Ealles Englalandes Cyningc: Cnut's Territorial Kingship and Wulfstan's Paronomastic Play

Paul Gates
CUNY John Jay College

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Abstract: The phrase *ealles Englalandes cyninge* appears for the first time in I–II Cnut, and represents a shift in the discourse of Anglo-Saxon kingship, changing it from king over a people to king over a territory, redefining the discourse of nationhood.

Introduction

§1. In 1018, the year following his accession, the Danish conqueror Cnut met with the English *witan* to establish the terms by which the English would accept him as king and to produce a new set of laws. A few years later, *c. 1020/21*, Cnut and his council issued a second set of laws comprised of two parts: a religious and a secular portion, respectively given the titles I and II Cnut by scholars, and which I will refer to as the unified I–II Cnut.¹ As a foreign-born ruler, Cnut had disrupted the English social and political landscape. Now, with the help of his *witan*—especially Wulfstan, Archbishop of York—Cnut appropriated the Anglo-Saxon tradition of *lex scripta*, a move with significant consequences for the history of English law and national identity. In the prologue to his new legislation, Cnut speaks as "ealles Englalandes cyninge."² With this seemingly unremarkable phrase, he overturns English legal tradition. Underlying this title is a rhetorical claim to stabilize and unify all of England—Anglo-Saxon and Dane—as a single nation,³ an outcome that had not been possible since the beginning of the Scandinavian settlement of England in the mid-ninth century. To achieve this, I–II Cnut redefined kingship in terms of territory rather than ethnicity or culture, thus laying a foundation, not just for his right to rule, but for the construction of a new notion of
The establishment of English kingship as territorial is performed in the voice of a Danish conqueror, through the hand of Wulfstan. Cnut certainly wanted to establish his authority over the whole of England and looked to the English witan to help him accomplish this. In particular, Pauline Stafford has argued that Cnut wished to be accepted as a Christian king and thus he vigorously supported the English church (Stafford 1982). The witan was undoubtedly encouraged by Cnut's support of the church and by his willingness to work with them. Wulfstan, probably the foremost member of the witan and the most influential political figure of the time, must have seen an opportunity in drafting Cnut's laws. He most likely understood that, with the conquest of the English, "Cnut's code would be the primary model of royally-directed legislation for their kingdom's new masters" (Wormald 1999b, 245). By helping to shape this legislation, he expanded his previous goal of correcting abuses within the church, and focused on the moral corruption of the whole of English society, clerical and secular. Patrick Wormald has referred to Wulfstan's ambitious plan of social engineering as an attempt to create "the holy society" (Wormald 1999b). Together, king, council, and councilor come together and, in composing the laws, reconceive English law and, through it, the nation.

Although, as I will argue below, ealles Englalandes cyningc is likely a translation of a Latin formula used in Anglo-Saxon charters, totius Albionis rex, it is the act of translation that emphasizes a shift in the English-language tradition of lex scripta. The change raises a number of issues. Among these is the question of how the tradition of lex scripta operated, the politics that drove the creation of law, and the form it took. The change in the language of the phrase begs the question of who the audience for the laws was. Additionally, we must ask about the significance of the language itself in the construction of meaning, especially since the style of I–II Cnut is markedly Wulfstanian. It is Wulfstan's compositional style that, I argue, shapes the most fundamental meaning of Cnut's kingship. Finally, we must reflect on the consequences for the tradition after Cnut's participation. In order to address these issues, I will examine the prologues and conclusions to I–II Cnut, paying particular attention to their use of the title ealles Englalandes cyningc. My two primary concerns in this paper are, first, to establish Cnut's political situation and response, and second, to examine the influence of Wulfstan's style on the introductions and conclusions to Cnut's laws. In doing so, I will build my argument in five stages by addressing the following points: 1) the political context of Cnut's conquest and accession to the English throne; 2) the tradition of Anglo-Saxon lex scripta: how it relates to politics, and the importance of language and naming as evidence for nationhood and community building; 3) the evidence of Anglo-Saxon royal styles in the laws and charters, especially considering translation and audience; 4) Wulfstan's style and linguistic play in the laws, and the potential for interpreting such play; and finally, 5) the afterlife of the rhetoric of territorial kingship in English lex scripta.

Cnut, Politics, and Lex Scripta

Cnut's laws provide a picture of how he was trying to establish his rule in England. As Susan Reynolds notes regarding the tenth-century formation of an English kingdom, unity and solidarity were mostly functions of political circumstance. Cnut's precarious kingship certainly required an attention to politics, and the change in the language of kingship in the laws themselves indicates a response to the political field Cnut was facing and an attempt to create a new national identity. As Simon Keynes points out, Cnut did not conquer England in one fell swoop, but in incremental stages from 1016 to the political settlement of 1018 (Keynes 1994, 44). His rule was not one he could simply assume was secure. Moreover, England was historically fragmented. The English were only formed into a single kingdom over the course of the tenth
century, and Patrick Wormald suggests that, were it not for the Viking invasions and Cnut's eventual conquest, England may have remained as four independent states: Wessex, Mercia, East Anglia, and Northumbria (Wormald 1983, 103; Campbell 1995, 41). From this understanding, James Campbell depicts England as fiercely political and suggests that kingly power was dependent on the development of local loyalties intended to support the central authority of the king. When he conquered England, Cnut also took on the need to establish support for his kingship. It is, as I will show, through the laws that we find evidence of this project.

§5. Although we probably should not read the laws as having played a direct role in the daily lives of the Anglo-Saxons, they may very well represent efforts to explain or define a socio-political moment. Mary Richards has argued that we can take the laws together for a sense of a developing social consciousness (Richards 1997, 41). Building on Richards's method, I suggest that specific shifts between sets of laws may indicate shifts in Anglo-Saxon political thought. Although the shift in the vocabulary of kingship from one of a people to one of a land may appear insignificant or even accidental in the context of I–II Cnut, recognizing Cnut's initially precarious political position helps demonstrate the importance of the change made to the royal title.

§6. Before I can discuss the political context of Cnut's laws, it is necessary to say a few words about lex scripta. By the time Cnut's laws are composed, lex scripta was clearly a well-founded tradition with its own established vocabulary and discourse. Patrick Wormald has demonstrated that, at least from the time of Alfred, law was carefully drafted and showed particular awareness of previous royal legislation. In various formulations, Wormald has argued that in the laws we can see kings' ideological aspirations (1977a, 135) and imperial ambitions (1999a, 289; generally chs. 5 and 6). Wormald's analyses suggest that lex scripta, dominated by ideology and ambition, may be read as a representation of political will. However, I agree with Paul Hyams that, because law may often be influenced from the bottom up, we should not simply accept ideology and ambition as hard fact (Hyams 2003, ix, 26). The aspirations of lex scripta can only be realized if supported by the audience of the laws. Reading lex scripta through this lens we can reimagine Campbell's idea of local loyalties being established for the benefit of a central state authority to suggest a more open field of mutual dependence and political community building.

Lex scripta

§7. A closer examination of the ways in which Cnut's laws are the product of both their historical context and the Anglo-Saxon tradition of lex scripta will help us better understand the political concerns influencing their composition. Cnut must have realized that his position was tenuous and that he was in need of establishing local loyalties. This is particularly demonstrated by his meeting with the English witan at Oxford in 1018 where they drafted a set of laws. At this meeting, they agreed to the terms by which Cnut would rule. The preface to 1018 Cnut, contained in Cambridge, Corpus Christi College MS 201 (D), reads:

In nomine Domini. Dis is seo gerædnes, þe witan geræddon 7 be manegum godum bisnum asmeadon; and þæt wæs geworden sona swa Cnut cyngc mid his witena geþeahte frið 7 freondscipe betweox Denum 7 Englum fullice gefæstnode 7 heora ærran saca ealle getwæmde.8

[In nomine Domini. This is the ordinance which the councillors determined and devised according to many good precedents; and that took place as soon as King Cnut with the advice of his councillors completely established peace and friendship between the Danes and the English and put an end to all their former strife] (Whitelock 1968, 414).
It is worth noting in this passage that the witan delivers the laws rather than Cnut. The rhetoric of the document suggests that, although this meeting was highly charged politically, Cnut acknowledged the witan as an institution and accepted it. The witan had very recently achieved new power in England. In an analysis of the political context of Wulfstan's *Sermo Lupi ad Anglos*, Jonathan Wilcox states that the power of the witan as a unified body rose in 1014 when it invited Æthelred, who had fled to Normandy in the face of the success of Swein's attacks, to reclaim his throne, while stipulating the conditions of the king's return (Wilcox 2004, 380–381). The emergence of this power is recorded in the *Anglo-Saxon Chronicle*. The entry for 1014 in MS E states:

Then all the councilors, both ordained and lay, advised that King Æthelred should be sent for, and declared that no lord was dearer to them than their natural lord—if he would govern them more justly than he did before (Swanton 1996, 145).

Without wanting to overstate the power of the witan of the conquered English, evidence for its enhanced power suggests that it may have developed the clear status of a governing institution, distinct in some way from the king's will; and with Cnut's conquest and the establishment of terms for his rule, the witan represents the governing body of the English with whom he must treat. Consequently, I have argued elsewhere that this set of laws acts as a contract between Cnut and the English, binding both parties (Gates 2007, ch.3).10

§8. Moreover, 1018 Cnut states,

In the first place, the councillors determined that above all things they would ever honour one God and steadfastly hold one Christian faith, and would love King Cnut with due loyalty and zealously observe Edgar's laws (Whitelock 1968, 414).

The pledge of the witan to support Cnut suggests that he was aware of the political necessity of establishing loyalties among the English to support his kingship. That the witan only agrees to observe Edgar's laws but makes no mention of Cnut's further indicates that there is real political bartering from both sides.

§9. Thus we can view 1018 Cnut as being authored by the king and the witan; and through this document Cnut is authorized as king and the witan is legitimated as a significant governing institution. Each acknowledges the other. It is through this cooperation and establishment of loyalties that we can see the beginnings of the stabilization of the kingdom under Cnut's rule. But it is through the insertion of Cnut's political will into the Anglo-Saxon tradition of *lex scripta*, joined with Wulfstan's vision of the holy society, that we see the move toward community building. It is through Wulfstan's revisions of the earlier laws into I–II Cnut that we are able to better understand the response to the political necessities caused by the foreign conqueror king and what they mean for the English national identity within the tradition of *lex scripta*.11

The Linguistic Evidence for Nationhood
§10. Discursive shifts allow us to trace changing conceptions within a socio-political context. In particular, with Cnut and Wulfstan, the idea of unity through kingship and Christianity is emphasized over culture, race, or language. Mary Richards has suggested that, when examining Anglo-Saxon self-representation, there is a particularly acute awareness of the importance of manipulating the language of unification and diversity within the law and that within that awareness we can uncover a narrative of national development (Richards 1997, 40–41). Indeed, reading *lex scripta* in England as politically motivated, especially representing imperial ambition, provides an important way of interpreting such a narrative. When Anglo-Saxon kings wrote down their laws they were asserting their conquest of and right to rule over a people or region not their own by birth, and attempting to draw them under a common king, but not inherently into a common people. Kingship and nation are not necessarily the same; however, I–II Cnut shifts the discourse of kingship to one of nation with the intent of community formation, not simply conquest and rule.

§11. Although a king may make claims through *lex scripta* concerning the groups he is trying to unify, those groups must acknowledge the terms of his claims. In particular, Susan Reynolds suggests the language of "political collectivities" for these groups. She argues that the language and names used of such collectivities determine their self-perception as well as how they are viewed from outside (Reynolds 1985, 397). Indeed, the language and names asserted to establish a political collective as a political community may become discursive and even control how that community can think of itself (Foot 1996, 25–26). Further, as Susan Reynolds argues, it is important to consider the evidence of the laws because nations (*gentes, nationes, populi*) are political units, usually formed through common customs and law (Reynolds 1985, 399). There was a strong tradition of English *lex scripta*, and it is through that medium that the political unit can be best defined by the king. For the community to be formed, however, the "political collectivities" must accept the name that is used: they must accept the law and their place in it.

§12. Kathleen Davis has traced the scholarly discussion concerning the language of the Anglo-Saxon nation, noting that as early as 1871, Henry Sweet remarked that King Alfred, in his *Preface to Gregory's Pastoral Care*, spoke of the people, not the land: "Observe 'Angel-cynn,' not 'Eng-lond,' the idea of the race predominating over that of the land which they only partially possessed" (Sweet 1871–72, 2:472; Davis 1998, 619). From Sweet's note 140 years ago, scholars have struggled to make sense of the evidence of the *gens anglorum* and the Anglo-Saxons' conception of unity among divided kingdoms. Davis looks to the reign of King Alfred and the formation of a national literature for evidence of expressions of English national unity. In her examination, she shows that, throughout his *Preface to Gregory's Pastoral Care*, Alfred uses *Angelcynn* for both people and land. She concludes, "place and people become indissociable as the *Preface* presupposes both the unity of this people and their belonging to the physical land, each of which depends on the other for definition" (Davis 1998, 620). Thus Davis finds that the discourse of nation in Alfred's literary project is primarily one of a people. Yet, we can carry this conclusion over to the laws, in part because Alfred's literary and legal projects cannot be fully dissociated, in part because the evidence of the laws, which I discuss in the next section, directs us to nation as people.

**Royal Styles**

§13. Even with the attention that scholars have paid to language and Anglo-Saxon self-conception, the evidence provided by the title "ealles Englalandes cyningc" is both remarkable and surprising. A search for the compound "englaland" yields nearly 200 occurrences in the *Dictionary of Old English, Old English Corpus (DOE Corpus)*. However, of all of these entries, not one provides the title "Englalandes cyning" (king of England) before Cnut –II of c. 1020/21. Thus we must consider the royal styles employed before
Cnut and what narrative of national development they tell.

§14. In all the extant laws from before Cnut's reign, Anglo-Saxon kings referred to themselves simply as king or as king of a people. In the early legislation, the discourse of naming in the laws consistently identifies the king with the people, and thereby makes a claim about the definition of the nation. Prior to Alfred, kings conceived of their subjects not as English but as individual groups among the English. Thus they are kings of the people of Kent, of the West Saxons, or of the Mercians. Between Alfred and Æthelred, the evidence shows that kings refer to themselves only as king, not specifying a people. It is finally with Æthelred that a king refers to himself in the laws as Engla cyningc (king of the English) and eliminates the distinction of individual peoples in the title. The shift from king of a people to simply king after Alfred likely indicates what Patrick Wormald sees as the kings' imperial ambitions. The discourse shifts to make new claims about rule and the right to rule (this will become clear in the discussion of charter evidence below). The claims of nation, then, shift from a unified people to a king's right to rule over several peoples.

§15. I have found only three possible exceptions within the laws, all of which are preserved only in the twelfth-century Latin Quadripartitus: "Decretum episcoporum et aliorum sapientum de Cantia de pace obseruanda" (III Æthelstan Inscr.) [The decree of the bishops and other counselors of Kent, concerning measures for the preservation of the public peace]; "Decretum sapientum Anglie" (IV Æthelstan Inscr.) [The decree of the counselors of England]; "Item rex Lundonie" (IV Æthelred Inscr.) [Item king of London]. However, Quadripartitus is a late, and not always faithful, translation. Within the laws I have found no evidence that this Latinate construction was ever used or that such Latin phrases were ever translated into English with the structure "title + genitive singular territory" before I–II Cnut.

§16. The three exceptions within the laws are slight evidence, especially since they are all in Latin. Yet when taken in relation to evidence from the charters, it appears that there was a strong discourse of legal naming in Latin documents, and that it is here that the language of territory enters and where imperial ambitions are clearest. As in the legislation, we see the shift in royal styles from king of a people to something more in Æthelstan's case. This makes particular sense given his clear imperial activities, such as invading and conquering Northumbria and receiving the submission of the Scots, Welsh, and Britons of Strathclyde (Lapidge et. al. 1999, 16). Æthelstan makes a number of claims with his various titles, all of which seem to redirect the discourse of the charters from acknowledgement of the nation as a people to the right of the king to rule. First, he refers to himself as rex Anglorum [king of the English], collapsing all the English peoples into one. His claims to rule peoples not his own are expanded with titles such as "Angelsaxonum Denorumque gloriosissimus rex" [most glorious king of the Anglo-Saxons and of the Danes] and "rex Angulsexa and Norphymbra imperator paganorum gubernator Brittanorumque propugnator" [king of the Anglo-Saxons and emperor of the Northumbrians, governor of the pagans, and defender of the Britons]. He is repeatedly called by the imperial title "basileus." And he is explicitly granted rule by territory when he is "rex Albionis" [king of Albion] or "rex Anglorum tociusque climatis Cristiane patrigene preuisor" [king of the English and provider of the entire land of Christian native inhabitants]. Comparable titles are used of those kings following Æthelstan in the charters but I will not pursue the discussion further here. In sum, though, it would appear that there is a change in the way that titles are being employed in the charters from the time of Æthelstan.

§17. In fact, I would suggest that there are two major points relevant to the recognition of this shift. First, there is a changing awareness of audience; second, the discourse moves from simply recognizing the king of a nation to making claims about the king's rule. James Campbell states that the expansive, imperial titles of the charters are used to honor the kings by those who drew up the charters, implicitly suggesting that the
kings are not using these titles themselves. Significantly, he also points out that in the "imperial' claims implied by these grand 'titles' a distinction is almost always drawn between the Anglii and the inhabitants of the rest of Britain or Albion" (Campbell 1995, 38). Therefore, if the titles are meant to honor the king, he is understood as a part of the audience. Additionally, the fact that the charters are in Latin implies an audience that would have been familiar with it, namely, the church. Unlike the laws, the charters represent a consistently top-down approach. They largely record grants of property by the king or clergy and so do not require the same rhetorical force as English-language law; the grants alone claim loyalty from the recipient. Moreover, in terms of the discourse of nation, the king generally retains his title as king of his own people; his extended titles, including territorial titles, make claims about his rule over peoples not his own. Of the many royal styles appearing in the charters, it is worth noting that not one king before Cnut styles his kingship territorially in English. However, there are some relevant Latin territorial styles: totius Albionis rex, totius Angliae rex, totius Britanniae rex. The form of "totius + genitive singular territory + rex" would appear to be an existing model within Latin legal discourse. However, this form does not appear in English legislative documents until I–II Cnut refers to Cnut as ealles Englanlandes cyninge.

Cnut's Royal Styles

§18. The first entry of territorial kingship into lex scripta comes with I–II Cnut. In the 1018 code drawn up at Oxford, Cnut merely established the terms of his rule with the English witan. In it, Cnut holds the same title as many of his English predecessors, cyngc:

Dis is seo gerednes, þe witan geræddon 7 mid manegum godum bisnum asmeadon; and þæt wæs geworden sona swa Cnut cyngc mid his witena geþeahte frið 7 freondsceipe betweox Denum 7 Englum fullice gefæstnode 7 heora ærran saca ealle getwæmde (D Inscr.).

[This is the ordinance which the councillors determined and devised according to many good precedents; and that took place as soon as King Cnut with the advice of his councillors completely established peace and friendship between the Danes and the English and put an end to all their former strife] (Whitelock 1968, 414).

§19. I–II Cnut is the first English-language legal text, law or charter, in which a king's title is changed to be defined territorially. This appears only after Cnut had had time to settle into his kingship in England and actually rule the land, and consequently, concern himself with the ideology of his title. I–II Cnut appears in two manuscripts: G. London, British Library MS Cotton Nero A.i. fols. 3–41. s. XIImed, and A. London, British Library MS Harley 55. fols. 5–13. s. XIImed (Whitelock 1964, 468). Both have the phrase "ealles Englanlandes cyninge"; however, they have slightly different forms. The prologue to I Cnut in G appears as follows:

Dis is seo geredneys, þe Cnut ciningc, ealles Englalandes ciningc 7 Dena ciningc mid his witena geþeahde, Gode to lofe 7 him sylfum to cynescipe 7 to þearfe; 7 þæt wæs on ðære halgan midwintres tide on Winceastre.

[This is the ordinance which King Cnut, King of all of England and King of the Danes, determined on with the advice of his witan, for the love of God and for the sake of the king's majesty and to fulfill necessity; and that was during the holy Christmas season in Winchester.]

A breaks this into an inscription and a prologue:

Dis is seo gerednes, þe Cnut cining, ealles Englanlandes cyinge 7 Dena cinyng 7 Norþrigena cyingc, gerædde, 7 his witan, Gode to lofe 7 him sylfum to cynescipe 7 to þearfe, rade swa hwædre swa man wille.
Dis is seo gerednes, þe Cnut cyningc mid his witena geþeahte geredde, Gode to lofe 7 hym sylfum to cynesecipe 7 to þearfe; 7 þæt wæs on þam halgan middewintres tid on Winceastre.

[This is the ordinance which King Cnut, King of all of England, and King of the Danes, and King of the Norwegians, determined, with his witan, for the love of God and for the sake of the king's majesty and to fulfill necessity—let each man take counsel as he will.

This is the ordinance which King Cnut with his witan determined on for the love of God and for the sake of the king's majesty and to fulfill necessity. And that was during the holy Christmas season in Winchester.]

§20. The first thing to note in both MS versions is the juxtaposition of the new royal title with the old. Cnut is king of England, but also king of the Danes. That is, he retains the traditional title of king of a people he rules by inheritance but changes to the new form within the context of the conquest. It is this juxtaposition that highlights an active shift in discourse. Although one might object, based on the charter evidence, that Cnut is claiming an imperial prerogative, there are two pieces of evidence that resist this interpretation. First, as I will discuss below, although G calls Cnut ealles Englalandes cyningc 7 Dena cyningc, the later A text will also call him Norþrigena cyningc. Since he does not claim his rule there as territorial, it would seem that his claim to rule English territory shows a specific and purposeful manipulation of language. Second, and the topic of the next section, is the play of sound and sense in the prologue. While the juxtaposition highlights the difference between the titles, the sounds of the words together imply an additional subtext.

§21. In the end, Cnut was facing a difficult political context. He was a foreign conqueror king but needed to establish local loyalties to hold on to his kingship. With Wulfstan's aid, Cnut addressed an English audience in English drawing on the tradition of English lex scripta. And while Cnut had to respond to political necessities, Wulfstan had definite political goals of reforming the nation into a holy society (Wormald 1999b, 245–46). Taking the opportunity of drafting Cnut's laws, Wulfstan worked to shape the rhetoric that would create and define Cnut's place within English society and that would also get the people to accept the new language of the nation for the foundation of the Christian community.

Wulfstan's Stylings

§22. As noted above, Wulfstan's influence on the shape and content of I–II Cnut is significant. He has revised much of his own legal writing and compiled laws from earlier kings, especially Edgar. Moreover, as many scholars have noted, the tone of I–II Cnut echoes that of Wulfstan's sermons. While it may well be an administrative set of laws (Lawson 1993, 67; 207–210), Wulfstan's style is markedly present throughout. The tone is hortatory and addresses an English-language audience. Additionally, the participation in lex scripta suggests the same audience as that for 1018 Cnut—king, witan, and church. Wulfstan had a particular talent and fondness for ornate language and oratorical play (Bethurum 1957, 88). He favored "the repetitive verborum exornatio," or verbal embellishment, as a means of conveying meaning to an audience orally (Bethurum 1957, 90). As Dorothy Bethurum comments, "In the larger units may be noted sentence and word parallelism, in the smaller alliteration and rhyme of both kinds" (1957, 90). Given Wulfstan's penchant for word-play, I will draw on Stanley Greenfield's idea of "the play of sound and sense" (1972, ch. 4) and Roberta Frank's discussion of paronomasia in Old English (1972).

§23. While I am indebted to both scholars for their foundational ideas as modes of reading, I will expand on both of them in distinct ways. The premise of Greenfield's "the play of sound and sense" is that we may read relationships between the sound and sense of words in poetry when a phonological cue creates a situation in which there is ambiguity or, better, nuance, in the meaning of a passage. He suggests that
homophones as well as paronomasia (for him, puns), repetition of a word with different meanings, aural echoes to underline contrary meanings, metaphoric word-play, and play on names may all be operative in Old English poetry (1972, 84). Roberta Frank's treatment of paronomasia in Old English biblical poetry adds a degree of nuance to "the play of sound and sense" that enhances what we should look for and where we might expect to find it. Frank treats paronomasia not just as punning, but as "etymological or pseudo-etymological word play" used to establish connections between words and to express secondary levels of meaning (Frank 1972, 208). She also notes that poets tended to concentrate their paronomasia in prologues and epilogues, often employing an envelope pattern (1972, 225). Such is also true of I–II Cnut: although not poetry, the play of sound and sense here likewise appears most elaborately in the prologues and epilogue. Therefore, in my analysis I will focus on these and demonstrate that the structural connection that unifies them also provides a context for understanding the laws themselves, and works in the production of a discourse of nation as community.

§24. In the prologue to I Cnut, the number of devices that play on sound and sense is remarkable, and they compound to bring about a greater impact. The devices include alliteration, assonance, consonance, grammatical parallelism, homophony, and repetition. The prologue reads:

> Ðis is seo gerædnys, þe Cnut ciningc, ealles Englalandes ciningc 7 Dena cining mid his witena geþeahte geredde, Gode to lofe 7 him sylfum to cynescipe 7 þearfe; 7 þæt wæs on ðære halgan midewintres tide on Winceastre.

[This is the ordinance which King Cnut, King of all of England and King of the Danes, determined on with the advice of his witan, for the love of God and for the sake of the king's majesty and to fulfill necessity; and that was during the holy Christmas season in Winchester.]

The first thing to note is that, in the G text, Cnut is called king in three different senses: as a general statement, as king of England, and as king of the Danes. Such repetition often appears in Old English to suggest a compounding effect: the more a word is used, the more important it is and the stronger the statement (Frank 1972, 222; Tyler 1996). Implicitly, the purpose of the law is threefold: to praise God, to support the majesty of the king, and to fulfill necessity. This patterning both asserts the function of kingship and of law-giving as well as expresses the right of the king to give law. This notion is paralleled in the text's use of c-alliteration: *Cnut is cyningc* and delivers law for his *cynescipe*. Internal sound correspondence in this alliterating triad includes consonance on *n*; it is also possible that an Anglo-Saxon ear may even have heard assonance on the vowel. In this sense, Cnut and kingship are bound up with one another. The word *cynescipe*, literally "king-ship" or "the majesty of the king" (DOE, *cynescipe*, a) implies a status of being, -scipe expressing a state or condition (Oxford English Dictionary online, -scip, 1). Moreover, the *OED* states, "By extension, compounds of this kind, when the n. is the designation of a class of human being, assume the sense of the qualities or character associated with, or the skill or power of accomplishment of, the person denoted by the n." (OED 2b). Cnut, then, is endowed with the qualities of kingship. But the connections established by the sounds go further when we focus on the nominal portion of the compound, *cyne-*: Although it is an allomorph of *cyningc*, it is only ever found in the compound *cynescip* (DOE, *cyne-*). In this, we must also hear *cynn*. As an adjective, *cynn* means "fitting or proper" (DOE, *cynn*). We can understand the secondary level of meaning that is implied in the sound correspondences. *Cnut* does not just sound like *cyningc*, but it is fitting that he be king. As a noun, *cynn* refers to a race, people, or nation (DOE, *cynn*, 1), and we should be reminded of Alfred's insistence on race over geography that Henry Sweet noted in the vocabulary of *Angelcynn*. Therefore, the idea of Cnut as a part of the nation may be present both in *cyningc* and in *cynescipe* as well as in two different expressions. As noted, -scip provides the idea of a state of being. But -ing expresses an idea of derivation. In this case, the *cyningc* would be the one derived from the nation, or *cynn*. Finally, the phrase *him sylfum to cynescipe* emphasizes Cnut in relation to the kingship. He gives these laws for the benefit of his own
kingship as well as, then, of the understood "kinship."

§25. *Cynescipe* also hints at another connection. In the discourse of Anglo-Saxon *lex scripta*, the term is only used in the laws of two kings, Edgar and Cnut. Alone, this would be scant evidence of direct reference. However, the entire phrase explaining the reason for the law is taken from II Edgar: "ðís is seo geraednys, þe Eadgar cyng mid his witenæ geðahte geraedde, Gode to lofe & him sylfum to cynescipe & eallum his leodsceipe to þearfe" (II Eg. Prol.). [This is the ordinance which King Edgar has determined with the advice of his *witan* for the love of God and for the sake of the king's majesty and the needs of all his people]. Although much of I–II Cnut was borrowed from earlier laws, particularly the laws Wulfstan wrote for Æthelred, this particular borrowing speaks to several issues. First, at the 1018 council at Oxford, Cnut agreed to uphold Edgar's law. Therefore, borrowing the statement on the purpose of law-giving from Edgar expresses continuity of the institution of the kingship from Edgar to Cnut, if not openly modelling Cnut on Edgar. Although this may have been more aspiration on Wulfstan's part than reality, it is worth noting that this oblique reference to Edgar replaces the statement of the 1018 code.

Þonne is þæt ærest, þæt witan geræddan, þæt hi ofer ealle oþre þingc ænne God æfre wurðodon 7 ænne Cristendom anredlice headan 7 Cnut cyngc lufian mid rihtan 7 mid trywðan 7 Eadgares lagan geornlice folgian (D 1).

[In the first place, the councillors determined that above all other things they would ever honour one God and steadfastly hold one Christian faith, and would love King Cnut with due loyalty and zealously observe Edgar's laws] Whitelock 1964, 414).

Whereas 1018 Cnut states that the *witan* will honor Cnut and observe Edgar's law, the prologue to I Cnut shifts the royal authority squarely onto Cnut. As Cnut is more solidly established in the kingship, the institution of the *witan* must shift. Cnut is placed as the rightful head of the Christian nation, but with the understanding that his responsibility is to support the nation.

§26. The other major paronomastic play is in the never-before-used phrase *ealles Englalandes cyningc*. While this may be a translation of the title *totius Albionis rex*, or one of the comparable titles used in the Latin charters, a play of sounds is present in the English and is potentially more evocative than the Latin. *Ealles* and *Englalandes* are grammatically parallel and the two words in their rhyme are insistent on unity. *Ealles* and *Englalandes*, especially working together, present a unified England rather than several different peoples. As the two words work together grammatically in their genitive endings, the adjective agreeing with the noun it modifies, they express unity. This unity, based on a genitive construction, is dependent on the subject of the phrase, *cyningc*. In this, all of England, the land, is dependent not just on the king, but on the paronomastic King Cnut. In addition, this short phrase opens up several other connections through sound correspondences. We can hear the alliteration on *e* as well as the consonance on *l*. However, it is important to note just how much sound correspondence transpires in these two words: *e* appears four times, *a* three times, and *l* three times. Moreover, the middle of *Englalandes* inverts *ealles*. It appears as if we go from unity in "ealles" to an opening up of the English and the land themselves in "-lala-. Interestingly, with this opening, we must ask what they open to. The sound connections that occur in the passage fall on the nasal sounds of *Englalandes*, *cyningc*, *Cnut*, and *Dena*. The grammatical connection of *ealles Englalandes* to *cyningc*—thus to Cnut—is already clear. However, it is interesting to note that that which is different and foreign is also drawn together here. *Dena*, also a genitive construction, is dependent on *cyningc* like *ealles Englalandes*. However, it is a plural genitive, different from the unified singular genitive of *ealles Englalandes*. Nonetheless, the sound correspondences are strong: *e*, *a*, and *n*. With their common dependence on *cyningc*, and the fact that Cnut himself was foreign, a Dane, we have the additional level of commonality drawn in. Cnut, emphatically and repeatedly, king, is the common
subject of both *ealles Englalandes* and *Dena*.

§27. In fact, when we turn to the later A MS version of the prologue, we find it broken into an inscription and a prologue, with the patterning strengthened, and the sound correspondences expanded to fit the added material.

Dis is seo gerednes, þe Cnut cyning, ealles Englalandes cyningc 7 Dena cyningc 7 Norþrigena cyningc, 
gerædde, 7 his witan, Gode to lofe 7 him sylfum to cynesceipe 7 þearfe, rade swa hwædre swa man willc (I Cn. Inscr.).

Dis is seo gerednes, þe Cnut cyningc mid his witena geþeahte geredde, Gode to lofe 7 hym sylfum to 
cynesceipe 7 þearfe; 7 þæt wæs on ðam halgan middewintres tid on Winceastre (I Cn. Prol.).

[This is the ordinance which King Cnut, King of all of England, and King of the Danes, and King of the 
Norwegians, determined, with his *witan*, for the love of God and for the sake of the king's majesty and 
to fulfill necessity—let each man take counsel as he will.]

This is the ordinance which King Cnut with his *witan* determined on for the love of God and for the 
sake of the king's majesty and to fulfill necessity. And that was during the holy Christmas season in 
Winchester.]

Cnut remains king of all of England and of the Danes, but he is now also king of the Norwegians. Those 
three kingdoms now correspond to the three reasons for giving law that are expressed in the phrase 
borrowed from Edgar: "Gode to lofe 7 hym sylfum to cynesceipe 7 þearfe." The *e*, *a*, and *n* sound 
correspondences are expanded in the addition of *Norþrigena*. And the grammatical rhyme on *ealles 
Englalandes* is now paralleled with the grammatical rhyme on *Dena* and *Norþrigena*. The two peoples that 
effectively spoke the same language are paired, but like just as the English speakers of *ealles Englalandes*, 
they remain dependent on Cnut as *cyningc*.

§28. I–II Cnut eliminates the distinction between regions and between nationalities within England in the 
legal discourse. The vocabulary of England as land does not allow for the separation of national identity 
into English and Danish. Rather, it unifies everyone occupying the land under a single king, Cnut. He is 
kings of those foreigners who had ravaged England for so long; he is king of all those in England, Danish 
and English, and those Danes long-settled in England or born in England. Moreover, he eliminates—at 
least, rhetorically—the possibility of any Anglo-Saxon region dissenting in favor of another king, 
challenging his authority, or declaring itself independent, as so many had done in the past. No longer can 
there be a spiky Northumbria or, for that matter, a Danelaw.34 Overall, the prologue to I Cnut uses the 
correspondences of sound and grammar, and the function of the law to draw together Christianity, king, 
and nation, as a way to establish community within England.35

§29. Interestingly, as would be expected from Frank's argument about paronomasia tending to appear in 
prologues and epilogues, this is exactly what we find in I–II Cnut. We see a repetition of the focus on 
*Englaland* in the prologue to II Cnut, followed by a passage that strongly plays with sound and sense (II 
Cn. 1). Moreover, II Cnut closes on a unifying prayer for God's mercy for *us eallum*, wrapping up with 
Wulfstan's unified Christian nation.36 The beginnings of both I and II Cnut and the ending of II Cnut play 
with sound and sense, providing a frame for the laws of a unified England under God.

§30. Both I and II Cnut open with a reference to all of England. Whereas the prologue to I Cnut speaks of 
Cnut as *ealles Englalandes cyningc*, the prologue to II Cnut states, "Þis is seo woruldcunde gerædnes, þe ic 
wylle mid minan witenan ræde, þæt man healde ofer eall Englaland" [This is the secular ordinance which I, 
with the counsel of my *witan*, wish to be observed over all England]. While there is not the same structured 
play of sound and sense in this, it is worth noting that *ealles Englalandes cyningc* is echoed in *eall*
Englaland, and that the emphasis on territoriality is carried across from I Cnut to II Cnut. However, what Liebermann identifies as the first law of II Cnut does show a strong play of sound and sense.

>This is the first provision that I desire: that just law be raised up and every illegality zealously suppressed, and that every injustice be rooted up and eradicated from this land as zealously as possible, and that God's justice be raised up. And henceforth, let every man, both prosperous and poor, be entitled to the law, and just judgments pronounced for them.

The most striking elements of this passage to my ear are the repetitions, the play of positive and negative forms of words, and the alliterative connections between individuals and motion.

§31. To begin, the emphasis is clearly on law and justice: *riht* occurs as an adjective twice, as a noun once, *unriht* as a noun once, and the compound *folcriht* once. Likewise, the text references both *lagu* and its negative *unlagu*. Of fifty-five words, seven are words for law and justice, roughly thirteen percent. And this does not include *domas deme*, which would have carried the sense of law in action. The *DOE* identifies *dom* as a translation of Latin *iudicium*, hence "judgment"; however, it also states that it is used as "decree, ordinance, law, esp. in the plural" and that it is often impossible to distinguish between the meanings without losing "semantic richness" (*DOE*, "dom"). Moreover, both *domas* and *lagu* are modified by the adjective *riht*, which connects all three law words. Importantly, the repetition of *arære* further connects God's *riht* and *rihte lage*. This has all the signs of making rhetorical claims for Wulfstan's holy society. And the passage provides us with not only the command to raise up *rihte lage* and *Godes riht*, but asserts that the negative forms of *unlage* and *unriht* must be destroyed. It is not enough to pursue good law, un-law must also be actively destroyed. In fact, the language plays at two levels of meaning. *Arære* can both mean to erect or establish (*DOE*, "arære," c) and to cultivate. Consequently, the command here is both to establish *rihte lage* and *Godes riht* and to plant it and make it grow. Contrarily, *unlagu* must be *afylle*, cut down or destroyed, the opposite of erected. It must also be uprooted. Both *aweodige* and *awyrtwalige* have the sense of uprooting, literally weeding out. Hence we are provided with images of building the holy society through good law and of cultivating a garden, which necessitates weeding out the bad things for the benefit of the good.

§32. Additionally, as with the prologue to I Cnut, we see associations made through assonance that indicate individuality and action: *ærest, arære, æghwylce, afylle, aweodige, awyrwalige, æghwylc, eard, earnme, eadigne*. It is the first duty that every individual, prosperous or poor, cultivates just law and uproots every injustice from this land. The verbs are all joined by clear alliteration on *æ*; the individuals are stressed in the insistence on the alliterating *ge earnme ge eadigne*; and they are alliteratively tied to the *eard*. Moreover, *eard* emphasizes the land of EnglaLand, both by assonance on *e* and *æ* and consonance on *d*, and expands the images of building and cultivating. *Eard* primarily indicates a dwelling-place (*DOE* 1), land or country (*DOE* 1.a); but it can also mean a habitat for plants (*DOE* 1.c.iv). In this we can read the building of a dwelling-place, the establishment of a country, and the cultivation of the society by individuals through *rihte lage* and *Godes riht*. *Ealle EnglaLand* as the *eard* can then be read in terms of establishing a community, not just a country, through the king's law and through God's.

§33. Finally, I want to turn to the closing of II Cnut. BA reads, "God ælmihtig us eallum gemiltsie, swa his willa sy! Amen" (II Cnut 84.6) [May God almighty have mercy on us all, just as is His will! Amen]. G reads, "God ælmihtig us eallum gemilsige, swa his milda willa sig (7 gehealde us æfre on ecnesse! Si hit
Amen" [May God almighty have mercy on us all, as his merciful will is (and protect us ever into eternity! May it be so! Amen)]. This statement unifies the ideas through internal and final rhyme and general sound correspondences. Eælmihtig, gemilsige, milda, willa all rhyme internally, and act as two rhyming pairs. The noun milda is the root of the verb gemiltsian. Thus ælmihtig and willa frame the opening statement. This may even echo the opening of II Cnut, "ic wille mid minan witenan" (II Cn. Prol.), concluding, however, on the divine will. Additionally, consonance on l and m ties eallum into ælmihtig, gemilsige, milda, and willa. And, finally, the repetition of us emphasizes unity while the eallum echoes the eall- terms prior to this: ealles Englalandes cyninge, eall Englanland. The frame of the laws, then, is of unity within the land under a single king and a common religion. The language of the frame of I–II Cnut sets forth the building blocks for the formation, not just of a kingdom for Cnut to rule or the terms of his rule, but of community.

Afterlife of Ealles Englalandes Cyninge

§34. However, as convincing as such a reading may be of the conscious shaping of discourse, it is the afterlife of the phrase Englalandes cyninge that demonstrates the real change in discourse. Neither of Cnut's sons, the bastard Harald Harefoot or Harthacnut, issued laws. It is only with the succession of Edward, Æthelred II's son, that we have any further evidence, and only in charters, not laws. However, he refers to himself as "ic Eadwerd Englanlandes cyng" [I, Edward, King of England] (O'Donovan 1988, 22; Sawyer 1968, Ch. 1032)38 and "Ic Eadwerd cyng & Englanlandes Wealdend" [I, Edward, King and ruler of England] (Brooks and Kelly, forthcoming, 181; Sawyer 1968, Ch. 1047).

§35. The first laws to be promulgated after Cnut's are post-Conquest. William I and Henry I both refer to themselves as "rex Anglorum" in Latin and simply "kyng" in English, retaining the long-standing titles of English lex scripta. But interestingly, when William writes in French, he addresses the people of the land:

Ces sunt les leis e les custumes que li reis Will. grantad al pople de Engleterre aprés le conquest de la terre, iclees meimes que li reis Edward sun cusin tint devant lui (Leis Wi. Prol.).

[These are the laws and the rights which King William assured to the people of England after he had obtained possession of the land. They are the same as King Edward his cousin observed before him] (Robertson 1925, 253).

Like Cnut, and explicitly after the model of Edward, the Norman William no longer distinguishes between peoples in England. Within the legal discourse, distinct regions, tribes, and peoples have become the singular "al pople de Engleterre," to the people of England. The idea is further stressed in the statement of conquest of the terre, echoing Engleterre. Again, we see territoriality discursively unifying the people under a single kingship and expressing a sense of continuity, in this case from Edward to William, all in the face of conquest by a foreign ruler. However, William's laws are not participating in the tradition of English lex scripta, and his statement is closer to the claims of the right to rule in the English charters than to the community-building rhetoric of I–II Cnut.

Conclusion

§36. As a socially disruptive force, Cnut's conquest drove the English nation to re-define itself. However, Cnut's own need to participate in English politics to maintain his kingship required his ability to form local loyalties. Consequently, Cnut's political voice, spoken to the English, in English, required that he shape the idea of his rule so that he would be accepted. That the form of that voice came as law that is drawn out of
earlier English tradition by Wulfstan suggests that *lex scripta* represents a dialogue of political wills. In and of itself, a change in vocabulary or naming does not represent an accepted change in the way a nation thinks of itself; however, when that change is maintained in a traditional genre like *lex scripta* it is evidence that it has become a part of the national discourse. The great success of the rhetoric of territorial kingship is that it played with the assumptions of its audience. If the audience was king, *witan*, and church, then the language of territory as imperial would have already been understood from the discourse of charters. And Cnut was, in fact, a conqueror. However, Wulfstan's manipulation of language develops the initial reality and assumption of imperial conquest in order to change how the audience formulates its ideas. Not only does he present a new way of understanding kingship, he manipulates the language to shift the national narrative. Instead of building a language of conquest, or even a language of political collectivities, he envisions and shapes a language for community-building. Although Wulfstan's holy society was not achieved, it appears that the discourse of the nation as *Englaland* and not just *Angelcynn* was.\(^{39}\)
Notes

1. While Patrick Wormald, among others, treats I and II Cnut as a unified text (Wormald 1999a), some scholars have argued that they should be taken as independent documents. Mary Richards, in particular, has pointed out that they are different in terms of sources, structure, style, voice (Richards 2008). However, I will show commonalities that, in terms of my discussion, will justify taking them together as the legislation drafted by Wulfstan for Cnut. I remain undecided as to whether or not they should truly be categorized as a single document in two parts. I would like to thank Mary Richards for sharing a copy of her talk from the Early English Laws conference with me and for granting me permission to cite it. It will be forthcoming in a volume of collected papers from the conference. [Back]

2. Although the spelling of cyninge changes within individual laws and among the MS versions, for the sake of consistency, when I use the title outside of direct quotation I emend all spellings to cyninge. [Back]

3. Although the term "nation" is a fraught one for historical and literary scholars of pre-modern periods, it is the accurate term for the concerns of this article. In particular, I stand by the term because it is flexible and is variously situated between the idea of a people united by birth, culture, language, and a form of political collectivity. I will discuss "nation" and "nation formation" below. However, for a further discussion of the validity of "nation" in medieval studies, see Davis (1998). [Back]

4. I tend to agree with scholars such as Patrick Wormald and Simon Keynes that Wulfstan takes this opportunity to exert his influence on the shaping of the English nation as the model holy society. Although Wulfstan had for quite some time been a major political figure—drafting laws for Æthelred, acting as a member of the witan, participating in the decision on whether or not to invite Æthelred to return to his throne after the death of Swein—this was truly an opportunity to expand his work of trying to correct the ills he saw among the clergy to a full-scale assault on the wickedness he saw in English society, one that considered itself Christian. Indeed, Wormald points to Wulfstan's compilation and revision of his past work and posits that Wulfstan may have seen this as his last chance to put forth this vision of the model Christian society, and that I–II Cnut may be an attempt at a summa of his reforming efforts (1999a, 349–66). Mary Richards challenges the idea that I and II Cnut represent such a summation. Generally, she finds that I Cnut is far more coherent and comprehensive than II Cnut, and that II Cnut feels incomplete (Richards 2008). I would suggest that we can see in I–II Cnut a vision for English society, even if the final document seems still to be in progress. [Back]

5. After Alfred's unification of the English under his rule, English kings consistently tried to secure their control over the various English, British, and "Scandinavian" peoples. They were more or less successful in this, but none was entirely without challenge. Even to the point of Swein's and Cnut's invasions, Æthelred had to deal with different regions shifting their loyalties; even his own son, Edmund Ironside, rebelled and challenged his father. A single, unified, English kingdom was never entirely achieved; and when it was most stable, it was usually through the military force of a king. Sean Miller notes that Edgar pacificus is probably best understood as Edgar "the peace-maker" (Lapidge et. al. 1999, 158), much in the way that the term is applied to a gun. [Back]

6. I am drawing the terms of "ideological aspiration" and "imperial ambition" from arguments Patrick Wormald made more than twenty years apart. However, I see in these terms enough similarity in intent and function to draw them together, even though the two formulations are established in dramatically different ways. Wormald initially suggested that Anglo-Saxon law remained largely oral, deriving its power from
the *verbum regis*, not from the written document. He posited that the extant evidence likely represented something closer to ecclesiastical records than what we conceive of as written legislation, and that those who produced the documents may have felt comfortable varying the oral decree (Wormald 1978, 48; Wormald 1977b, 111; Keynes 1990, 228–29). In this formulation, the laws were not so much practical as ideological (Wormald 1977a, 135; Keynes 1990, 228). However, Wormald later revised his view to emphasize the writtenness of the laws based on the evidence of laws self-consciously drawing on earlier royal legislation (Wormald 1999, 289, esp. chs. 5 and 6). The emphasis on the writtenness of the laws has come to be generally accepted. [Back]

7. While it is true that England was a fractious kingdom and politics may not seem like a way to build community, I would suggest that the cooperative tone of Cnut's conquest, his willingness to work with the witan and to allow his laws to be shaped by Wulfstan (both in style and content) provided a political context in which community creation could, in fact, be the goal. [Back]

8. All quotations from the laws refer to Liebermann 1903–16. In the case of 1018 Cnut, I have cited all as D, according to the manuscript, whereas I–II Cnut are identified as such. I have quoted those cases where the king's name and title appear together and where the law itself is attributed to the king by name without the title. I have also provided variations among manuscripts only when they are significantly different (i.e., not simply for spelling variation). Unless otherwise noted, all translations of laws are my own. [Back]

9. Felix Liebermann has noted that Cnut is the first to speak of the *witan* as a unified body, a national council (Liebermann 1913, 12). [Back]

10. In this chapter of my unpublished dissertation I discuss the influence on Cnut of entering into the tradition of *lex scripta*. I suggest that the meeting at Oxford in 1018 represents a contract or treaty between the English and Cnut. As he participates in the tradition of law-giving, I argue that Wulfstan effectively "domesticates" him. However, as Cnut gains power, including claiming the Danish throne, he begins to have his ideas shaped by *lex scripta* and begins to develop aspirations not just of being a king, but of styling himself an emperor. [Back]

11. Dorothy Whitelock has shown that Wulfstan drafted 1018 Cnut as well as the subsequent I–II Cnut, drawing heavily on II and III Edgar and earlier laws that he had composed for Cnut's predecessor, Æthelred (Whitelock 1948, 55). However, we should remember that, according to the laws themselves, the *witan* as a whole was involved in the composition of the laws. Moreover, given the prominence of Cnut's voice, especially in II Cnut, it would seem that he had significant input as well. Mary Richards comments that I Cnut tends toward the use of a "hortatory we," even though the laws are in the name of Cnut (2008). Richards continues that II Cnut shifts the dominant pronoun to *ic*. Therefore, the religious portion of the laws seems to be dominated by the voice of the church, Wulfstan, and the *witan*, whereas II Cnut seems to reflect Cnut's political will. [Back]

12. My concern here is not so much with Wormald's conception of "imperial," but rather with how the discourse of *lex scripta* is used. Several political collectivities can fall under one king, but nation as community is not inherently developed through this. [Back]

13. Sarah Foot's examination of the importance of language is drawing on and developing Susan Reynold's ideas of social and political collectivities and Mary Richards's ideas concerning language manipulation in the laws and how it contributes to the development of a national narrative. She moves to a linguistic analysis, stating, "Such ideas [of nation] are only open to a people as they have language available to express them; in other words, ideas are conditioned by the language in which they can be
thought" (Foot 1996, 25–26) and concludes that "the collective names adopted by communities play a significant part in the process of the formation of their identity" (28). While Foot focuses on onomastic and linguistic analysis, I would group these under the broader category of discourse. However, the most important contribution I see Foot making is the conception that the social and political collectivities, by adopting language, can actually form a community. This, like Hyams's point that law is not unidirectional, suggests a reading of the narrative of national development that is not simply top-down and allows us to consider the possible audiences, especially those that would receive and recognize the modified discourse. [Back]

14. This further ties in with the idea proposed by Andrew Rabin that "Wulfstan identifies the introduction of written law as the origin of the English subject" (2006, 390). It is through the joining of religious authority and written law that society and social relations can be stabilized, structured, and naturalized (2006, 391–92). Rabin thus argues for Wulfstan's law as legal testimony, speaking to the English nation about what it should be and providing the structure for the individual Christian within the society to understand his role and responsibilities. [Back]

15. Scholarly discussions of expressions of Anglo-Saxon national identity have largely taken two tacks. First, Wormald, reading through Bede's *Ecclesiastical History*, concludes that the English nation was unified by a common Christian faith. He claims that it was founded on "spiritual ideals rather than political realities" and emphasizes the institution of the church as the focus of a sense of national unity (Wormald 1983, 128). Second, Nicholas Howe, while accepting Wormald's argument, adds the concept of the migration myth: the Anglo-Saxons shared a sense of being a common people, having migrated from the continent to England (Howe 1989, 6). Regardless of the focus on expressed Englishness, Wormald emphasizes that Englishness was at the core of pre-Conquest legislation (Wormald 1995, 31). [Back]

16. In *King Alfred* (1986), Allen Frantzen argues for the literariness of Alfred's laws and examines them in relation to his broader literary project. In particular, he emphasizes the preface to the laws and examines it through Roland Barthes's terms of "readerly" and "writerly" texts. [Back]

17. For a full presentation of royal styles in the laws, see the appendix to this article. [Back]

18. This in spite of Wormald's commentary of a shared English identity from as early as Bede (1983). However, as Wormald himself notes, this likely remains an ideal or even propaganda based on Pope Gregory I's pun in the slave market (1983, 124). [Back]

19. I am referring only to the titles applied in the laws at this point. While I am aware that Æthelstan is the first king to style himself King of the English, this appears in the charters, not the laws, and primarily in Latin, not English, as is evident in the royal styles appendices of the *Anglo-Saxon Charters* series and the discussion that follows. [Back]

20. The shift occurs after Alfred's rule, but seems to develop the project of unification that Alfred began in his laws. While Alfred refers to himself both as King of the West Saxons and simply as King, he couches his law-giving in the history of the major law-givers of all the most significant English kingdoms prior to him. That is, he makes reference to drawing laws from Offa of Mercia, the West Saxon Ine, and the Kentish Æthelberht. In this, he is most likely making his claims to the right to rule over all of these peoples (Af. El. 49.9). He makes the overall claim to the right to rule and give law through the common Christianity of all the English. First, he provides the long history of law-giving in his prologue, showing the descent from Moses's receipt of the law from God to the English inheritance of the law through the church. Second, he points to Æthelberht as "þe ærest fulluht onfeng on Angelcynne" (who first among the
English people received baptism) (Af. El. 49.9). Following Alfred's death in 899, Edward the Elder took the throne. However, his rule was not uncontested among the English, but he did finally bring the lands in "Scandinavian" control south of the Humber back under English control. He would also receive the submission of peoples North of the Humber, including the Scots and Northumbrians, whether or not he actually held any control (Lapidge et al. 1999, 162). Æthelstan would finally achieve real control in Northumbria (Lapidge et al. 1999, 16). Although not without challenges, he was a prolific law-giver and he makes the claim of a unified English people.  

21. For a full presentation of royal styles in the charters, see the appendices to the *Anglo-Saxon Charters* series volumes.  

22. This translation of "Gode to lofe 7 him sylfum to cynescipe" is from the *DOE* entry for "cynescipe."  

23. In the case of the Norwegians, I interpret the maintenance of the title of ruler of the people as simply a function of Cnut stepping into the recognized kingship of the Norwegians after displacing Olaf. There is no political reason for him to redefine them because they are a recognized political and national collectivity.  

24. A number of scholars have noted the hortatory style of the laws and have suggested a conflation of Wulfstan's many projects. Wormald claims that Wulfstan conflated genres of law and homily in laws, homilies and *The Institutes of Polity* (1999b, 240–41). He claims that through Wulfstan's desire to create the holy society, the exhortation of these generically mixed texts was aimed at those with authority, likely the witan and others whose loyalties Cnut would seek out (1999b, 245–56). Rabin extends this to argue for exhortation aimed at the individual; the society as a whole could only be made into the holy society if everyone did their part. He sees the laws, *Polity*, and *Sermo Lupi* as all participating in the larger project of shaping individual and society.  

25. I am aware that both critics specifically address Old English poetry. However, I find that their ideas carry over into Wulfstan's style, which is regularly read as poetic and nearly poetry. Moreover, since I am reading I–II Cnut literarily, it is important to use the literary critical tools available. I will lean most heavily on Greenfield's broader idea of "the play of sound and sense" because it allows for paronomasia among many other kinds of word- and sound-play. Nonetheless, I find that Greenfield's concept is strengthened when read alongside Frank's arguments concerning composition and structure.  

26. It strikes me that Greenfield offers a particularly poignant warning in his chapter to consider the play of language not simply as play for the sake of play, but as intellectual play that is productive in context. He is very careful to examine poetry and other critics' readings of the poetry to consider whether or not certain play is actually present.  

27. As I read it, this is a statement not of the right to rule, but of the function of law. Thus law is in some way constitutive and positive. This would certainly fit into Wulfstan's conception of the "holy society," connecting God and the king and fulfilling the needs of the nation. But it may also provide a practical response to the political necessity that is the establishment of long-term peace and stability.  

28. It is also worth noting that there is an occasion of *cynn* being used in legal discourse in the sense of something being fitting. "Gif ceorlas gærstun hæbben gemæne oððe oþer gedalland to tynanne, 7 hæbben sume getyned hiora dæl, sume næbben, 7 etten hiora gemanæn æceras oððe gær, gan þa þonne þe ðæt geat agan, 7 gebete þam oðrum, þe hiora dæl getynedne hæbben, þone æwerdlan þe ðæt gedon sie; abidden
him æt þam ceape swylec ryhte swylc hit kyn sie (my italics) (Ine 42) [If commoners have a common meadow or other—partible—land to fence, and some have fenced their portion and some have not, [and the cattle get in] and eat up their common crops or their grass, then those who are responsible for the opening shall go and pay compensation for the damage which has been done to the others, who have enclosed their portion. They [the latter] shall demand from [the owners of] the cattle such amends as are fitting] (my italics) (Attenborough 1922, Ine 42). [Back]

29. It is important to admit that the etymological connection between "king" and "kin" is not an undisputed idea. The OED states, "As to the exact relation, in form and sense, of king to kin, views differ. Some take it as a direct derivative, in the sense either of 'scion of the kin, race, or tribe', or 'scion of a (or the) noble kin', comparing dryhten (*druhtino-z) 'lord' from dryht (*druhti-z) 'army, folk, people', dryht-bearn 'lordly or princely child, prince', lit. 'child of the nation', ON. jylk 'king' from folk, Goth. iudans 'king', from iuda people, nation. Others refer *kuningo-z immediately to the supposed masc. *kuni-z, preserved in comb. in OHG. chuni-, OE. cyne- (see KINE1) taking it as = 'son or descendant of one of (noble) birth'. See Hildebrand in Grimm, and Kluge, s.v. K nig; Franck s.v. Koning etc." (OED, "king"). [Back]

30. It also appears in the late tenth-century wills of Ælfgifu (ch. 1484) and of Æthelwold (ch. 1504) (Sawyer 1968). (These charters are not yet available in the Anglo-Saxon Charters series). [Back]

31. See notes in Robertson 1925 for specific borrowings. [Back]

32. Interestingly, the loss of leodscipe in the borrowing may further indicate the effort to eliminate race as the primary definition of nation. Bosworth-Toller defines leode, "pl. men, people, people of a country, country" and leodscipe as "a people, nation, country occupied by a people." In the semantic range of leodscipe there may be enough emphasis on the people to make the discursive unification of all the peoples in England problematic. [Back]

33. While objections may be raised concerning the ability of single syllables to convey meaning, it is worth noting an aspect of monastic education. Monks were taught the psalms phonetically, learning them syllable by syllable, and later learning interpretation. Moreover, based on their initial rote memorization, they were trained to make connections at the level of the syllable when reading and interpreting (Law 1997, 129; Ruff 2001, 8). There are two further objections that may be raised here. First, this training was specifically keyed to Latin, not English. However, I consider such a skill transferable from one language to another, especially one's native language. Second, it is not absolutely clear that Wulfstan was ever a monk (Richards 2008). However, Bethurum notes evidence from the Liber Eliensis and John of Worcester that is suggestive of a Wulfstan in 1002 who was first a monk, then an abbot and succeeded Ealdulf, Archbishop of York. Moreover, she states, "the religious temper of England in 1002 would have made the appointment of a secular priest to the archbishopric very unacceptable" (1957, 57). Consequently, I am willing to consider the possibility of language play at the level of the syllable, although I am hesitant to make strong claims about the competence of the audience to catch or understand it. [Back]

34. For the interactions between Cnut and Northumbria and Cnut and the Danelaw, see Bolton (2009) especially pp. 60–67, 109–125, and 132–35. [Back]

35. The laws of II Cnut do often recognize separate districts and different legal customs, most commonly distinguishing between districts under Engla lage and those under Dena lage. However, in most of these cases, the distinction that is drawn is one of the vocabulary concerning what manner of compensation is paid. In the English districts, a figure is given; in the Danish, it usually insists on the payment of lahslit
Moreover, the major efforts to stop certain behavior tend to speak of the *eard*, the land itself, indicating that the overall thrust of the laws is, in fact, the whole of England. That is, selling Christians out of the *eard* is forbidden (II Cn. 3); wizards, sorcerers, and prostitutes are to be driven from the *eard* (II Cn. 4a); excommunicants must leave the *eard* (II Cn. 4a.1). The overall tone is that of cleansing (*clænsian*) the *eard* (II Cn. 3).

36. The penultimate statement of II Cnut is inserted as the conclusion of the B text of I Cnut: "A sy Godes nama ecelice gebletsod 7 lof him 7 wuldor 7 wurðmynt symble æfre to worulde! Amen" (Epilog. I Cnut; II Cnut 84.5) [May the name of God be ever blessed and to Him ever be praise, and glory, and honor unto ages of ages]. I would suggest that since we only have one MS of I Cnut showing this ending, it may represent an active process of revision. In what I see as an effort to draw the frames of the laws into line with one another, I think we can see an effort to draw I and II Cnut into a unified document. However, I agree with Mary Richards's reservations about reading I and II Cnut as a unified whole because the content, style, tone, and voice remain different and also they are not entirely in harmony (2008). Nonetheless, based solely on the commonalities of beginnings and endings, I suspect that there was an intent for the two to work in harmony toward common ends. And since II Cnut moves beyond the prayer that God's name be blessed to a prayer that God have mercy on us, I think we can potentially see the full conclusion to the laws in II Cnut.

37. If, in fact, I and II Cnut should not be considered a unified code, they at least follow a repetitive and self-conscious pattern and vocabulary that allow us to consider them in close relation to one another and as representing common goals.

38. For information on the Anglo-Saxon Charters series and correspondences to earlier editions, see http://www.trin.cam.ac.uk/kemble/pelteret/2%20Index.htm. Full apparatus is available in the individual editions.

39. I would like to thank Brian O'Camb and Andrew Rabin for their insightful comments on earlier drafts of this essay. All errors are my own.
Appendix: Royal Styles in the Laws

Æthelberht

Abt. Inscr.: Æðelbirht cyning
Af El. 49.9 (E): Æþelbryhtes
(H): Æþelberhtes
Quadripartitus: Æþelbrihtes

Earconberht

Earconberht: Eadbald rex Cantuariorum primus regum Anglorum

Hloþhere and Eadric

Hl. Inscr.: Hloþhære 7 Eadric Cantwara cyningas

Wihtred

Wi. Inscr.: Wihtrædes Cantwara cyninges
Wi. Prol.: Ðam mildestan cyninge Cantwara Wihtræde

Ine

Ine Inscr. (H): Ines cyninges
Ine Inscr. (B): Ines
Ine Prol. (E): Ic Ine, mid Godes gife, Wesseaxna kyning
(H): Ic Yne, mid Godes gife Westseaxna cyning
(B): Ic Ine, mid Godes gyfe Wessexena cyning
Quad.: Ego Inæ, Dei gratia Westsaxonum rex
Af El. 49.9 (E/H): on Ines dæge, mines mæges
Quad.: de diebus Inæ regis, cognati mei

Offa
Alfred

Af El. 49.9 (E): Ælfred cyning
Af El. 49.10 (E): Ælfred Westseaxna cyning

Alfred and Guthrum

A Gu. Inscr. (B2): Ælfredes cyninges
A Gu. Prol. (B): Ælfred cyninc 7 Gyðrum cyning

Edward and Guthrum

E. Gu. Inscr. (H): Ælfred cyng 7 Guþrum cyng
E. Gu. Prol. (H): Ælfred cyng 7 Guþrum cyng 7 eft Eadward cyng (7 Guþrum cyng)

Edward

I Ew. Inscr. (H): Eadwerdes
I Ew. Prol. (H/B): Eadwerd cyning
Æthelstan

I As. Inscr. (D): Æðelstanes cinyncges
(G): Æðelstanes
Quad.: Æþelstani regis
I As. Prol. (D): Æðelstan cyninge
(G): Æþelstan cyng
(Ld): Æþelstane cyning
Quad.: Æþelstanus rex
As Alm. Prol. (Ld): Ic Æþelstane cyning
Quad.: Ego Æþelstanus rex
II As. Inscr. (H): Æðelstanes
II As. Epilog. (Ld): Æþelstan cyning
Quad.: Æþelstanus rex
IV As. 1 Quad.: Æþelstani regis
V As. Prol. Quad. (Rubric): Æþelstani
(H): Æðelstan cyng
(Ld): Æþelstane cyng
Quad.: Ego Æþelstanus rex
VI As. 10 (H): Æþelstan cyng
Quad.: Æþelstanus rex
VI As. 11 (H): Æþelstan
Quad.: Æþelstanus rex
Quad. I As.: Æþelstani
Quad. As. Alm.: Ego Æþelstanus rex
Quad. V As.: Æþelstani

Edmund

I Em. Inscr. (D/G): Eadmundes
I Em. Inscr. (H): Eadmundes cyninges
I Em. Prol. (D): Eadmund cyngc
(H/B/G): Eadmund cyning
<table>
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</tr>
<tr>
<td>Quad.</td>
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</tr>
<tr>
<td>III Em. Quad. (Rubric)</td>
<td>Eadmundo regi</td>
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<tr>
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<tr>
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<td>Eadmundus rex</td>
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<tr>
<td>Quad. II Em.</td>
<td>Ego Eadmundus</td>
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<td>Quad. III Em.</td>
<td>Eadmundo</td>
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<td>Hn. 20.3</td>
<td>Edmundi</td>
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<td>Hn. 88.12</td>
<td>regis Eadmundi</td>
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**Edgar**

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<tr>
<td>(retr.):</td>
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**Edward the Martyr**

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Æthelred

I Atr. Inscr. (H): Æþelredes cyninges
(B): Æðelredes
Quad.: Ethelredi regis
I Atr. Prol. (H): Æþelred cyning
(B): Æþelred cining
Quad.: Æþelredus rex
II Atr. Prol. (B): Æþelred cyng
Quad.: Æþelredus rex
II Atr. 1 (B): Æþelrede cyng
Quad.: Æþelredum regem
II Atr. 3.1 (B): Æðelredes cynges
Quad.: regis Æþelredi
III Atr. Prol. (H): Æðelred cyng
Quad.: Æþelredus rex
V Atr. Prol. (G/G2): Engla cyng
(D): Engla cyningc
VI Atr. Prol. Paraphrase: regis Æþelredi
VI Atr. 40.2 Paraphrase: rege N. (Æþelredo)
VII Atr. Prol. Quad.: Æþelredus rex
VIII Atr. Prol. (D): Engla cyningc
(G): Engla cyng
IX Atr. Prol. (Cotton Otho AX): Æþelred cyng
X Atr. Prol. (Cotton Otho AX): Æðelred cyng
Quad. Arg. 9: Adelredi regis
Quad. I Atr.: Ethelredi regis
Quad. I Atr.: Æþelredus
Quad. II Atr.: Æþelredus
Quad. VII Atr.: Æþelredus
E. Cf. 34.2a: ÆEdelredus
(retr.): Ethelredus
E. Cf. 34.2b: ÆEdelredum
(retr.): Ethelredum

Edmund Ironside

E. Cf. 34.2b/(retr.): Eadmundus
Cnut

I Cn. Inscr. (D): Cnut cyngc
I Cnut Inscr. (A): Cnut cyninge, ealles Englalandes cyninge 7 Dena cyninge 7 Norprigena cyninge
In. Cn. Inscr. (HDi): Cnud regem Anglorum
In. Cn. Inscr. (Ip Hunt): inuictissimo et glorioso rege Anglorum Dacorum, Norwagenorum, Sueuorum Cnuto
In. Cn. (Cb rubric): Cnuti regis
Cons. Cn.: Cnutus totius Anglie, Danorum et Nororum rex
Cons. Cn. (Cb): Cnuti regis Anglorum, Danorum et Nororum
I Cn. Prol. (G): Cnut cininge, ealles Englalandes cininge 7 Dena cining
(A): Cnut cyninge
Quad.: Cnudi regis Anglorum, Danorum, Norweganorum
In. Cn.: Cnud rex
Cons. Cn.: Cnutus rex
I Cn. 1 (D): Cnut cyngc
I Cn. 1 (G): Cnut cingc
I Cn. 1 (A): Cnut cyninge
Cnut’s Letter of 1020: Cnut cyning
Cnut’s Letter of 1027: Cnuto rex totius Anglie et Denemarcie et Norreganorum et partis Suanorum
Quad. Arg. 1: Cnudi
Quad. Arg. 2: Cnudus iste, Daciæ simul et Norwegiæ princeps, cum regnum etiam Angliæ
Quad. Arg. 6: Cnudus
Quad. Arg. 9: Cnudi
Hn. 20.3: Cnuti
Cons. Cn. Prooem. 2: Cnutum regem iustissimum totam Angliam
Pseudo-Cnut de Foresta Inscr.: Canuti regis
Ps. Cn. For. Prol.: ego Canutus rex
Ps. Cn. For. 34: regis Canudi
E. Cf. 34.2b/(retr.): Danorum regem Chnutum
E. Cf. 34.2b: Chnuto
(retr.): Chnuto
E. Cf. 34.2c: Chnutus
Harold

Quad. Arg. 8: regnum Angliæ Haroldus et Hardecnudus
E. Cf. 34.2d: Haroldus
(retr.): Haraldus

Harðacnut

Quad. Arg. 8: regnum Angliæ Haroldus et Hardecnudus
E. Cf. 34.2e/(retr.): Hardecnutus

Edward the Confessor

I Cn. 17.1 (G): sancte Eadweardes
(B): sancte Eadwardes
(A): sancte Eadwærdes
Quad.: sancti regis Eadwardi
Consiliato Cnuti: sancti Edwardi
Wl. Lond. 2: Eadwerdes kynges
(Lond.): Edwardi regis
Wl. art. 3: regis Eadwardi
Wl. art. 7: Eadwardi regis
Wl. art. Franz. 3: le rey Edward
Wl. art. Franz. 7: li reis Edward
Wl. art. Lond. retr. 4: Eadwardi
Wl. art. Lond. retr. 13: Eadwardi regis
Leis Wl. Prol. (Hk/I): li reis Edward
CHn. cor. 5: regis Eadwardi
CHn. cor. 9: regis Eadwardi
CHn. cor. 13: regis Eadwardi
Hn. com. 1: regis Eadwardi
Hn. com. 4: regis Eadwardi
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**William I**

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<tr>
<td>Wl. lad Prol. (H):</td>
<td>Wilhelm cyng</td>
</tr>
<tr>
<td>Quad.:</td>
<td>Willelmus (Dei gratia) rex Anglorum</td>
</tr>
<tr>
<td>Wl. ep. Prol.: (Lp):</td>
<td>Willelmus Dei gratia rex Anglorum</td>
</tr>
<tr>
<td>(Lc/Ry/Insp):</td>
<td>Willelmus gratia Dei rex Angl'</td>
</tr>
<tr>
<td>Wl. Lond. 1:</td>
<td>Willelm kyng</td>
</tr>
<tr>
<td>Londoner:</td>
<td>Willelmus rex</td>
</tr>
</tbody>
</table>
Willelmus rex Anglorum cum principibus suis constituit post conquisitionem Anglie

Willelmo regi

li reys Willame

al rei Willame, lur seignur

Li reis Willame

Li reis Willame

domini regis Willelmi bastardi

regis Willelmi conquisitoris

Willelmus rex Anglorum

Willelmo regi

li reis Will.

Willelmus rex

Regis tamen et Normannorum ducis, Augusti domini nostri Cesaris Henrici, magni Willelmi regis filii

regis Willelmi

Willelmi regis

Willelmi regis

Willelmi regis

Willelmi

regis Willelmi

Willelms

Willelmi regis

Willelmi

regis Willelmi

Willelmus

Willelms

Willelms rex

Willelms

Willelms ducem Normannorum

Willelms dico nothum, id est bastardum

Willelms ducem

ducem Willelms
Henry I

CHn. cor. Prol.: Henricus rex Anglorum
(Hert./Winc.): Henricus Dei gratia rex Anglorum
Hn. mon. Prol.: Henricus rex Anglorum
Hn. com. Prol.: Henricus (Dei gratia) rex Anglorum
Hn. Lond. Prol.: Henricus Dei gratia rex Anglorum
Quad. Arg. 16: Regis tamen et Normannorum ducis, augus\ent domini nostri Cesaris Henrici, magni Willelmi regis filii
Quad. II Praef.: Henrici regis
Quad. II Praef. 14: gloriosus Cesar Henricus
Quad. II 3: Henrici regis Anglorum
Quad. II 3: Henricus, Dei gratia rex Anglorum
Quad. II 5: Henricus, Dei gratia rex Anglorum
Quad. II 19: Henrici regis
Hn Inscr.: Henrici
Hn. Prooem.: gloriosus Cesar Henricus
Hn. 1: Henrici I
Hn. 1: Henricus Dei gratia rex Anglorum

William II

E. Cf. 11.2/(retr.): Willelmi iunioris

William Rufus

E. Cf. 11.2 (retr.): Ruffus
Works Cited


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