of the Junius *Polity*, Wulfstan writes:

> An is ece cyning wealdend 7 wyrhta ealra gesceafta. He is on riht cyning 7 cyninga wuldor 7 ealra cyninga betst þearfe gewurde oððe geweorðe. Him symble sy lof 7 wuldor 7 ece wyrðmynt a to worulde. Amen. (Oxford, Bodleian Library, Junius MS 121, fol. 9r.)
>
> One is the eternal king, lord and creator of everything. He is by right king, and the glory of kings, and foremost amongst all kings who were or will be. His be the praise, and the glory, and eternal praise forever. Amen.

Wulfstan emphasizes the irrefutability of God's rule and supremacy, as well as the dues mankind must pay him, the *Godes gerihta.* It is worth noting that the

[18] This can also be seen in King Alfred's laws, where the king abstains from single-handedly adapting new legislation, and resorts to the advice of various counsellors (bishops), which implies the weight that their vocation granted their opinion: *Then I, King Alfred, king of the West Saxons showed these to all my councillors, and they then said that pleased them all to observe them*: Keynes and Lapidge 2004, 231.

[19] Scolarship on Old English legislation is too vast to be quoted here. Important titles include Jurasinski, Oliver, and Rabin eds. 2010; Jurasinski and Rabin eds. 2019; Roach 2013b.

consecration of kings had been practised only once before Edgar's coronation in 973. The Anglo-Saxon Chronicle uses the word *gehalgod* (ordained, consecrated) in that context: "Here Edgar, lord of the Angles, was consecrated king with great pomp in the ancient city of Bath (?)[20]" ("Her Eadgar wæs, Engla waldend, corðre micelre to cyninge gehalgod on ðære ealdan byrig, Acemannesceastre", Irvine 2004, 59).

It is important to note how the *ordo* differed from the ones of Edgar's forebears. The precepts were placed at the forefront of the ceremony: kings were supposed to follow the ways of justice, and the wisdom of their bishops. In this regard, Anglo-Saxon ecclesiastics were not immune to continental influence; by the time of Æthelred, the English church already had a long "history of exhortation behind it" (Lawson 1992, 567). Through the rite of consecration, the king is invested with divine authority, has the right to rule over all, and transcends the role of a mere defender of the people, a lord or a *þegn*, becoming a guardian of the Church and of the Christian faith, and thus true *hlaford*—warden of both physical and spiritual bread. Robert Deshman argues that the concept of *Christus Rex* is an Anglo-Saxon product, stemming from the Benedictional of bishop Æthelwold (1976, 378). Edgar's coronation rite was used for most of his successors, and even spread across the continent, with some alterations. The role of the king as an active defender, not just a passive leader, is emphasized in Wulfstan's *Polity.* The monarch must be of extraordinary character—prudent and moderate in action, wise and just in judgement, and unyielding in faith:

> Cristenum cyninge gebyrað swiðe rihte þæt he sy on fæder stæle cristenra þeode 7 on ware 7 on wearde Cristes gespeliga ealswa he geteald is. And him gebirað eac þæt he eallum his afole cristendom lufige 7 hæðendom ascunige 7 þæt he godes cyrcan æghwar georne weorðige 7 werige 7 eal cristen folc sibbige and rehte mid rihtre lage, swa he georнost mæge. And þurh þæt he sceal geþeon Gode þe he riht lufige 7 unriht ascunige (Cambridge, Corpus Christi College MS 201, p. 87).
>
> It rightly befits a Christian king to act as a father to the Christian people, to protect and guard them as Christ's representative, as he is required. And it befits him to love the Christian faith with all his strength, and to abhor heathenism, and to honour and support God's Church everywhere, and to reconcile and rule all Christian people with just laws, as eagerly as he can. And through these things he shall prosper before God, if he loves justice and shuns injustice.

[20] On this passage, and on the identification of *Acemannesceastre* with Bath, see Carroll 2007, 123-124.

The king is seen by Wulfstan as a protector of the Church, who can contribute to the salvation of the people. Moreover, the king must actively pursue the wisdom of his advisers, and of the clergy. Churchmen would often admonish the monarchs on their wrongdoings, since their failure to promote Christian values was seen as the main cause of social decay. This was especially the case with Charlemagne's successors, and with the early Ottonian rulers of Germany. The clergy intervened "because many rulers, from the Church's point of view, at least, left a great deal to be desired" (Lawson 1992, 566). Instructions for the monarch were by no means novel or uncommon. Bede's *Ecclesiastical History* was, at least to some degree, dedicated to instructing secular rulers, Oda of Canterbury wrote *Constitutions* for King Edmund to heed, Wulfstan counselled two kings etc. No matter how virtuous the rulers, political pressures, bad counsel, or simply misfortune can cause them to make poor decisions. For all his might, we are told that the legendary Beowulf failed as a king because he put heroism above kingship, the individual before the collective. Even Alfred the Great, who took great interest in his role as protector and promoter of Christianity, found himself more than once in conflict with the Church, while Æthelstan seemed unconcerned by the severity of some secular laws.

Wulfstan's king must correct and save, rather than punish: the sentence is not in itself a final act, but serves as a means to to deter the criminal from further breaking of the law. This falls nicely within Wulfstan's efforts to offer alternatives to the capital punishment during his time as chief legislator (Marafioti 2008, 50-57). Through their advice, bishops can suggest a more merciful punishment, allowing criminals to repent. If death is unavoidable, priests offer confession, a provision upon which Wulfstan insisted in many of his codes.[21] This is also the case of *Polity:* in his chapter on nobles, for example, Wulfstan urges them to act preemptively. As a good Christian, it is not enough to uphold the law; one must act so as to please God above all. In other words, man must strive to actively please God, not just to avoid incurring the Creator's wrath.

[21] Wulfstan introduced mutilation and compensation as alternatives to capital punishment. For a complete list of offences punishable by death, see *V Atr 28*, 29, 30, *VI Atr* 36, 37, *VIII Atr* 34, 42, *I Cnut* 2.3, *II Cnut 8.1*, 32, 33, 39, 57, 59, 66.1. Many of these clauses tackle offences that are also present in older law codes, where the punishment was exclusively capital. Wulfstan expanded on most punishments, providing them with clauses on the possibility of payment, trial by ordeal or mutilation. The archbishop struggled his entire career to reform the legal system. Even though bishops were at the forefront of many if not most English courts, it is difficult to assess their direct involvement in courts, or to prove that legal codices were used in actual criminal cases. For instance, Giandrea believes that bishops played an active role in mundane pastoral care, while Blair argues for minimal involvement. For further reading, see Giandrea 2007, 169 and Blair 2005, 422.

Wulfstan's distinction between secular and ecclesiastical law is also present in his fragment about the three orders of society, where he states that the pillars are to be reinforced with "God's wise teachings and with just wordly law; in that they will bring lasting guidance to the people" ("wislicre Godes lare und mit rihtlicre woruldlage; þæt wyrð þam þeodscype to langsuman ræde").

Wulfstan's vision of an ideal justice system included both the separation and the cooperation of powers. His attempt to distinguish between secular and ecclesiastical influence is rare in Anglo-Saxon legislation.[22] Generally, criminal and sinful offences were addressed and punished together (Hyams 2000, 109-10). In other words, the underlying idea of unity is the most important of all.

(Pseudo)Alfred, Ælfric and Wulfstan all seemed to understand this, which is precisely what allowed them to adapt and use the concept of the tripartite order of society in various ways. Despite differences in thought and emphasis, all three authors appear to believe that only through coordinated unity can the three orders support the king in saving a crumbling and desperate England.

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[22] It is difficult to assess the efficacy of Wulfstan's reforms. Pre-conquest England did not possess a consistent mechanism of recording and safekeeping legal documents. Few manuscripts were destined exclusively to legal purposes, and the mainly juridical manuscripts contain other texts as well. Æthelbert's law code, for example, was written with an ideological purpose in mind: to bring the newly converted ruler closer to the continental Roman-Christian model of kingship, as it was one of the duties of the king to commit laws to writing. Yet, there is little evidence that this was integrated in the legal procedures themselves. Much the same can be said about Wulfstan's law-codes, especially as some of the provisions in them seem rather difficult to enforce. For further reading see Hough 2014 and Wormald 2005.

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