

*A Study of Charter-Criticism of the  
Anglo-Saxon Period, its Theory and  
Practice: A Preliminary Handbook*

BEING  
A SEPARATE VOLUME OF  
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*By*

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(under instructions from the late)  
(PROFESSOR D. WHITELOCK)

I

INTRODUCTION

Probably our reader had better, first of all, know something beforehand about what sort of historical information the charter-evidence can give to those who are interested in the history of the Anglo-Saxons—Saxons in England, as John Mitchell Kemble once called them. So here follow two statements about it, written by two scholars—of equally great authority—who spent many years of their lives on the study of Anglo-Saxon charters:—

[1]

"It is not, in fact, through the direct record of salient events that charters become a fundamental source of historical information. Their primary importance turns on their value as a body of material bearing on such questions as the structure of society in its higher ranges; the succession of persons coming to high office; the distribution, boundaries, common rights, and public duties of the local communities on the soil; and, above all, the creation of privileged estates, lay and ecclesiastical, by the king in his council. All else that they may yield is subsidiary to this vast store of well-attested facts. Nevertheless, even the political history of the Anglo-Saxons would be a meagre and disjointed narrative without the background which charters supply. They alone give a semblance of continuity to the crucial phase in the unification of England which begins in the third quarter of the eighth century and ends in the first quarter of the ninth."

[2]

*"The historical interest of the charters"*

The documents that follow have been chosen for the information they afford the historian in various fields. They tell us of the relations between the kingdoms of the Heptarchy, and show that a Bretwalda was an overlord in more than his title; they afford incidental information on the effects of the viking invasions and shed occasional light in the policy of English kings towards the Danish settlers; they are indispensable for the study of ecclesiastical history, not only enabling us to supplement the history of the episcopal sees and the

great abbeys, but informing us of the existence of otherwise unknown communities; they supplement the laws and let us see them in action, both the criminal laws and those relating to the holding of land; much of what we know of the king's rights comes from them; the economic historian cannot dispense with their evidence on agrarian arrangements, or on the salt and lead industries, or with their occasional references to trade and town life; something can be learnt from them as regards the standards of material culture, and some of them bring us into close touch with men and women of the time. In this volume the outstanding interest of each text is indicated before it, but other things will emerge if the selection is read as a whole. It will, however, only be by accident if the selection should occasionally happen to perform one important service rendered by charters, namely the checking of the dates given by other sources, for in general one requires for this the whole body of the evidence, to be able to compare the signatures of different charters."

The first one is that by the late Professor Sir Frank Merry Stenton, quoted from his 'THE LATIN CHARTERS OF THE ANGLO-SAXON PERIOD' (Oxford, 1955), at p. 28. The second, that by the late Professor Dorothy Whitelock, C. B. E., quoted from her ENGLISH HISTORICAL DOCUMENTS c. 500-1042 (Eyre and Spottiswoode, 1955), at p. 347, where she put brief comments before her collection of CHARTERS AND LAWS of the period; I did not omit the impertinent—in our connexion—parts, as the reader may know at once, to avoid artificialness which might result from doing so.

Now, both the above works by F. M. Stenton and D. Whitelock were made and issued independently and almost simultaneously—although Stenton says that Whitelock has shown him the proofs of her forthcoming volume of *English Historical Documents* (sic) c. 500-1042 in his PREFACE of 28

*August 1954.* The two scholars were, during their lifetimes, as much close friends as they were, in their respective fields, great—I may perhaps be permitted here to quote the words of Doris, Lady Mary Stenton, the wife of Sir Frank, uttered when Miss Whitelock dedicated her “continued support and encouragement, care in going through the book [Sir Frank’s ‘Anglo-Saxon England’, 2nd Edition] with a view to noting places where change might be necessary and where new editions of old authorities should be referred to, . . . her support in not making changes where we [Lady Mary Stenton and Miss Whitelock] both felt sure that my husband would not have wished it”, i.e., at the time when the third and last edition of ‘Anglo-Saxon England’ was going to be published, still by the name of Sir Frank, in 1968—“Only a Saxonist of the highest standing could have done what she has done: only a close friend would have taken so much time from her own work to do it”.

Between the two statements quoted above, our reader may have noticed some slight difference, not in the contents, but in the tendency or style of description. The first has a grandiose historiographical view and style, the second, a more concrete, condensed and matter of fact style and tendency. The difference, I consider, is due, partly to the occasion on which the words were uttered—Frank Stenton’s were delivered in the lectures given in King’s College, London; Dorothy Whitelock’s were written for the readers of her collection of Anglo-Saxon Charters—, but, mainly, to the difference of spheres of knowledge they were respectively interested in. F. Stenton, since his youth or even from earlier, developed a very wide range of interests as an historian—from a king’s life and local history, including manorial structure and small country towns, through charters and place-names and to coins and archaeological remains, not to speak of the chronicles and laws, whose evidence, combined as a whole, helped to make him a great, but sober and scientific, historian of the Anglo-Saxon period.

The interest of Dorothy Whitelock, on the other hand, was much more limited and centred in, or rather, concentrated on,

the literary sources in the widest sense. I think that this had something to do with her innate ability for languages. She might have made a great linguist, if her nature allowed her to go that way. But I feel that her nature, or rather character, as I came to know her personally only in her advanced years, could never have done so—she was a noble character, but essentially gentle and sweet and in retrospect I cannot, for the life of me, think of her as ‘bitter’ Whitelock as the greatest of the English linguists used to called once. Be that as it may, how deep and insightful as well as wide her literary interest was! You have only to glance your eye over her ‘English Historical Documents’ to know how thorough-going her study of literary sources was, provided that you have a fair amount of knowledge of the original languages of the sources which she had translated; you can hardly believe your eyes to see that only one man—I beg your pardon now, it is a slip of my tongue—one woman, then, could have done all that work—‘voluminous’ is the word here to be used literally—with some few exceptions mentioned in her ACKNOWLEDGEMENTS, which, as luck would have it, mentions the fact that she had seen the above-mentioned work of Frank Stenton—“he has kindly allowed me to read his proofs, and thus to have the relief of knowing that we are in essential agreement on Anglo-Saxon diplomatic”, she says.

From experience, however, I can say that she had vaster knowledge of the literary sources, in its widest sense, of the Anglo-Saxon period. Leaving the charters alone for the moment, I am going to tell the reader an episode concerning another sort of literary source. It took place some time after I came under Professor Whitelock’s supervision as a research student, so thirty add years ago. Our weekly talk touched the subject of folkland and bookland, and I told her something about the explicit mentioning, in the sources, of folkland, and said that I wondered if three times (F. Stenton, *Anglo-Saxon England*, 2nd Edition, 1947, Repr. 1955, at p. 307) was too scanty, apart, of course, from its occurrence in the laws of Edward, the Elder. She just said “Four”. Astonished, I began to

say, "But Sir Frank says...", she interrupted me, saying "He doesn't know". I tried very hard and successfully not to ask her the obvious question which could have followed, why she did not tell him if she knew that he was wrong? I think that I somehow felt that I should commit sacrilege in so doing—she respected and admired Stenton almost to the extent of reaching adoration: she always had his photograph (which was properly framed) placed on her desk, the photograph being that of young Stenton, his face somewhat resembling Vladimir Horowitz, the famous Russian pianist, in the sensitive look especially. Anyway, I just transcribed the precious text edited by Robin Flower wordlessly; then she said, 'and the citation, too', so I added 'London Medieval Studies, Vol. I part 1 (1937), p. 62'. I remember this so vividly, because differing from any statement (especially that contained in the 'Anglo-Saxon England') of Sir Frank Stenton was considered to be such a grave affair<sup>(1)</sup>.

Now, a year or so later I came back home, then Sir Frank Stenton died, and the third edition of the 'Anglo-Saxon England' as above-mentioned, was published. I eagerly looked into the page and passage in question and found, to my disappointment, the same number 'three'. I, for a short moment wondered if her own scholarship would not be made public, but then, what was my surprise and joy, when I found, just in the previous page and within the footnote (and within square brackets, too) she had modestly and unostentatiously inserted the Robin Flower text!<sup>(2)</sup> So, then, the scholar in her prevailed over her sentiment after all—but only after the demise of Sir Frank, which fact should be taken to be very much symbolical. For, when she made the statement, quoted above, concerning their 'essential agreement on Anglo-Saxon diplomatic', Sir Frank was very much alive and well! Their agreement certain-

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(1) Before this, Professor (the then Dr.) Peter A. M. Clemoes had once pointed out, during his lessons in Anglo-Saxon to us students, even a slight discrepancy between Stenton's translation (in 'Anglo-Saxon England') and the OE text, as a very exceptional phenomenon.

(2) Cf. ANGLO-SAXON ENGLAND BY F. M. STENTON THIRD EDITION (Oxford, 1971), pp. 310f. Note 5.

ly must have existed on 'essential' points, but no more, and no less! It goes without saying that charters belong, indeed to historical sources having very much of the literary nature. I should probably inform the reader of the fact that between ourselves, i.e., Professor Whitelock and me, it occurred not unoccasionally, when the topic concerned Sir Frank, Miss Whitelock added, 'You see, our [Sir Frank's and her] spheres of knowledge are different', and sometimes I could not understand the significance of the addition, but now, come to think of that, she must have expressed some opinion not exactly in accordance with that of F. M. Stenton without saying as much.

So, then, we are ready to go on and turn to our subject of charter-criticism of the Anglo-Saxon period. Before us the two works of the two great scholars are, one a fine, learned, though unostentatious, small book and monograph on Anglo-Saxon diplomas—standard charters; the other, a shorter, but very much condensed, as well as learned, comments on the charter-material. Both of them would certainly help us in respective ways greatly in progressing in our difficult paths of charter-criticism of the Period.

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**N. B.** I must add here that the late Professor Whitelock taught me personally something the more concrete concerning the actual study of charter-materials.

The larger part and substance of the present treatise represent what she taught me. At that time she asked me to keep what she taught me to ourselves and also to see to it that my notes of it should be sent back to her in case I should die before her demise. I wrote my will at home.

In publishing this treatise now, I consider it only fair to her to put her name besides mine.

## II

### THE THEORY OF CHARTERS AND THEIR CRITICISM AS HISTORICAL SOURCES

#### § 1 Diplomatic: its Development

As everybody engaged in the work upon charters is aware, the first scientific study of charters began in the seventeenth century with Jean Mabillon (1632–1707), *De re diplomatica libri VI* (1681 A.D.), when he studied about 200 royal diplomas of medieval French kings, written in the corrupt language of the period, deciphered and interpreted the texts from the point of view mainly of palaeography and arranged them chronologically with a view to the philological and formulary development, as a result of which he could critically examine the Merovingian royal diplomas kept in the monastery of St. Denis, and could place them regularly and fittingly within such diplomatic development of the period, and so could estimate all of them to be genuine, thus effectively refuting the assertion of Daniel van Papenbrock (1628–1714) who had estimated the particular collection of Merovingian diplomas to be all forgeries.

Mabillon's work thus put a sound primary basis for the future development of the diplomatic. Still, the various means he resorted to, resulted in helping not only the development, but also enlargement and even confusion or medley-making for this science. Soon, the Congregation of Saint Maur, to which the Monastery of St. Germain-des-Prés where Mabillon was belonged, issued the more detailed *Nouveau traité de diplomatique* (1750–1765 A.D.), which not only extended the subjects of study to diplomas of later times, and also to Papal documents, but became encyclopædic too, including palaeography, sphragis-



tics, chronology or even other sciences such as philology etc. The work of this Congregation continued, in 1821, i.e., after the French Revolution, by the *École National des Chartes* in Paris, which became the center of scientific diplomatic now that the older documents lost their validity and so diplomatic could be studied and developed purely scientifically without regard to anyone's legal right, profit or damage. Still, diplomatic was not free from the dominance of palaeography. Meanwhile, in Germany and Austria (East Empire), Georg Heinrich Pertz (1795–1876) played a leading part in starting the collection of Germanic historical sources, *MONUMENTA GERMANIAE HISTORICA*, but, in the field of diplomatic, had to wait for the issue of 'Diploma Merovingorum' (1872). It was here, around this time, that Theodor Ritter von Sickel, who had studied in the *École National des Chartes* and learned its exactly scientific attitude which, excluding the other branches of knowledge as above-mentioned, recognized and established the characteristic nature of, and the sharp methodological treatment of, the charters, brought back the methodological knowledge he had learned, especially from Léopold Delisle (1826–1910), to Germany, i.e., *Österreich*, specifically to the *Institut für österreichische Geschichtsforschung* (1854), published his *Acta regum et imperatorum Karolinorum digesta et enarata, Teil 1 Urkundenlehre* (1867), in which he made known to the world the first exemplar of a systematic and detailed characterization of the diplomatic practice of an individual chancellery within a whole period by means of strictly critical scrutiny—e. g., studying and analyzing such handwriting and literary style as would reveal the drafter as distinguished from the scribe—of all the existing materials, and then, in 1875, played the leading role in newly establishing the Division of Diplomata of the *Monumenta Germaniae Historica*. Then, again, another distinguished scholar who headed the Innsbruck School of Diplomatic, Julius Ficker (1826–1902), in his book *Beiträge zur Urkundenlehre* (1877), accomplished a remarkable contribution to the study of diplomatic by demonstrating that those numerous irregularities and

apparent discrepancies found in the formulary system of charters, particularly in the dating, which either had been inexplicable, or had been considered to be the criteria of forgery, should really be explained as matters contingent upon the process of drawing up charters and so conditional upon the characteristics of the particular chancellery. At the same time, the emancipation of the diplomatic from the earlier tendency of juristic practice, which predominantly had had in mind the official and state diplomas, gradually gave rise to the widening of its range to other, i. e., private, charters<sup>(3)</sup>.

After such a remarkable progress in the scientific concept of diplomatic, probably the best ideas of charters and diplomatic should be described, with Ernst Bernheim, as follows:

“Demnach wurden wir die Urkunde, mit der die Diplomatie sich zu beschäftigen hat, bezeichnen als „ein zu historischem Zeugnis dienendes Schriftstück, welches unter Einhaltung bestimmt geregelter Formen abgefasst ist, die geeignet sind, dasselbe zu beglaubigen“, und zwar sind auch Schriftstücke dazu zu rechnen, welche in Vorbereitung eines derartigen Schriftstückes (als Entwürfe, Konzepte, Präliminarakten) oder als Kopien desselben abgefasst sind. ....  
... (*omitted here*) ..... Es kommt uns ausser der Ablehnung der speciell juridischen Definition nur darauf an, hervorzuheben, dass der diplomatische Begriff der Urkunde sich nicht mit dem in der allgemeinen Methodik üblichen deckt: das Hauptmerkmal des letzteren nämlich dass dem betreffenden Schriftstück die Absicht beiwohnt der Erinnerung näher oder ferner stehender Interessenten zu dienen, fehlt ersterem, und daher fallen manche Schriftstücke, die nach jenem Kriterium zur Quellengruppe der „Überreste im en-

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(3) For the general development of the science of diplomatic after Mabillon, cf., especially, *Lehrbuch der Historischen Methode*. Von Dr. Ernst Bernheim (Leipzig, 1894), SS. 156, 218ff.

geren Sinne“ gehören, wie besonders geschäftliche Akten und gewisse Briefarten, für den Diplomatiker unter den Begriff der Urkunden, sobald sie eben durch bestimmt geregelte Formen ausgezeichnet sind, welche ihre Beglaubigung bezwecken.

Aufgabe der Diplomatik ist es, die Urkunden in ihren Eigenschaften, das Urkundenwesen in seiner Entwicklung zu erforschen und darzustellen, speciell, soweit sie der Geschichte als Hilfswissenschaft dient, den Wert und die Bedeutung der Urkunden als historischer Zeugnisse zu bestimmen.”<sup>(4)</sup>

(Therefore, we would define such a charter as that which the diplomatic deals with, as ‘a writing conducive to historical evidence which is composed in due observance of certain regular formulae that are suitable for the purpose of authenticating the same, and indeed those writings, too, are to be reckoned with it, which are composed in preparation of such a writing (as draft, plan, preliminary document) or as copies of the same. ....

It is only important for us, in addition to the rejection of specially juristic definition, to emphasize that the diplomatic concept of the charter is not identical with that which is usual in the general methodology. The distinctive feature of the latter, especially [the fact] that, in such a writing as is in question, exists the intention to help draw attention to the interested parties who stand more or less near, is lacking in the former, and, therefore, many writings which belong, in accordance with that criterion [in the heuristic]<sup>(5)</sup> of the classification of the sources, to ‘historical remains in the narrower sense’ [i. e., physical remains, language, historical circumstances, institutions and products, business deeds, inclusive of letters etc.]<sup>(5)</sup>, as indeed

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(4) Bermheim, *ibidem*. S. 221.

(5) Cf. Bernheim, *ibidem*. SS. 184 ff. Cf. also *infra* text.

business deeds and certain sorts of letters, fall under the concept of the charter, as soon as they just become distinguished by means of certain regular formulae which aim at their authentication.

It is indeed the task of diplomatic to investigate and describe the charters in their distinctive feature, and the charter system in its development, and, particularly, to determine, in so far as it serves the history, as auxiliary science, the value and meaning of the charter as historical evidence.)

Here the last paragraph is especially enlightening in view of our context, in which we are trying to use the charters of the Anglo-Saxon period in order to obtain historical information for the description of Anglo-Saxon history in a scientific way as Sir Frank Stenton and Professor Whitelock tried to do: except that we, later researchers, must somehow advance what they attained. Bernheim's theories are especially to be carefully listened to in that the definition and characterization of the charter, as well as Bernheim's own assertion that the whole system and development of the charters should be comprehended before we can use them correctly, in accordance with their value and meaning, are invaluable, if we should wish to draw scientific historical information out of them.

Now, such an assertion of Professor Bernheim was, as we saw, made after the efforts had been done, by many an enthusiastic scholar, in order to collect, analyze and edit the charters on the Continent. Such their scholarly works belong to the very science which is called 'heuristic' (*Heuristik, Urkundenlehre*), which, in its efforts of collecting, incidentally but not unnaturally developed the method of classification of historical sources, of which the charters make only one class. Yes, indeed, the nature of the charter is to be correctly estimated, and its value and meaning properly grasped, only after its special feature within the whole species of the historical sources is examined and fixed, which, needless to say, is indispensable for

any scientific historiography.

Now the fundamental classification of historical sources which Bernheim himself, receiving from J. G. Droysen, proposed, and which seems to have been generally accepted, sometimes more or less oscillating terms being used, i. e., that of '*Überreste*' (historical remains) on the one hand, and '*Tradition*' (transmission), or '*Berichte*' (statements, reports) or '*Überlieferung*' (what has been handed over, or delivered) on the other, is, I consider, a great one. The terms he used oscillate somewhat, it is true, but what he signified is pretty clear. Let us listen to his pertinent explanations in two passages quoted from his earlier and later works:—

[1]

“Wenn wir zunächst alles Quellenmaterial in die zwei grossen Gruppen der Tradition und der Überreste scheiden, so bezeichnen wir damit den wichtigsten Unterschied für die methodische Behandlung der Quellen: alles, was unmittelbar von den Begebenheiten übriggeblieben und vorhanden ist, nennen wir Überreste, und diese Bezeichnung muss sich auch der kleine Teil der Begebenheiten gefallen lassen, welche der Geschichtsforscher jeder Gegenwart als Augenzeuge unmittelbar mit ansieht; alles, was uns mittelbar von den Begebenheiten überliefert ist, hindurchgegangen und wiedergegeben durch menschliche Auffassung, nennen wir Tradition.

Bei der weiteren Einteilung der Überreste ist der Gesichtspunkt massgebend, ob, bzw. inwieweit denselben die Absicht beiwohnt, Material für die Erinnerung der Begebenheiten zu liefern. Darnach unterscheiden wir zwei Gruppen: erstens Überreste im engeren Sinne, welche ohne jede Absicht auf Erinnerung und Nachwelt nur übriggebliebene Teile der Begebenheiten und menschlichen Bethätigungen selbst sind, also zunächst die körperlichen Überreste der

Menschen, wozu wir auch die Überbleibsel des menschlichen Lebensprozesses rechnen können, wie sie in den „Küchenabfällen“ erhalten sind und wertvolles Quellenmaterial für die Urgeschichte Europas geben, sodann die Sprache, ferner alles, was sich unter der Bezeichnung Zustände begreifen läßt, wie Gewohnheiten, Sitten, Feste, Spiele, Kulte, Institutionen Gesetze, Verfassungen, alle Produkte der menschlichen körperlichen und geistigen Fertigkeiten, wie die Werke der Technik, Wissenschaften und Künste, Geräte, Münzen, Waffen, Bauten, endlich geschäftliche Akten, wie Gerichts-, Konzils-, Reichstagsakten, Reden, Relationen, Zeitungen, Pamphlete, Briefe<sup>1</sup>, Rechnungen, Zollrollen, Urbarien u. s. w.; zweitens Denkmäler, welchen die Absicht innewohnt, Begebenheiten für die Erinnerung näher oder ferner speciell dafür Interessierter aufzubewahren und zwar zu verschiedensten Zwecken, bei den Urkunden vielfach zum Zweck der Feststellung oder Regelung von Rechtsverhältnissen, bei den Inschriften (soweit dieselben nicht direkt historische Berichte enthalten) zum Zwecke der Erinnerung an bestimmte Persönlichkeiten und Ereignisse für persönlich daran Interessierte, wie bei Grabinschriften u. s. w., bei den Monumenten oder Denkmälern im engeren Sinne (d. h. Darstellungen der bildenden Künste ohne Auf- und Inschriften) zu demselben Zwecke, wobei zu bemerken ist, dass diejenigen derselben, welche historische Persönlichkeiten oder Ereignisse verbildlichen, zwar zunächst beabsichtigen, diese der Erinnerung der nächstinteressierten Orts- und Volksgenossen zu bewahren, doch meist zugleich auch der historischen Erinnerung im allgemeinen dienen wollen und dadurch in die Sphäre der Tradition eintreten.

<sup>1</sup> Dass diese und andere Arten der Akten unter gewissen Bedingungen unter den Begriff der Urkunden fallen, wie die Diplomatie denselben fasst, bemerke ich in Kap. III § 3 unter Urkundenlehre.

Die Tradition verfolgt durchweg, wenn auch in verschiedenem Grade, direkt die Absicht, die Erinnerung der Begebenheiten zu erhalten, will geradezu historisches Material sein. Wir unterscheiden bildliche, mündliche, schriftliche Tradition. Die bildliche Tradition besteht aus bildlichen Darstellungen historischer Persönlichkeiten, Örtlichkeiten, z. B. geographischen Karten, Stadtplänen u. dergl., oder Begebenheiten; die mündliche Tradition umfasst Erzählung, Sage, Sprichwort, Lieder historischen Inhalts; die schriftliche Tradition begreift Inschriften historischen Inhalts, Kalender, Stammbäume und Genealogieen, Annalen, Chroniken, Memoiren, Biographien und Geschichtsdarstellungen aller sonstigen Art.

Über Art und Charakter der einzelnen Quellengattungen handeln wir in Kap. 4 § 4, 1.

Hier nur die allgemeine Bemerkung, dass die angegebenen Unterschiede, wie gewöhnlich dergleichen begriffliche Distinktionen, die einzelnen Quellengattungen nicht kastenmässig voneinander abschliessen, sondern dass dieselben einigermaßen fließend sind, wie wir zum Teil schon zu bemerken hatten. Jedes Geschichtswerk z. B., das zunächst ja zur Tradition gehört, da es uns Kunde von gewissen Begebenheiten übermittelt, erscheint als Überrest, sobald wir es lediglich als ein Litteraturprodukt betrachten, das uns den Stand und Charakter der betreffenden historischen Litteratur und die Geistesfähigkeit der betreffenden Epoche überhaupt erkennen läßt; ein Gemälde andererseits, das wir zunächst als Kunstprodukt betrachten und zu den Überresten rechnen, tritt in die Sphäre der Tradition, sobald es historische Vorgänge darstellt, und muss dann ganz nach den methodischen Grundsätzen dieser Quellengruppe betrachtet werden, was leicht einleuchtet, wenn man sich an gewisse französische Historien Gemälde mit ihren patriotischen Über-

treibungen erinnert; oder, um noch ein anderes Beispiel zu geben, eine Urkunde wie das Absetzungsurteil König Wenzels, die zunächst nur ein rechtskräftiges Dokument für die damals an der Sache Interessierten darstellt, hat den Charakter der Tradition, insoweit darin ein Bericht über die jene Absetzung herbeiführenden Thatsachen enthalten ist, und kann zugleich als ein Überrest betrachtet werden, insofern sie ein unmittelbares Stück des damaligen Prozesses selbst ist. Wir haben ausführlicher darüber in Kap. 4 § 4, 1 zu handeln, hier sollen uns diese Beispiele nur einstweilen Zeigen, dass eine prinzipielle Unterscheidung für die kritische Betrachtung der Quellen nicht ohne Wert sei.

Wir wiederholen unsere Einteilung in Kurzer Übersicht:

### 1. Überreste.

Überreste im engeren Sinne	Denkmäler
Körperliche Reste	Inschriften
Sprache	Monumente
Zustände und Institutionen	Urkunden
Produkte	
Geschäftliche Akten, einschliesslich Briefe u. s. w.	

### 2. Tradition.

	bildliche	mündliche	schriftliche
Histor. Gemälde		Erzählung	Histor. Inschriften
Topograph.		Sage	Genealogieen
Darstellungen		Anekdoten	Kalender
Histor. Skulpturen		Sprichwörter	Annalen
		Histor. Lieder	Chroniken
			Biographieen
			Memoiren u. s. w.

Die Aufgabe der Heuristik ist es, möglichst alles, was als Quelle dienen kann, aufzuspüren und zur



Kenntnisnahme heranzuziehen. Systematische Zusammenstellungen und Nachweise der Quellen für bestimmte Epochen oder Gruppen historischer Erscheinungen erleichtern vielfach dem Forscher diese Aufgabe. Doch sind wir damit für die verschiedenen Quellenarten sehr ungleich versehen."<sup>(6)</sup>

(When we divide, first of all, all the source materials into two large groups of '*Tradition*' (transmission) and of '*Überreste*' (historical remains), then, we define, by that, that difference which is most important for methodological treatment of the sources: all that has been directly left from [historical] events and is at hand, we call '*ÜBERRESTE*' (REMAINES), and this designation must be made to cover also the small part of the event which the historical scientist of any time directly witnesses; on the other hand, what has been transmitted to us indirectly from the event, being, through human apprehension, handed down and restored, we call '*TRADITION*' (TRANSMISSION).

In further classifying the 'remains', the viewpoint, whether or not, or how far, the intention to furnish material for the remembrance of the event exists, is decisive. In accordance with that we distinguish between two groups: first, 'REMAINS IN THE NARROWER SENSE' which are without any intention of putting in remembrance or for posterity, so simply remainder parts of the event and of human acts themselves, so in the first place, the physical remains of mankind, in which we can also include the residues of human living process, like those which are preserved in 'kitchen waste' and give valuable source material for the prehistory of Europe, then the language, further all that is to be grasped under the signification of 'circumstances', like custom, morals, festivals, sports, cults, laws of in-

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(6) Bernheim, *ibidem*. SS. 184ff.

stitutions, constitutions, all products of human physical and mental accomplishments, like the technical works, scientific and cultural matters, implements, coins, weapons, structures and lastly business documents like court-, council-, and parliamentary documents, speech, reports, newspapers, pamphlets, letters<sup>1</sup>, accounts, custom rolls, land registers and so on; second, *DENKMÄLER* (COMMEMORATIONS), in which is inherent the intention to preserve the events for the remembrance of parties nearer or remoter, who are specially interested in them and indeed for various purposes, in the charters frequently for the purpose of establishing or settling of the legal positions, in the inscriptions (in so far as the same do not contain direct historical reports) for the purpose of memory for certain personages and of occurrences for the party personally interested in it, as in the case of grave-inscription and so on, in the monuments or commemorations in the narrower sense (i. e., the representation of visual arts without heading or inscription) where it is to be noticed that those same who represent the historical personages or occurrences, although intending to preserve such memory for those near-by interested local or tribal comrades in the first place, yet wish mostly also to contribute to the historical memory in general at the same time, and thereby enter into the sphere of the '*Tradition*' (transmission).

<sup>1</sup> That these and other kinds of documents should, under certain conditions, come under the concept of charter, that which the diplomatic itself grasp, I noted down in Chap III, §3 under '*Heuristic*'.

The '*transmission*' pursues, without exception, even though to variable extent, directly the intention to preserve the memory of the event, will straightway become historical material. We separate graphic, oral, and written '*transmission*'. The GRAPHIC TRANS-

MISSION consists of graphic description of historical personages, of local places, e. g., geographical maps, town plans and the like, or of events; The ORAL TRANSMISSION includes story, legend, proverb, song of historical contents; The WRITTEN TRANSMISSION comprises inscriptions of historical contents, almanacs, family pedigrees, genealogies, annals, chronicles, memories, biographies, and all other sorts of historical descriptions.....(*omitted here*).....

Here, only the general remarks that the above-stated classifications do not, like usual conceptual distinctions of the kind, isolate the individual classes of the sources, like close corporations, from each other, but that these indeed are to some extent of easily shifting nature, as we already had partially to remark. Each historical work, e. g., which at first indeed belongs to 'transmission' because it transmits to us knowledge of certain events, then appears as 'remains', the moment we simply notice it as a literary product that makes us recognize the state and character of the contemporary historical literature and the intellectual capacity of the contemporary era in general; a picture, on the other hand, which we regard in the first place as a cultural product and include it in the 'remains', enters into the sphere of transmission, in so far as it describes historical facts and so must be examined according to the methodological principle of this classification of sources, which fact is easily seen when certain historical pictures are remembered together with their patriotic exaggeration; or to give still another example, a charter like the dethronement judgement of King Václav, which only represents, in the first place, a legally valid document for the contemporary interested parties, then obtains the character of 'transmission', in so far as a report upon the facts bringing about that dethronement has therein been preserved, and can, yet, be reg-

arded as the 'remains', in so far as it, itself, is a direct piece of the then legal process. We have to deal with such cases more in detail in Chap. 4 § 4 [on the 'inner' criticism], and here these examples, in the mean time, have to show that a fundamental classification would not be without value for the critical scrutiny of the sources.

We sum up our classification in brief survey:—

## 1 REMAINS

Remains in the narrower sense	Commemorations
Physical remains	Inscriptions
Language	Monuments
Circumstances and Institutions	Charters
Products	
Historical documents, inclusive of letters etc.	

## 2 TRANSMISSION

visual	oral	written
Hist. pictures	Stories	Hist. inscriptions
Topogr. representations	Legends	Genealogies
Hist. sculptures	Anecdotes	Almanacs
	Proverbs	Annals
	Hist. songs	Chronicles
		Biographies
		Memories etc.

It is the task of the heuristic to hunt up and bring into our cognizance as nearly as all that can serve as sources. Systematic collection and inventory of the sources for certain periods or groups of historical phenomena facilitate this task for the researcher. Yet, thereby we are supplied very unevenly with various sorts of the sources.)

Now, Bernheim's thorough-going as well as meticulous reasoning, and the results he thereby attained, the classifications of the historical sources in minute and careful details, is not only very comprehensive but also most remarkable in its very convincing quality. However, what is by far the most distinguished about such his whole work is his special attitude of treating everything from a synthetic viewpoint. What he achieved, the classifications are, in no sense, for the sake of theoretical analysis, or dissection, as such. What he intended by the comprehensive classification is to offer to those who are going to be engaged in historical research works the essential or indispensable knowledge concerning the natures of, and how to use, the sources they are going to depend upon.

Now, what is most profitable for us as well as insightful in his theorizing, is the fact that those classifications he proposes are not fixed ones as concern those individual sources which come under them, thus this minute classification is also flowing, so to say, but not wantonly so, but in accordance with principles justifying such, which are themselves in accord with the fundamental principles of the same classification, as our reader may have already been aware of.

Now, from among the examples which he mentions to clarify this point, we fortunately find cases of charters. A charter falls under the classification of the historical remains (in its wider sense of 'commemorations') in that it establishes or settles legal positions for the benefit of some contemporary persons by its use of a regular formula, which is fixed for the appropriate period, in laying down such legal matters—or even business transactions for the purpose of authenticating the legal results for the sake of those parties interested at that particular time. Thus a charter primarily belongs to historical remains, so not an historical narrative to be transmitted for the information of the posterity. Nevertheless, he mentions a case—the dethronement charter concerning King Václav, in which is found a report or narration of the facts leading to the dethronement of the king, which Bernheim considers to

belong to the 'transmission'. We had better, then, take under consideration another example he mentions in order to compare with this. The example of a picture (a painting, or whatever else it may be), which, in the first place, is to be considered to be included in the 'remains' in that it directly embodies the person or persons in a contemporary cultural product. But then, if a researcher tries and succeeds in finding in the picture some or other part of incident or occurrence belonging to the general historical development, the picture in that phase belongs to the 'transmission'.

Now what Professor Bernheim does not observe here, is the slight difference, which exists between the two sorts of 'remains', one, a charter, the other, a picture, and the reason why it is of some importance in our future study of charters, is this: a picture is there as an historical product, a whole as a cultural product, and so, whether or not a researcher considers it as a 'transmission' or the 'remains' essentially depends upon his point of view; you do not dissect a picture here and there and say that this part here is a 'transmission'. No! the whole picture speaks to him, to the one who has the eye, and informs him of an historical development. It is not quite so in the case of the charter—the wording can and should be dissected so that you may point out the essential wording of a charter here and there—the formula, e. g., including the witness-list and clause—and then may indicate the narrative history part, which naturally belongs to the 'transmission' category, rather distinctly and separately, if you are provided with the necessary apparatus for the study of charters. So that we should know that if in a charter, or what looks like a charter, the narrative historical part is found, that part does not constitute the charter itself, but a mere incidental addition, and so if too many parts of such a nature are found in a charter, or a so-called charter, its nature as a charter becomes thinner and thinner, and then if the main part of such a document consists in those narrative history or preaching matters etc., we have to wonder if the document is either a rare exceptional charter made because of some excep-

tional circumstances, or simply a concoction of apparently plausible old materials made into a charter form in order to support some fictitious claims of religious institutions, in another word, a forgery. Thus, the problem of classification of the historical sources is indeed closely to be connected with the criticism of the source materials, and especially so in the charters.

In the mean time, Professor Bernheim issued another work on the same subject of historiographical methodology eighteen years later, and, there, some of his propositions were made clearer and some deeper and more full of profitable informations. Now, in this work, he first divides the historical sources into three (instead of two) groups, which fact itself is not so very important, because his first division mainly concerns our contemporary sources; still how he explains the subject is quite appropriate and holds true to other periods and ages, and so we had better begin from there:—

[2]

“Das Material, aus dem die Erkenntnisse unserer Wissenschaft geschöpft werden, nennt man „Quellen“. Dies Material ist ganz vorwiegend nicht, wie das der meisten anderen Wissenschaften, zugleich der unmittelbare Gegenstand der Erkenntnis, denn dieser Gegenstand sind ja die Betätigungen der Menschen, welche nur zu einem verschwindenden Teile unmittelbar unserer Beobachtung zugänglich sind, nämlich soweit wir sie jeweils als Zeitgenossen mit erleben; und selbst davon ist immer nur ein geringer Teil durch den einzelnen Mitlebenden direkt zu beobachten, während wir das meiste auch doch nur aus den Berichten anderer erfahren. Berichte, Beschreibungen der Vorgänge mittels mündlicher Erzählung oder Schrift oder Bild, sind die zweitnächste Erkenntnisquelle. Eine dritte Quellenart sind die Überreste der Vorgänge, aus denen wir auf die Betätigungen schließen, welche sie verursacht und geschaffen haben. Man sieht, das sind nicht nur sehr verschiedenartige Materialien, sondern wir gewinnen auf sehr verschiedene Weise daraus die Erkenntnis unseres Gegenstandes, d. h. mit anderen Worten: die Methoden, mit denen wir die Quellen je nach

ihrem Charakter zu behandeln haben, sind sehr verschieden, und daher ist es von der größten Wichtigkeit, den Charakter jeder Quellenart scharf ins Auge zu fassen.

Die direkte Beobachtung der Vorgänge ist, wie erwähnt, die einzige Quelle, welche den Stoff der Erkenntnis selbst gibt, aber für den einzelnen nur in dem beschränkten Umfange, wie jeder imstande ist, Augen- und Ohrenzeuge der geschichtlichen Vorgänge seiner Gegenwart zu sein. Kaum davon zu trennen ist die unmittelbare Erinnerung an selbst erlebte Vorgänge. Denn der geschichtliche Stoff hat ja die Eigentümlichkeit, daß er nur einmal der direkten Beobachtung unterliegt, und jeder angeschaute Vorgang bleibt, sobald er sich abgespielt hat und unserer sinnlichen Wahrnehmung entzogen ist, nur als Erinnerungsbild in unserem Geiste zurück.....

.....(omitted here).....

Die augenfälligsten, größten Einflüsse der individuellen Verschiedenheiten in der Auffassung der Vorgänge hat man schon lange erkannt und einigermaßen in Anschlag gebracht, wie etwa die Parteilichkeit der Autoren. Eindringender und systematisch sind jene Einflüsse erst seit Niebuhr und Ranke gewürdigt worden, in ihrem ganzen Umfange und in ihrer ganzen psychologischen Tiefe endlich erst neuerdings, und zwar wesentlich mit Hinblick auf den Charakter der Zeugenaussagen vor Gericht, speziell bei Kriminalprozessen.....

.....(omitted here).....

Zunächst sind die Sinne und demgemäß das Wahrnehmungsvermögen bei verschiedenen Individuen verschieden in Schärfe, Ausbildung, Übung, teils von Natur, teils infolge der Erziehung, der Berufstätigkeit, des ganzen Bildungsniveaus. Sodann kommt es auf Richtung und Grad der Aufmerksamkeit im allgemeinen und im Einzelfalle an, was seitens der Pädagogen ja ein besonderer Gegenstand der Beachtung geworden ist, und hiermit stehen in engem Zusammenhange das Interesse und die Kenntnisse, mit denen man einer beobachteten Erscheinung entgegenkommt. Eine mächtige Rolle spielt dabei Voreingenommenheit der mannigfachsten Art, welche dem Interesse, der Aufmerksamkeit, sogar der Wahrnehmung einseitig bestimmende Richtung gibt, ja so weit gehen kann, daß sie dem Beobachtenden gar nicht vor-



handene Tatsachen vortäuscht, unterschiebt. Wir berühren damit die merkwürdigen Einflüsse der „Suggestion“, denen nicht nur einzelne unterworfen sind, sondern die öfter ganze Bevölkerungen, ja ganze Zeitalter beherrschen — man denke an die suggestive Macht der öffentlichen Meinung, welche bei manchen Mordprozessen die Zeugen blindlings bestimmt hat, sich Beobachtungen einzubilden, die sie tatsächlich gar nicht gemacht hatten, man erinnere sich der Hegenprozesse, die sich größtenteils um eingebilddete Tatsachen drehen, an die nicht nur die Richter, sondern oft auch die Angeklagten selbst glaubten, wie die ganze Welt jahrhundertlang daran glaubte. Aber auch geringere Vorurteile entstellen die Beobachtung und veranlassen, daß man zu sehen glaubt, was man von vornherein zu sehen erwartet oder wünscht, wie das auch in der Disposition ganzer Zeitalter liegen kann, z. B. in der Wundergläubigkeit des Mittelalters. Solche Voreingenommenheit kann sich bis zu mehr oder weniger bewußter Tendenz oder Parteilichkeit steigern. Alles das hängt sowohl bei den Individuen wie bei Völkern und Zeitaltern von dem Bildungsniveau, dem Milieu der ganzen Lebenslage, den Zeit- und Tagesströmungen der Mode ab. Exakte Beobachtung ist immer ein Zeichen höherer Kultur des einzelnen wie der Völker und Zeitalter.“<sup>(7)</sup>

## § 2 Heuristic

[2]

“(The material, from which the recognitions of our [historical] science are drawn out, is called ‘SOURCES’. This material is so very unlike any [material] of most other sciences [which material is] at the same time the direct object of recognition. The reason is this, that our objects are the human activities which only in a short vanishing part are accessible to our direct OBSERVATION, that is, in so far as we, as contemporaries of each time, have experience with them, and even of that itself

(7) *Einleitung in die Geschichtswissenschaft* von Dr. E. Hagen (1912). SS. 79ff.

is always only a small portion observable directly by those directly having experience with them, while we learn most of even that only from the reports of other people. 'REPORTS', descriptions of the facts by means of oral narration or writing or picture are the next and second source of recognition. A third kind of sources are the 'REMAINS' of the facts from which we make our own conclusions upon the activities which caused and created them. It is to be known that there are not only various sorts of materials, but we obtain, out of them, in very various ways, the recognition of our object, i. e., in other words: the methods by which we have to deal with the sources indeed according to their character are very various, and, therefore, it is of great importance to envisage sharply the character of each kind of the sources.

**[Direct Observation and Memory]**

The direct OBSERVATION of the facts is, as we mentioned, the only source that gives the material of the recognition itself, but, for the individuals, only such limited circumstance as someone is in a position to be the eye- or ear-witness of the historical facts in his presence. Hardly to be distinguished from this is the direct remembrance of the facts he himself experienced. Because the historical matter indeed has the peculiar character that it comes under the direct observation only once, and each observed fact, as soon as it played its role and was taken out of our sensuous perception, remains behind only as a memorial image in our mind.....(*omitted here*).....

The most obvious, gravest influence of individual differences in grasping facts has long been recognized, and to a certain extent, taken into calculation. Such, perhaps, as the factional view of the authors. Those influences were thoroughly and systematically given necessary attention for the first time since Niebuhr and

Ranke, and finally, in all their width and psychological depths only of late, and that essentially with regard to the nature of the testimony of witnesses before the court, especially on the occasion of criminal procedures .....(*omitted here*).....In the first place, the senses, and accordingly the perceptive faculty, are different in individual persons, in sharpness, formation and proficiency, partly by nature, partly in accordance with education, occupational activities, and all cultural standards. Next, direction and grade of attentiveness both in general and specific is important, that which on the side of the educationists, indeed, has become a special object of observation, and in close connexion with it stand the concern and the knowledges, with which the observed phenomenon is encountered. In doing so, prejudices of the most manifold kind, which give to the concern, the attentiveness, and even the perception, a certain one-sided direction, and indeed go so far that it simulates or substitutes, to the watcher, the facts that do not exist at all. Herewith we touch the noteworthy influences of the 'suggestion', to which not only individuals are subjugated, but, more frequently, they dominate the whole inhabitants, nay, indeed the whole age. You might think of the suggestive power of the popular opinion, which, in many procedures of murder, directed the witnesses blindly to believe in the observations which they in fact had not simply made at all; you might remember the witch procedures, which hinged to a great extent upon imagined facts, in which not only the judge, but often even the accused himself believed, just as the whole world believed in it for long centuries. But even smaller prejudices disfigure the observations and give rise to the fact that one believes to see what one from the first waited or wished to see, as that which can lie in the disposition of a whole age, e. g., in the belief in miracles of the Middle

Ages. Such a bias can heighten itself to a more or less conscious tendency or partiality. All that depends, as well in the case of peoples as of ages, upon the cultural standard, the environment of the whole way of life, the trend of the fashion of the time and day.....(*omitted here*).....Exact observation is always an indication of the higher culture as well of individuals as of peoples and ages.)”

Now, if any of our readers should consider the contents of the above-quoted passages to be elementary, he might just as well be reminded of the fact that we are going to examine the contents of the charters of the Anglo-Saxon period, a period when witches, spirits, and demons were common topics, invasions, violent deaths, and honourable vendettas were rampant and heathenism continued yet to have a long life, and miracles were often at the base of the narrative sources. Let me quote some narrative passages from Venerable Bede:—

“In the aforesaid battle, in which King Ælfwine was killed, a memorable incident is known to have occurred, which I think ought by no means to be passed over in silence, for if it is related I think it will be conducive to the salvation of many. Among other of the king’s thegns, a young man called Imma was struck down there, and when he had lain as if dead among the corpses of the slain all that day and the following night, at length he came to himself and revived, and sitting up bound his wounds as best he could. Then having rested a while, he stood up and began to go away, to see if he could find friends anywhere who would look after him. But as he did so, he was discovered and taken captive by men of the hostile army, and brought to their lord, a *gesith* of King Ethelred. When asked by him who he was, he was afraid to confess that he was a thegn; he replied rather that he was a peasant and a poor man, and married; and declared that he had come on that campaign with others of his kind to bring provisions to the troops. (A quo interrogatus, qui esset, timuit se militem fuisse confiteri; rusticum se potius et

pauperem, atque uxoreo uinculo conligatum fuisse respondit; et propter uictum militibus adferendum in expeditionem se cum sui similibus uenisse testatus est.) The other received him, and ordered his wounds to be cared for, and when he began to get well, he ordered him to be bound at night, so that he should not escape. But yet he could not be bound; for as soon as they that had bound him were gone, his bonds were loosed. Now he had a brother whose name was Tunna, a priest and abbot of a monastery in the city which is still called by his name *Tunna-cæstir*. When this man heard that he had been killed in battle, he went to see if by chance he could find his body, and finding another very like him in all respects, he thought it was he. He brought this body to his monastery, and buried it honourably, and took care often to say Masses for the absolution of his soul. And by the celebration of these it came about, as I have said, that no one could bind him without his being immediately loosed. Meanwhile the *gesith* who kept him began to wonder and to inquire why he could not be bound, whether perchance he had about him letters capable of releasing, as are spoken of in fables, by means of which he could not be bound. He replied that he knew nothing of such arts: "But I have a brother," he said, "a priest in my province, and I know that he, thinking me dead, is saying frequent Masses on my behalf; and if I were now in the other life, my soul would be released from pains there through his intercession." While he was held captive for some time with the *gesith*, those who observed him more attentively, noticed from his face and bearing and speech that he was not of the meaner sort, as he had said, but of the noble class. Then the *gesith* summoned him privately to him, and questioned him more closely, whence he was, promising that he would do him no injury if he would frankly tell him who he was. When he did so, showing that he had been a king's thegn, the other replied: "I realized by all your replies that you were not a peasant, and now indeed you deserve death, for all my brothers and kinsmen were killed in that battle; yet I will not kill you, that I may not break my promise." Accordingly, as soon as he had

recovered, he sold him in London to a certain Frisian; but neither by him, nor as he was being taken there, could he be bound in any way. But when his enemies placed on him all manner of fetters, and he who had bought him saw that he could not be kept in bonds, he gave him the chance of redeeming himself, if he could. Now it was at the third hour, when Masses were wont to be said, that his bonds were generally loosed. And having given an oath to return, or to send money for himself, he went to Kent to King Hlothhere, who was the son of the sister of Queen Æthelthryth, of whom we spoke above, because he had once been that queen's thegn. He sought and obtained from him the price of his ransom, and as he had promised sent it to his master. Returning afterwards to his own country, and coming to his brother, he revealed to him in order all the misfortunes, and the consolations in misfortune, which had befallen him; and from what the brother told him, he understood that his bonds were most often loosed at those times when the solemnities of the Mass had been celebrated for him; and he perceived that also other advantages and favours which had happened to him in his danger, had been granted to him from heaven through the intercession of his brother and the oblation of the saving sacrifice. And many who heard these things from the aforesaid man were stirred up in faith and pious devotion to pray or to give alms, or to offer up to God the sacrifice of the holy oblation, for the deliverance of their friends who had departed this world; for they perceived that the saving sacrifice availed for the eternal redemption both of soul and body. This story was told me by some of those who heard it from the man himself to whom it happened; hence, because I have clearly ascertained it, I have thought it should undoubtedly be inserted into my *Ecclesiastical History*. (Hanc mihi historiam etiam quidam eorum, qui ab ipso uiro, in quo facta est, audire, narrarunt; unde eam, quia liquido conperi, indubitanter historiae nostrae inserendam credidi.)"<sup>(8)</sup>

The fact that a most creditable as well as scholarly of the Anglo-Saxon narrative reporters states as above-quoted shows

how correct as well as to the point the warning of Professor Bernheim is to any scientific researcher in the field of history. However, the last part of the quoted passages is almost the same in its careful attitude of reporting as what Bernheim himself, a modern scholar, states in chosen words towards the beginning of the above-quoted passages. Moreover, this same part of Bede's that was added to the narrative itself, also, might suggest that Bede himself may not have been so credulous as the people who reported it to him. Still, he did put it, under such a condition, into his Ecclesiastical History, because, as Bernheim points out above, this story fitted in with 'the environment of the whole way of life, the trend of the fashion of the time', the Anglo-Saxon period, and the Anglo-Saxon peoples as well as individuals, so 'the ages . . . and the cultural standard' in which Bede stood and lived. So, it is no wonder either, when the same Bede spoke of 'scourges of heavenly severity' ('supernae flagella districtiois') concerning the attacks of madness Eadbald, that son of King Ethelbert I of Kent, who had resorted to the heathen practice by not accepting the faith of Christ and by having his father's wife, suffered, also of the evil (*literally*, unclean) spirit which possessed and troubled Eadbald ('spiritus inmundi invasione premebatur')<sup>(8)</sup>.

I am about to take advantage of this miraculous story of Thegn Imma, reported by Bede, in order to inform the reader how that human prejudice which Professor Bernheim took up and analyzed in detail may still be disclosed in some quite different quarters. Early this century, a scholar and professor of renown gave a lecture, in which he referred to the Imma episode of the Ecclesiastical History. Now, quoting the words Imma gave to the hostile army men to the effect that he, being afraid to confess that he was a thegn, told them that he was a

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(8) Bede. *ibidem*. (Book IV). CHAPTER XX [XXII]. The English translation is Dorothy Whitelock's in E.H.D., at pp. 660f.; The Latin original parts are taken from Plummer's VENERABILIS BAEDAE OPERA HISTORICA, at pp. 250, 252.

(9) Bede, *ibidem*. BOOK II Chapt. V; Plummer's OPERA, at pp. 90f.

peasant and had come to the campaign 'with others of his kind to bring provisions to the troops', the professor told his opinion that peasants (*ceorls*) were not expected to take an active part in the warfare. Among the audience at that time was a girl student who instantly thought what a strange prejudice concerning the churls the professor must have had. I now reflect sympathizingly that the professor had been so much impressed with the stories of the warriors of the heroic age of the germanic peoples that churls had come to appear, to that same extent, so much the lesser and inferior, and then, as ill luck would have it, the professor stumbled upon the Imma episode and the prejudice made him enlarge the chance remark of this thegn into a broad principle leading to that unhappy conclusion of his—the student later took to the same position the professor then had and became Professor Whitelock, who told me this episode<sup>(10)</sup> in person in 1961.

It is to be noted that Professor Bernheim primarily talked about historical objects and their recognition by contemporary people, but that what he remarked so meticulously and truthfully in connexion with the past—the past theoretically of a moment ago—indeed comes back to the future, i. e., to the constantly changing 'present' and so 'any' time and 'any' person, which naturally includes ourselves for the moment. So, we should constantly bear in mind that it should not only be the educationists (*Pädagogen*) that put special emphasis on the 'prejudices of the most manifold kind' and that what Bernheim analyzed there in detail, indeed, applies to us historical students in particular and at all times.

Coming back again to the historical sources in connection with this problem of prejudice of various sorts which may misguide us modern researchers, we find in the sources, especially the narrative sources, which could have influences upon the contents of the charters in general, and especially in connexion with dating and incidental references in the wording

(10) Cf. THE ORIGIN OF THE ENGLISH NATION BY H. MUNRO CHADWICK (1907), at p. 160.



within the formulae, a miracle or miraculous story of a peculiar kind that will next be looked into.

The story concerns the great Mercian king, Penda. It is peculiar from the beginning to the end, and such a consistency should make us suspect that something must be very wrong in the whole story of his life, and death. First the year of his birth is not to be known definitely. The prevailing opinion now seems to be represented by Dorothy Whitelock in her comment upon the Anglo-Saxon Chronicle at Year 626 in her 'English Historical Document', at p. 149. Now the Chronicle there is translated, "In this year . . . Penda held his kingdom for 30 years, and he was 50 years old when he succeeded to the kingdom.<sup>1</sup>", then is said in the form of note 1, "This would make him eighty when he was killed, but must have arisen from some misunderstanding, for he left two sons who were minors, nor would he, if so old, have been likely to have a sister young enough to marry Cenwealh of Wessex who reigned from about 642 to 673. The date 626 for his accession is also doubtful. Bede implies that he was not king until 632." The larger part, however, of this argument, i. e., except the last part referring to the implication of Bede, is, as I see it, derived from the reasoning of Munro Chadwick which runs as follows:—

“According to the Chronicle Penda began to reign in 626 and was then fifty years old. His birth then must be dated about 576 . . . I confess however to a feeling of scepticism in regard to the date of Penda's birth. Setting aside that his dealings with Oswio showed unusual vigour for a man of such advanced years, this date is difficult to reconcile with the ages of his children. Penda is represented as a young man about the year 653 (H. E. III. 21), Wulfhere was a child at his father's death (ib. III. 24) and Aethelred who reigned in 704, was probably still younger. Again Coenwalh, who succeeded to the West Saxon throne in 642 and died a premature death about 673, married and subsequently

divorced Penda's sister. In view of these facts, I do not think that the statement of the Chronicle can be regarded as trustworthy, at all events until further evidence—and of earlier date—is forthcoming in its favour. From the information we possess, apart from this entry, it would be natural to date Penda's birth about the beginning of the seventh century . . ."<sup>(11)</sup>

The reasoning here at first seems all right, from the viewpoint of common sense. On closer examination, however, its persuasiveness turns out not complete. Apart—just as the professor himself says so—of course, from the fact that Penda's dealings with King Oswiu 'showed unusual vigour for a man of such advanced years' i. e., 66 if he started persecuting King Oswiu in 641, which age cannot justify Chadwick's remarks—a man in his sixties *can* be very vigorous in his activities, I suppose, even if he is an ordinary healthy person, and Penda, of course, was no ordinary person. That Peada, his son, was a youth (*iuuentis*) in 653, i. e., when his father was 78, is by no means impossible if, e. g., Peada was 20, or 18 or even younger, further that Wulfhere, Penda's son was a 'child'—'*filius adulescens*' (probably a 'younger son' than Peada) and about 15 years old—on 15th of November, 654 (i. e., in our way of counting, Penda died at 79, so the Chronicle's 50 and 30 must have been inclusive numbers)—causes no difficulty either, for a man of 64 can very well be a father of a child, the determining factor in such cases should rather be in the age of its mother, who in the case of Wulfhere, must have been an obscure lady or maid or what not, presumably young, considering that the three ealdormen had succeeded in keeping the son secret (*quem occultum serua-verant*) according to Bede—in this connexion, a spurious charter of Wulfhere, a blatant concoction and forgery (Birch No. 22, 22 A), handily has a beautiful long list of witnesses where the above three names—Immin, Eadberht, Abo— appear together

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(11) Chadwick, *ibidem*. pp. 16f.

with all the names of Wulfhere's family—Ethelred, his brother (and the next king -to-be), his sisters Kyneburh, Kyneswith—doubtless issues of Penda's wife Kynewise, so legitimate. Peada who had, of course died before, may have been the only legitimate son of Penda, and so, in the north, nobody could know that Penda had, besides the two daughters, had male issue at all. The Latin word '*iuuenis*' rather suggests a boy of adolescent age, but the above circumstances may indicate that Wulfhere could perhaps have been around 10. Ethelred also could have been similar. Still, a man as vigorous as Penda could easily have been, at the age of 69, the father of the 'child (ren)'. The marriage of his sister, however, is more problematical. Her name is not known, so we do not know, but rather think that she was illegitimate, and she married Cenwealh who reigned from c. 641 as King of Wessex, but 'not long after (non multo post) lost his dominion because Cenwealh repudiated the sister of Penda whom he had married, and took another wife; and was attacked in war and deprived of his Kingdom by Penda'. So sometime after 641, Penda had a marriageable sister. He was then 66 years old. Now if Penda had been born when Pybba his father was 26 and then when Pybba had had a girl-child at the age of 66, which is medically possible, especially with a young 'wife'—or whatever else she might have been—the 'sister' would be 26 in 641 A. D. It should be probable even then that she married Cenwealh as a younger husband. Yet this could have happend for all we know. And then, Cenwalh could have divorced her not unnaturally! although Penda did not like it, thus the war and Cenwealh's deposition.

Now, Chadwick's 'any further evidence' was then supplied by Dorothy Whitelock, by way of the implied wording of Bede, which, of coruse, may not be 'of earlier date' as Chadwick meant. However, Kenneth Sisam's opinion, 'If the *OE. Bede* was not earlier than the chronicle of 892, it must have been a related project carried out at the same time', might just apply to the previous period, i. e., the original Bede and the original Chronicle. Let us look into the pertinent part of the original Latin and

do some thinking:—

“At uero Aeduini cum X et VII annis genti Anglorum simul et Brittonum gloriosissime praeesset, e quibus sex etiam ipse, ut diximus, Christi regno militauit, rebellauit aduersus eum Caedualla rex Brettonum | auxilium praebente illi Penda uiro strenuissimo de regio genere Merciorum, qui et ipse ex tempore gentis eiusdem regno annis XX et II<sup>bus</sup> uaria sorte praefuit;”<sup>(12)</sup>  
(But in truth, when Edwin was ruling most gloriously over the nation of the English and of the Britons as well for XVII years, from which six [years], the same [king] also waged war, as we have said, for the Kingdom of Christ; against him rebelled Cadwallon, King of the Britons, support being offered by Penda, the most vigorous man of the royal stock of Mercia, who, himself, even from that time ruled over the kingdom of the same nation for XXII years with various fortune.)

Now, the grammatical construction of this sentence is: the Protasis with *Cum* Temporal having the Verb in Imperfect Subjunctive form (*praeesset*) and the Apodosis having three verbs of Historical Perfect Tense. Thus the war and the support in the main sentence could concern the six years *within* the XVII years of Edwin's reign, during which time Penda assisted Cadwallon, and even [*et*] after that, for XXII years, reigned over Mercia as the strongest king, presumably having, as a weaker king, his brother Eowa until 641 as sub-king of Mercia. Therefore, the previous six years here (12 Oct. 632) referred to should be added to Penda's regnal years, which would then happily accord with the statement of the Chronicle, the year 626 as the beginning of Penda's reign.

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(12) Plummer, *ibidem* (Ven. Baed.), p. 124 (LIB. II. CAP. XX). Cf. also The Anglo-Saxon Chronicle A REVISED TRANSLATION by DOROTHY WHITELOCK *et al* (Eyre and Spottiswoode, 1961), INTRODUCTION, p. xxiii, for the earlier relationship of the Chronicle and Bede.

Well, my dear reader, I know Professor Whitelock personally very well. I stated my reading just as I read the text, which is as above-mentioned, and which differs from hers. Naturally I cannot be too confident. Still, only this reading could support the Chronicle, which is the only reason why I dare offer my opinion for what it may be worth.

As for the circumstances concerning Penda's death, the narrative sources including Bede give us a most unusual—almost unbelievable—course of events, as everybody knows. Until recently, even his death in the battle near the River Winwæd, an unidentified place, but, according to Bede, is in the district of Leeds, was not established. Now that Penda's death there has become certain by the remarkable achievement of J. O. Prestwich<sup>(13)</sup>, it should be the task of anyone interested in Anglo-Saxon history to make more understandable the story that King Oswiu, offering a great treasure to buy peace from Penda and was absolutely refused and so reduced to the last extremity, still could have won the battle against Penda and his army, 'thirty times as great' as his own, according to Bede, who "had a great deal of information to convey and at the same time wished to impress on his audience the drama and significance of Oswiu's victory"<sup>(13)</sup>. So far, no one seems to have succeeded in this. Sir Frank Stenton reduced the 'thirty times as great' to sober 'thirty regions', and Dorothy Whitelock wondered if these thirty who led the regions were not under-kings, or king's ealdormen. Still it does seem that the odds were heavily against Oswiu, and that, short of miracles—as indeed Henry of Huntingdon tried later to make the divine intervention come in the battle—Oswiu could never have killed Penda. The present writer's trial to make the statement of the Chronicle valid and thus make Penda as old as 79, too, is not meant to indicate his *dementia*, but rather his virility, neither to revive the old wives' tale—a hoary warrior of 80 standing up to fight his last battle stuff. Then, only one reasonable interpretation of the narrative

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(13) *King Æthelhere and the battle of the Winwaed*, THE ENGLISH HISTORICAL REVIEW VOLUME LXXXIII 1968, pp. 89ff (Notes and Documents).

sources as they stand at present could perhaps be thought of—that Æthelwald of Deira, the invader's guide, was not really so treacherous and had led Penda's army to a strategically disadvantageous point which fortunately escaped Penda's notice. Even as Bede's narrative stands now, it is just possible that he, who had the wish 'to impress on his audience the drama and significance of Oswiu's victory'<sup>(14)</sup> could have dropped a few words concerning the reservation on the part of Æthelwald. After all, he was writing an ecclesiastical, not political history. As Bernheim points out:—

“Nicht nur bei den historische Schriftstellern, vielmehr geradezu bei jeder der verschiedenen sonstigen Formen geschichtlicher Überlieferung—den Quellen der Geschichte, wie wir sie allgemein nennen—stößt man bei schärferem kritischem Eindringen auf eine Grenze, wo vermöge des Charakters der betreffenden selbst die Gewissheit aufhört und je verschiedene Bedenken anheben. Die mündlichen und schriftlichen Berichterstatter und Autoren überliefern uns ja nicht unmittelbar die Begebenheiten, sondern nur das, was sie in ihrem Geiste davon erfasst haben, und gefärbt und entstellt durch die mannigfachen teils willkürlichen, teils unwillkürlichen Modifikationen ihrer subjektiven Auffassung und Gesinnung, .....; oft genug bleiben wir da stehen vor einer uns nur einzig von einem unzuverlässigen Berichterstatter überlieferten Thatsache oder vor mehreren Angaben, die sich gegenseitig widersprechen, ohne dass wir in der Lage sind, eine derselben für unbedingt thatsächlich halten zu können.”<sup>(15)</sup>

(Not only in historical writers, but indeed in each of the other various forms of historical report—the sources of history as we call them generally—one bumps,

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(14) Prestwich, *ibidem.* at p. 94.

by means of sharper critical penetration, against a boundary, where, owing to the character of the sources concerned, certainty itself discontinues and indeed various doubts begin. The oral or written reporters and authors deliver to us indeed not directly the events, but only that which they comprehended in their minds about them, and, then, only in such a way as they grasped them, coloured and deformed by manifold, partly arbitrary, partly not arbitrary modifications of their subjective interpretation and opinion,..... (*omitted here*).....; often enough, we remain standing there before a fact which has been delivered to us solely by one untrustworthy reporter or before several reports which contradict each other, where (we are) in no position to be able to support one of them as unconditionally true.)

Well, we shall, in due time, meet with many such cases in our examination of charters of the Anglo-Saxon period. It is indeed as only one of such that we have just paid some attention to the case of the narrative source concerning the life and death of a most famous, though utterly heathen, king and warrior of the same period. And we shall come back to it once again, in another connexion, before long, too. In the mean while, however, we may perhaps be allowed to quote here the words of Bede which probably are the greatest tribute to this great man as well as to Bede himself:—

“Nec prohibuit Penda rex, quin etiam in sua, hoc est Merciorum, natione uerbum, siqui uellent audire, praedicaretur. Quin potius odio habebat, et dispiciebat eos, quos fide Christi inbutos opera fidei non habere reprehendit, dicens contemnendos esse eos et miseros, qui Deo suo, in quem crederent, oboedire contemnerent.

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(15) Bernheim, *ibidem* (Lehrbuch). SS. 134f.

Coepta sunt haec biennio ante mortem Pandan regis.”  
(E. H. BOOK III. Chapt. XXI).”