Oaths in *The Battle of Maldon*

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In 1968, in a remark as wise as it is learned, Professor George Clark wrote of *The Battle of Maldon* that “what the poet does not create does not exist even if history inspires his poem.” Readers of the poem have been mulling this over for forty years. The historical information the poem affords us has been subject, in some degree, to alteration by imagination, to the formulae of verse, and to the genre’s chartered streets, in William Blake’s phrase. Professor Clark has therefore asked readers to abstract “the meaning of the events the poem imaginatively recreates.” Loyalty is one such abstraction. Readers ask whether this character or that character is loyal, and whether the poet implies something more generally about loyalty. Each character is imagined to choose to honor his obligation or not. Thus, the speeches of the retainers are often explained as each man’s declared choice to fight on, to be loyal. But Ælfwine, the first of the retainers to speak, does not argue for the right exercise of choice. He says, “nu mæg cunnian hwa cene sy” (line 215) [Now may be known who is brave]. In the world of *Maldon*, bravery and keen hearts are not so much an affect of choice as they are a manifestation of interior disposition, of who one is born to be. Deeds reveal the man, who in turn is defined by his status and family. Ælfwine thus goes on to recite his genealogy, to describe literally from whom he came, and the tradition and family that obliges him to act in a certain way. Similarly, Wulfstan, who guards the bridge, is “cafne mid his cynne (line 76a) [bold as his kin]. The phrase does not suggest that Wulfstan’s bravery is fully of his own making, but inherited. Nobles in the world of Anglo-Saxon literature demonstrate, rather than choose, bravery. As in Joseph Addison’s *Cato*, bravery results from a noble and selfless devotion to assigned duty, not from an extra-official choice. My claim in what follows is that *Maldon* illustrates the demands of duty by exploring various oaths taken by various classes of men. The focus of the poem is therefore not on unallied individuals negotiating contracts (that is, on each choosing to act loyally or disloyally), but on the legal obligations of members of a community to one another. *Maldon* is a poem more interested in the oaths that bind a community than in individual characters and their choices.
Contemporary readers tend to assume that a theme of loyalty develops out of the choices each character must face. This assumption is unsurprising since choice is fundamental to contemporary Western liberalism, which, in one view, “conceives persons as free and independent selves, unencumbered by moral or civic ties they have not chosen.” Yet the moral conflict of *Maldon* is complicated by the fact that its characters are encumbered by social and legal obligations they simply cannot dismiss. Obligation derived from and was policed by a kin group, who guaranteed compensation. A kin group was responsible in the case of murder for the murdered man’s price, or wergild, and also for an oath. An oath of loyalty to the king, which seems to have been around as early as King Alfred’s reign would, if broken, sometimes require the same recompense as murder. By that measure, when *Maldon* was written, one’s oath could literally be *worth* one’s life. An implication for *Maldon* is that those who escape the battle do not necessarily escape death. Moreover, the named characters who escape would risk not only their own lives, but the wealth and dignity of their families and that of their progeny. The curse of an ancestor’s crime is one of the recurring images in *Beowulf*, for example. In such a social environment, it is difficult to imagine that Byrhtnoth chooses not to follow his king’s policy of appeasement without risking his family’s dignity, lands, and future. In other words, this is likely not a poem illustrating brave opposition to government policy.

If *Maldon* is not read as a literary exercise in resolving the apparently conflicting choices of individuals, it is read as a character study. (Critical interest here again tends toward the individual, rather than the group.) Byrhtnoth is judged by most critics as, if not less than heroic, then severely flawed (especially in his ofermod, or “pride”). *Maldon* asks today’s readers to consider, among other things, whether Byrhtnoth acted rightly or not. The answers depend upon one’s assessment of right action in tenth-century Anglo-Saxon England. This in turn depends upon the mediating force of a critic’s sense of right action—his or her moral or political disposition. A modern reader who imagines a social role for poetry will perhaps suppose that the *Maldon*-poet fictionalized a conflict that his or her readers were meant to resolve analogically in their political lives. But the possibility that Anglo-Saxon readers might choose political or social options inconsistent with the lawful demands of their social superiors assumes an agency of Anglo-Saxon readers more common in modern democracies than in medieval kingdoms. In fact,
there is nothing in the poem to suggest that any of the characters act illegally. What seems to be at issue in the poem is not loyal characters or actions versus disloyal characters or actions, but various degrees of loyalty.

These degrees of loyalty are illustrated not through an abstract theme, but in a series of narrated incidents. Maldon, like a tapestry, is arranged serially. Each episode is somehow significant to the effect of the poem as a whole. But is each episode thematically significant? One difference between a tapestry—such as the Bayeux Tapestry—and a modern poem is that the former asks the reader for no unifying abstraction, no thematic consistency among its various parts. To assume of Maldon a thematic consistency is to gather its more unwieldy episodes (such as the flight of the hawk in line 7) into an allegorized or sentimental evocation of a governing, unifying theme. Without a governing theme, these episodes are suddenly freed from service. But to make sense of them anew, one needs to understand their purpose. If all of Maldon’s parts do not contribute to a single theme, then how might they be related? I would like to propose that, among other things, the poem instructs its audience in a series of associated legal obligations. In other words, the various episodes of the poem are not meant to evoke loyalty, nor to critique it, but to explain it. Loyalty, if one is not a Platonist, means loyalty to someone. And if Maldon does not examine loyalty as a concept, perhaps it examines a variety of obligations in a more pragmatic way.

Accordingly, a first step is to set the poem’s events against Anglo-Saxon legal and moral codes. These codes are not exclusive to law codes and regulae, but can be found in more literary sources as well. William Ian Miller has shown how Norse sagas sometimes describe the social and legal dynamics of medieval Iceland. With the story of Skæring Hroaldsson in the Saga of Gudmund, Miller explains how an episode, like a modern legal case, narrates salient features of indigenous jurisprudence. In a medieval or modern legal case, a narrative of events illustrates conflicts and one or more legal principles. For example, a twelfth-century saga describes how Norwegian fishermen chopped off Skæring’s hand and were required to pay recompense. They refused, saying the amount was too high. A judge suggested the Norwegians choose a man among them, give over his hand to Skæring in recompense, then compensate the Norwegian man as cheaply as they wished. A number of legal questions are raised, not least among them the
value of a hand. One can also discern social dynamics. Who has the right to judge? How are agreements reached about judicial decisions? Should a fisherman pay as much as his social superior? Miller writes that in a saga, “the superlative artfulness of the account does not necessarily make it untrustworthy as a historical source. It is rather the tale’s very artfulness that gives us sufficient social and normative structure to make social and moral as well as literary sense of the events it relates.” Something like a saga can be fictional while illustrating very practical points. In the case of the narrative of *Maldon*, one point concerns the legal value of an oath or promise.

Oaths of loyalty and obedience were of utmost importance to Anglo-Saxons. Archbishop Wulfstan thought them more important than freedom or family. In his *Sermo Lupi ad Anglos*, Wulfstan claims that the greatest harm to Anglo-Saxon England is surprisingly not enslaving one’s own family, but “the widespread loss of trust in the spoken word.” Without the binding force of a spoken oath or promise, the Anglo-Saxon social fabric would unravel. Ronald Murphy remarks of the early ninth-century poem the *Heliand*, lines 1524–27, “If too many guilty earls establish their innocence through frequent false oaths, then the system will lose its credibility.” These are spoken oaths, specifically those made as legal witnesses. Administrative and social systems are built in part on oaths and on the promised obedience to law such systems require. The Benedictine Reform of the tenth century produced literature that, in the words of Pauline Stafford, “was permeated with an ideology of loyalty and obedience.” That oaths be oral is important. In his introduction to Old English literature, Daniel Donoghue describes an eleventh-century oral oath by the wife of Thurkil the White that Thurkil also recorded in a gospel book. Donoghue concludes that the oral oath, even though it is recorded in writing, is granted primary weight. (Even today, a witness in a court of law swears an oral, not a written oath to tell the truth.) After the late ninth century, Anglo-Saxons over the age of twelve had to swear an oral oath of loyalty to the king. This was also interpreted as swearing an oath of loyalty to the king’s laws. (Some elected officials today in Britain and the United States will swear oral oaths to support the queen’s laws or the Constitution, respectively.) One of the king’s laws is especially apropos of *Maldon*. Byrhtnoth’s king, Æthelred, wrote in his law code extant in 1008, “And gif hwa buton leafe of firde gewænde þe se cyninge sifl on sy, plihte him silfum oððe wergilde” (V
Æthelred, line 28) [And if anyone deserts an army which is under the personal command of the
king, it shall be at the risk of losing his life or his wergild]—the Maldon force, as young Ælfwine
says, is a fyrd (line 221a), and disloyalty to this army may be a capital offense. Maldon seems
to comment specifically on V Æthelred, line 28, in particular in the poem’s description of Eadric,
who is obliged to fight, the poet points out, in the immediate presence, ætforan, of his lord (line
16, discussed below).

To give an oath is to encumber oneself with sworn duties. Not only soldiers, but each
member of civil society is legally defined by the sworn duties of his or her office. Walter Ullman
wrote, “It is assuredly not without coincidence that we know so very little of the personal traits
of most of the men who directed the path of medieval society. . . . What mattered was not the
individual, not the man, but . . . the office which that individual occupied.” Thus Æthelred’s
code of 1008 reads, “7 ures hlafoðes gereædnes 7 his witena is, þæt ælces hades men georne
gebugan, for Gode 7 for worlde, ælc to ðam rihte þe him to gebirige” (V Æthelred, line 4, italics
mine) [And it is the decree of our lord and his councilors, that men of every estate shall readily
submit, in matters both religious and secular, to the duty which befits them][AU: note that the 7s
will be replaced with the proper Tironian et symbol at the next stage]. A number of this law’s
important words appear in Maldon in crucial places: Byrhtwold reminds the soldiers that
Byrhtnoth was their “hlaford” (line 318b, also lines 224b and 240b) [lord], the theft of
Byrhtnoth’s horse is not “riht” (line 190b, cf. line 20b) [lawful], and the Viking emissary asks if
Byrhtnoth is “gerædest” (line 36a) [well-advised, prudent]. Notably, Leofsunu calls Byrhtnoth
his “winedrihten” (line 248b) [joy-lord] as well as “hlaford” (line 251a); and Dunnere the
Northumbrian is associated to Byrhtnoth, his “winedrihten” (line 263b). (There may be an
unexplained distinction here between one’s hlafoð and winedrihten that depends upon the class
or origin of the man obliged.) Æthelred’s laws were “mid worde ge mid wedde gefæstnod” (V
Æthelred, line 1) [confirmed by both word and by pledge]. A pledge is an object which betokens
the spoken oath. Obligation was not merely the province of social inferiors. Kings also offered
oaths—oaths were not taken in the passive, but given in the active to someone. As rituals of
coronation show, a king read out an oath, and the people served as “the recipients of the oath, the
beneficiaries of its terms, the witnesses to the consecration.” An oath was given to God, and
one oath warns that “if he violate that which was promised to God, then shall it forthwith right
soon grow worse among his people.” Thus Wulfstan writes in V Æthelred, line 33.1, “Forðam þurh þæt hit sceal on earde godian to ahte, þæt man unriht alecge 7 rihtwisnesse lufige for Gode 7 for worlde” [For it is only by the suppression of injustice and the love of righteousness, in
matters both religious and secular, that any improvement shall be obtained in the condition of
our country]. The final phrase of V Æthelred, line 33.1 is echoed in Byrhtnoth’s prayer when
he thanks the heavenly Ruler of Peoples for all the joy that he had “on worulde” (line 174b) [on
earth, or in the secular realm]. The force of Anglo-Saxon oaths extended even further afield to
God.

Oaths were thought akin to prayers and involved participation by a divine judge or
judges. In early Germanic societies, as Helen Silving wrote, “The oath was a self-curse, uttered
in conditional form, operating irrevocably upon occurrence of the condition.” The curse
required faith in divine intervention, and faith was a necessary precondition of an oath. Legal
sanction against oath-breaking was redundant, since “God was believed to be the exclusive
penalizer of perjury.” The Lay of Sigdrifa reads in part, “I counsel you that you do not swear
an oath, unless you know it is true; grim fate follows troth-breaking, wretched is the oath-
breaker.” In ordeals (a pagan or the Christian) God was invoked in order to prove the guilt or
innocence of the accused, and those found guilty would also be punished by an appropriate legal
authority. Byrhtnoth’s prayer in Maldon is itself a kind of oath. And the connection between
divinity and oaths may inform Byrhtnoth’s proclamation that “God ana wat / hwa þære
wælstowe wealdan mote” (lines 94b–95b) [God alone knows who might rule this slaughter-
place]. The function of divinity in the dispensation of justice was common to Anglo-Saxon and
Norse societies, if uneven in its force. For example, Jón Aðalsteinsson has written that there is a
“close link between law and religion in Iceland in the tenth century.” The role of God in
assuring terrestrial or earthly reward for good behavior is essential to the point—even if it is a
pagan god. Critics unconcerned with the role of God in legal life are at a loss to explain early
law’s coercive force. But Jón Jóhannesson has shown that in early Iceland,
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no one would have been in a position to place legal matters before the courts unless he confessed his belief in the heathen gods; in other words, only those who believed in the pagan gods were able to enjoy full legal rights, even though an apparent freedom of religion prevailed. The separation of state and religion simply was not feasible. . . . When, finally, Christianity was legislated in Iceland, a change in customs naturally followed. Oaths by temple-rings and invocations of the heathen gods were no longer required. It became customary to take oaths by the sign of the Cross or by a sacred book, while invocations were addressed to the Holy Trinity. 

Oaths in Christian Anglo-Saxon England depended on God because God was involved in dispensing justice. King Alfred, as Patrick Wormald notes, sustained a “comparison of English law with what God gave Moses. . . . Crime could now be perceived as an outrage against God, punishment as the expression of his anger.”

Because Anglo-Saxon law was considered a supplement to divine law, acting legally was not distinguished from acting morally. When legal standards changed, people understandably became confused. King Alfred’s ealdorman Ordlaf became confused when the man he sponsored at Confirmation, Helmstan, was indicted as a “king’s man” rather than his own and his property thus confiscated by the Crown. Alfred’s standards in this respect were alarmingly novel. Wormald explains, “Alfred’s law on oaths turned any criminal behavior into a breach of fealty.” And vice versa. This Alfredian law has scriptural precedent. Numbers 30:2 declares, “If a man vow a vow unto the Lord, or swear an oath to bind his soul with a bond; he shall not break his word, he shall do according to all that proceedeth out of his mouth.” The implicit oath to the Lord is to act according to his precepts. In return, the Lord watches over his chosen people. Thus, Deuteronomy 7:8 recalls the contract between the Lord and his people, “But because the Lord loved you, and because he would keep the oath which he had sworn unto your fathers, hath the Lord brought you out with a mighty hand, and redeemed you out of the house of bondmen, from the hand of Pharaoh king of Egypt” (also Deut. 9:12). God keeps his oath only if men keep theirs. Anglo-Saxons thought of themselves as the new chosen people, that is as inheritors of an
ancient legal covenant with God which required that they keep their oaths. Consequently, Alfred’s law code begins with the Ten Commandments.\(^{33}\) Oaths were bound up with both Anglo-Saxon religious practice and national security.

During the Viking invasions of which \textit{Maldon} was a part, King Æthelred issued a law at Bath that required firm observance of religious practice. This is likely because, as Wulfstan would remark in his \textit{Sermo Lupi}, irreligion brings on the wrath of God, sometimes in the shape of his Danish and Norwegian scourges. Æthelred’s law also required of monasteries during times of trouble, “in omni congregacione cantetur cotidie communiter pro rege et omni populo suo una missa ad matutinalem missam quae inscripta est ‘contra paganos’” [a mass entitled “Against the heathen” shall be sung daily at matins, by the whole community, on behalf of the king and all his people].\(^{34}\) Except in line 129, the Vikings of \textit{Maldon} are consistently referred to as pagans or heathens—their foreignness, as it were, is predicated on faith rather than on ethnicity. Like an oath, a mass affected the whole people, not only those who chanted it. Each monastic house was required to chant the third psalm at each canonical hour. This song played an active role in the dynamics of prayer and national forgiveness. Psalm 3 says, “Many are they that rise up against me.” And, “I will not be afraid of ten thousands of people [OE, \textit{þusendu folces}], that have set themselves against me round about.” Even if the singer dies, he rests assured that “Salvation belongeth unto the Lord: thy blessing is upon thy people.” In King Alfred’s Old English, this appears as, “For þam on ðe ys eall ure hæl, and ure tohopa, and ofer þin folc sy þin bletsuncg” [Because in you is all our health/salvation, and our hope, and over thine \textit{folc} be thy blessing].\(^{35}\) The psalm reminds singer and audience alike that the Lord’s promise depends upon the faithfulness of the \textit{folc}. The poet of \textit{Maldon} calls the assembled English people “folc” (lines 22a, 45b, 241b), and the \textit{fyrd} is the army of the \textit{folc}. The psalm claims that no matter the depredations of a powerful enemy, salvation comes through common faithfulness. As if in comment, a division of the \textit{folc} is admitted in \textit{Maldon} at line 241b (“folc totwæmed”) and indicates that the salvation of the English community has been put at risk by a lack of common faithfulness, of mutual loyalty.

Oaths are an integral part not only of a national covenant with God, but also of heroic poetry. An oath, as Lee Edgar Tyler has noted, “serves to validate the underlying ethos of the
heroic song itself.”36 Donoghue illustrates this point and argues that from its first line, Maldon celebrates “the moral imperative to live up to one’s pledges.”37 He observes that Eadric fulfills (gelæsan) his vow (beot) to his lord. And, he argues, the flight of the retainers demonstrates not cowardice, but unfaithfulness. But I do not think that the retainers break their oaths, although the image of breaking is prevalent throughout the poem. The image of breaking, like oath-breaking itself, comes in degrees. Maldon’s fragmentary first line describes a potential breaking, “brocen wurde” (“broken” will reappear in Offa’s speech at line 242a).38 This half line, which introduces a general dissolution of bonds, colors the initial images of the poem and prefigures the flight of the three thanes. A horse is “forlætan” [released], “feor afysan” [driven away]. A hawk is “let” [released] to fly to the woods. In almost the same terms, a Viking will “forlæt” a spear to fly from his hand into Byrhtnoth (lines 149a–50a). One man will “forlæt” the field (line 187b). The horse is driven away with an intensifying prefix for-, that implies a severe dissolution of bonds, while any intensifier is absent from the hawk’s release. Forlætan is equivalent to the Latin amittere (to send away), deponere (to put away), and relinquere (to give up)—all of which are prefixed forms.39 Intriguingly, one instance of forlætan with respect to animals can be found in Exodus 9:21, “& se ðe Drihtnes word forgymde, he forlæt his menn & hys nytenu ute” [and he neglected the Lord’s word; he left his men and his beasts out [in the field]].40 Pharaoh, who with his folc is soon to feel God’s wrath, abandons his animals and men. And when they form the golden calf, the Jews “forlæt” (forlætan) God (Exod. 32:31), and Moses prays that God not “forlæt” (forlætan) the Jews (Exod. 32:35). In charters and in the Parker Chronicle especially, forlæt is used to describe the abandonment or release of property by a previous owner to a new one. This term connotes a dissolution of legal bonds, as suggested at lines 149 to 150 of Maldon. A Viking releases (forlæt) his spear to fly (fleogan) into Byrhtnoth. The spear is legally released from the Viking’s ownership and service, since Wulfmær will take it as his own to kill the Viking. The legal relation of a horse to its master at the outset of the poem, and the relation of war-gear to its owner, prefigures the confusion later in the poem when Byrhtnoth’s horse and gear are stolen, and his men assume that Byrhtnoth has left the field with them.

To see a connection between the flight of animals and the later flight of men is to read this poem as a poem, to see, as George Clark put it, the meaning of events. Whether a hawk
actually, factually, truly flew to the woods on the day of the battle is immaterial to this point. The hawk’s release is different in degree from the horse’s release. With these faunal images, the poet prefigures a difference in degree among the oaths or vows of men. Poetically, the hawk carries with it a number of connotations.⁴¹ *Maxims II* tells us cryptically that “Hafuc sceal on glofe / wilde gewunian” (lines 17a–18b) [A hawk will remain wild on a glove].⁴² *Maxims II* implies that the natural state of the hawk is repressed, but not lost, through its service to a man. When released, it will fly to freedom. But not all early medieval observers of hawks agree. Albert the Great claimed that hawks, upon their release, return to the house where they were nourished and governed.⁴³ A reader can confidently conclude only that the hawk prefigures release. The issue of release from service becomes suddenly important when one realizes that the *cniht* (Latin *miles*, but also translated as *ðegn* and *cempa*) who releases the hawk stands socially between a ceorl and nobility. He is required to exercise the military obligation of his estate personally, but, unlike members of the hearthtroop, is not defined primarily by those military obligations. Both he and the hawk, it seems, are in temporary service. They are poetically in parallel, and similarly bound. As if to anticipate and calm his reader’s uncertainty in the *cniht*’s faithfulness, the poet declares outright that the *cniht* will fulfill his obligations. And so, a reader can be confident in the loyalty of the *cniht*, while still entertaining the possibility that the *cniht* will be released from service as the hawk is released from service: “*let him þa of handon leofne fleogan*” (line 7, italics mine) [then released from him the beloved to fly from his hand]. What the poet introduces here as a distinction in degrees of release resurfaces later in the poem. Godric, one of the three thanes to leave the field after Byrhtnoth’s death, “þone godan *forlet*” (line 187b, italics mine) [abandoned the good one]. But, his two brothers Godrine and Godwig “*flugon*” (line 194a) [fly] from the battle and seek the woods, in the same terms as the hawk does. One might conclude that with Byrhtnoth’s death, and with the flight of Godric, the two brothers are legally released from their personal oaths to Byrhtnoth, and newly obliged by the lesser legal force of their kin relation to follow Godric.

Oaths and vows require both a physical obligation and a spiritual obligation. After the release of the animals, Eadric vows “*his ealdre gelæstan*” (line 11b) [his leader to serve]. As he moves toward battle, the poet writes,
He hæfde god geþanc
þa hwile þe he mid handum healdan mihte
bord and bradswurd; beot he gelæste
þa he ætforan his frean feohtan sceolde.

(lines 13b–16b)

[He held to good purpose as long as he with his hands might hold board and
broadsword; he would fulfill his vow when, before his superior, he would be
obliged to fight.]

The poet says Eadric would hold “god geþanc” in terms reminiscent of line 4 “hicgan to handum
and to hige godum” [think on hands and on virtuous thoughts]. This is obviously metonymy,
such that hands represent the acts of weapons held by hands. But the verse also establishes a
distinction between physical and intellectual (or spiritual) warcraft, also found in the tenth-
century epic Waltharius.44 Hands are metonymies of deeds of hands, such as battle, as suggested
by line 14a, where Eadric holds his sword and shield “mid handum.”45 Hige means “thought”
and suggests Hugin, Odin’s raven—its name also means “thought” (the hawk of line 8 may be
evocative of this connection). One is reminded that in the Old English Genesis, Satan, who like
Byrhtnoth shows ofermod, thinks himself equal to God because “Ic mæg mid handum swa fela
wundra gewyrcean” (lines 279b–80a, italics mine) [can with my hands so many wonders work].
In thinking only on hands, Satan fails to adopt a necessary spiritual component and thus fails to
correlate deeds with right thought. Spiritual judgment is associated with the deeds of hands in
Judith when she thanks God for his dom “swa eow getacnod hafað / . . . þurh mine hand” (lines
197b–98b) [as you have signified [it] . . . through my hand].46 Thus, the charge of Maldon’s line
4 to think on virtuous thoughts and the work of hands is fulfilled in line 13b, where Eadric holds
to good purpose (god geþanc). Similarly, Byrhtwold, speaker of the poem’s most stirring speech,
reminds his fellows that “Hige sceal þe heardra” (line 312a) [Spirit/Thought must be the firmer].
Warfare requires both the binding of hands and the binding of spirit. As the Exeter Book’s
Maxims I puts it, “Hond sceal heafod inwyrcan” (line 67a) [The head must influence the hand].
Additionally, the phrase to handum recollects the fact that oaths were taken on hands and that
thieves and oath-breakers sometimes had their hands removed.⁴⁷ A law of King Edmund, possibly from 942, uses the phrase on hand syllan to mean “to give security” (II Edmund, line 7). The hand, as Jacob Grimm notes, is symbolic in early Germanic literature of fides (faithfulness, or loyalty).⁴⁸ Byrhtnoth’s dead thanes lie “on gehwæðere hand” (line 112a) [on either hand]. To think on hands also means to think on oaths.

As the hawk flies, Eadric steps to hilde, “the battle.” Hild is also the name of a Valkyrie (as in Brynhild) who, like a valke (falcon), flies over a battle. These battle birds appear at line 106b. They indicate Eadric’s possible doom, but also his possible heroism. Eadric’s good intent is signaled both by the subjunctive construction of gelæste, which implies Eadric has not yet fulfilled his duty, and by Eadric’s evident desire to do so in the modal verb of line 11 (“wolde . . . gelæstan”). Furthermore, Eadric makes a vow as his hands hold a broadsword. The image is more than merely obvious. Einhard records an oath taken on a short sword, for example.⁴⁹ Eadric’s vow is spoken on his weapon, and it will be his weapon that proves or disproves his vow. In other words, only in using his weapon will he fulfill his oath. Eadric’s oath is suggested again by the imperative sceolde in line 16 that fulfills the promissory wolde of line 11. More specifically, the poet tells us that Eadric must fight in the immediate presence (ætforan) of his superior. In fact, the sentence hangs together on þa, which makes the vow contingent on the proximity of Eadric’s superior. This has historical value, as well. Æthelred’s law requires that a man fight only when on the same field as his lord. It does not make clear what is to happen if the lord dies on the field.

The legal point is worth pursuing. What is a thane to do when his lord is no longer ætforan, before him? Intriguingly, the term ætforan also has ecclesiastical weight. It is used numerous times, especially in Psalms and canticles, to speak of putting something before God.⁵⁰ Sometimes it translates Latin ante, sometimes coram. Oftentimes, ætforan implies setting something before another to be judged. In the case of Maldon, it is in the presence of one’s superiors that the fulfillment of one’s oath can be verified. One question, then, is whether the oaths of all the soldiers are still binding after Byrhtnoth’s death. Another question is whether a Christian and a pagan can be bound together by an oath. In this respect, it is interesting to note that when King Alfred defeated the pagan Viking Guthrum at Edington, their treaty (in other
words, their mutual oath-giving) was preceded by Guthrum’s baptism into Christianity. The poet of *Maldon* first shows us the oath-bound community of Christian Anglo-Saxons and then a pagan Viking seeking to make an oath with Byrhtnoth, that is, to fulfill a promise of retreat if Byrhtnoth fulfills a promise of payment—the relevant law codes do not distinguish precisely between oaths, promises, and vows (see below).

Byrhtnoth’s king, Æthelred, placed a great deal of emphasis on oath-taking, ordeals, and witnesses in his first law code. Æthelred is known to history unfavorably as *unređ*, “without counsel,” and is invoked early on in *Maldon* (line 18, and by name in line 53a) when Byrhtnoth assembles the troops and “rad and rædde, rincum tæhte” [rode and counseled, taught the soldiers]. Byrhtnoth is explicitly called “Æthelredes þegen” in line 151b, moments before his death. By line 44a, Byrhtnoth will implicitly be compared favorably to his *unređ* king. Byrhtnoth is said at line 132a to be *anređ*, singular in counsel, unanimous with his troops in his exercise of colligated will. Byrhtnoth takes executive responsibility for the furor (*yrre*), of his speech to the Viking, as do his councilors and all of the *folc*. The unanimity of the *folc* in line 45 and the singularity of purpose implicit in *anređ* compromise any attempt to isolate Byrhtnoth as the sole perpetrator of an unwise strategy. The term indicates that the decision to fight is made in common. In fact, this opening section resists any assertion of individual action unencumbered by the duties of office. Success depends upon fulfilled oaths, each man depends upon the next, Byrhtnoth depends upon his troops, his troops depend upon him, the King depends upon Byrhtnoth, and all depend upon the Lord. The heroic individual is subsumed into this network of mutual dependence. And this mutual dependence is at the heart of an English, Christian community. By contrast, no Anglo-Saxon depends upon a heathen, nor can he. Lines 54 and 55 declare, “Feallan sceolon / hæþene æt hilde” [The heathens must fall in battle]. This religious exclusivity supplies the tension of the exchange between Byrhtnoth and the Viking.

Having depicted an oath-bound community, the poet next introduces a Viking who suggests that heathens and Christians can bind themselves together by oaths. At line 29, the Viking emissary calls out to Byrhtnoth in the singular *fe*. Byrhtnoth allows his *folc* to answer (“Hwæt þis folc segeð,” line 45b), rather than answer himself (for example, “Hwæt ic sege”). The difference is subtle but instructive. Byrhtnoth’s people speak in one voice and adopt
Byrhtnoth’s decision. The Viking recognizes this collective unanimity and switches from the second-person singular to the second-person plural. He speaks to the assembly rather than to its leader. The Viking first informs Byrhtnoth, the wealthiest among them, in the singular, “þæt þu most sendan raðe / beagas wið gebeorge” (lines 30b–31a) [that you [Byrhtnoth] must quickly send rings [in exchange] for protection]. He asks specifically for rings, not gold, which implies that these rings are not only treasure, but also oath-rings, or pledges, as when Vikings “sworon on þam halgan beage” [swore on the holy ring] to King Alfred, according to The Anglo-Saxon Chronicle. The Viking looks to be asking Byrhtnoth to enter into a reciprocal relation based on oaths—the same relation Byrhtnoth and his folc currently enjoy, which is implied by the beagas Byrhtnoth carries (line 160b). The poet describes the Viking’s demand as a “beot” (line 27a) [oath]. The same term is used for Offa’s oath (lines 15b, 290a) and Ælfwine’s oath (line 213b).

Beot can be translated as “oath,” “threat,” or “boast.” Both threats and boasts are conditional forms of oaths, that is, examples of promises on a condition. Thus beotian means “to boast, vow, promise.” In his study of beot, Stefan Einarsson remarked that Beowulf’s beotword is a “solemn promise.” D. H. Green translates the same word as “boastful promise.” Another obvious example is Hrothgar’s reputation for breaking no promises (“He beot ne aleh,” line 80a [he belied no promises]). The term derives from Proto-Germanic bi-hât, meaning a “threat” or “vow” (German meanings include Drohung, “threat,” and Gelübde, “vow”). Old English has a word for “to threaten,” preotian, a term implying rebuke and urging. Bosworth and Toller record glosses of Latin that translate Latin increpare, “to speak sharply or angrily,” as preotian. We see a similar sense in OE preotan, “to trouble or to weary,” which is one source of our own threat. An obsolete use of the word that retains these meanings more clearly is “to rebuke, reprove.” Thus, the semantic weight of beot lies in its promissory sense, as a vow, not in its implication of rebuke, as a threat. In other words, a beot is rather a kind of promise than a kind of rebuke. It is differentiated from Old English aþ, “oath,” by its relative informality; that is, an aþ connotes an institutionally compelled or juridical promise, usually in formulaic language. As described above, such oaths may be impossible to enforce between groups who do not share a similar view of God, who compels fidelity to oaths. In part, Maldon presents the complexity of the question of oaths between such groups.
The power of reciprocal oaths is forcefully expressed in the final speeches of the retainers. That power is also attested to by the Viking emissary. After asking Byrhtnoth for rings, the Viking next plays to their common cause and makes a case to Byrhtnoth and his troops in the plural that a relationship bound by oaths would be beneficial to all the Anglo-Saxons: “and eow betere is” (line 31b) [and it is better for you all]. He further conjoins the two peoples by implying a mutual fate in a doubled first-person plural: “Ne þurfe we us spillan” (line 34a, italics mine) [No need that we destroy ourselves]. Here, the combined Viking-English assembly is presumably both agent (we) and recipient (us) of the oath. Ironically, the two sides will come toædere (together) in line 67a. But the Viking reminds the assembled Anglo-Saxon folc that their fate depends upon the singular þu (Byrhtnoth) and an accommodating us. The Viking is subtle here, but his implication is that the fate of Byrhtnoth’s people lies in Byrhtnoth’s personal oath to the Vikings. This course of action is the ræd the Viking wishes Byrhtnoth to take and to give. In line 36, he says, “Gyf þu þat gerædest” [if you advise/judge that]. By the time Byrhtnoth makes his response, he and his people are “anræd” (lines 44a and 132a), and the poet is juxtaposing the Viking’s ræd with an Anglo-Saxon ræd. Byrhtnoth will not lysan (loose) his people nor himself, but bind them all to their mutual oaths.

Laws that seem to have informed this poem (not the historical event) most closely are codified in II Æthelred, a treaty negotiated first in 994 between Óláfr Tryggvason’s Vikings and King Æthelred II. It recorded the conditions under which England would pay Vikings money to stop their harrying. Keeping an oath like Æthelred’s treaty is complicated by an insurmountable difficulty illustrated in the exchange between Byrhtnoth and the Viking: determining who precisely is bound by the provisions of the treaty. There are no provisions that name or number the Viking fleet encumbered by the treaty, so any Viking newcomers—that is, those who arrive in England after 994—are not explicitly bound by the treaty. This treaty, like any, thus depends upon the sworn oaths of those whom it enjoins, both pagan and Christian. Perhaps consequently, the first section of the treaty impels both parties to follow an oral agreement reached earlier by the king’s negotiators. The agreement is not recorded.

Section 1.1 of the treaty of 994 says that if a Viking fleet harasses in England, the Danish executors of the treaty will provide a defensive force, an auxiliary army. In fact, it warns that if
any region (Lat. *terra*, OE *landa*) harbor such Vikings, they “shall be outlawed by us and the entire army.”\(^{60}\) This provision may inform Byrhtnoth’s explicit designation of the territory as “eþel þysne / Æthelredes eard” (lines 52b–53a) [this homeland, Æthelred’s earth].\(^{61}\) *Eþel* also puns on the king’s name, which can be taken to mean the counsel of the entire homeland—metonymically invoked by the poem’s adjective *anræd*. Oaths were taken on earth and grass, as well as on weapons and trees. Thus, Byrhtnoth’s response to the Viking, which refers to his king’s land, suggests that Byrhtnoth may be swearing on the earth on which he stands. In the *Heliand*, a section describes oath-taking on an ëðstaf, or “oath-staff.”\(^{62}\) Byrhtnoth heaves up his shield, and with his right hand, the hand of oath-taking, shows his ash-wood spear (“bord hafenode, / wand wacne æsc,” lines 42b–43a), as does Byrhtwold (lines 309–10). The ash is a sacred tree among Norse pagans. It may be that the words uttered by Byrhtnoth and his folc at this moment are intended to look like an oath to the Viking, an oath on an “ealde swurd” (line 47b) [old sword], on earth, on a spear or ëðstaf, and on ash-wood. This is a promise made in two concurrent cultural systems, one Christian, the other pagan. Both cultural systems are important to the process of oath-taking in this poem, as both are relevant to any treaty made between Christians and pagans in the world outside the poem.

The fifth provision of the treaty establishes parity between Englishman and Dane with respect to wergild.\(^{63}\) The subsequent provisions define fairly precisely a breach of the peace. Provision 5.2 reads, “Gyf eahta men beon ofslagene, ðonne is þæt friðbrec [Lat. *infractio pacis*], binnan byrig oððon buton” [If eight men are slain, then that is a breach of the peace, whether in a town or outside one]. At least ten named Englishmen are slain in *Maldon*. According to the definition offered by the treaty of 994, the battle at Maldon in 991 would have been an illegal breach of the peace and not a local or private affair subject to local jurisdiction. One wonders whether the events of the poem, but not necessarily the battle, are to be parsed according to these later legal definitions. Provision 6 of the treaty requires that a Danish *banan*, “murderer,” be taken alive or dead by the nearest relative of the slain. They shall repay “heafod wið heafod” [head for head]. The general importance of the treaty’s legal parity to the events of the poem is demonstrated in numerous instances in the poem of *wið* (for) in contexts of trade or exchange. Specifically, most of the deaths in *Maldon* are avenged on the field.
Byrhtnoth himself slays his slayer at line 142. But he also slays another man, in return for which a Viking puts a spear through Byrhtnoth (lines 149–51). The tally at this point is unfairly in England’s favor (two to one). Byrhtnoth’s man Wulfmær kills this second Viking, putting England two up. After Byrhtnoth’s dying prayer, Vikings kill Ælfneth and Wulfmær, balancing the tally. The next person to die seems to be a Viking, killed by Ælfwine around line 225. Edward the Tall falls next (line 279). Amazingly, in the midst of a furious battle, the sides are now even. Offa kills a Viking and then himself is killed (lines 266–88). Wistan is reported to have killed three Vikings (line 299b) and then is killed (line 300). Just as the English are at least two heads up, the brothers Oswold and Eadwold look fated to fall. Then the poem ends suddenly. The head-for-head provision of the treaty and the apparently balanced lists of the dead in the poem may be coincidental. But other circumstantial evidence suggests that more than coincidence is at work. Provision 6.1 of the treaty requires that all injuries before the truce went into effect in 993 (such as those at Maldon in 991) should be forgotten, “7 nan man þæt ne rece ne bote ne biddle” [and no one may demand revenge or compensation; Latin: et nemo vindictam vel emendationem exigat]. If indeed the poem was written with a view to the treaty of 994, perhaps the poem’s balanced lists are an attempt to mollify any potential claims of compensation or revenge for the earlier battle at Maldon.

Although loyalty and oaths are important to this poem, it is not clear that there is an implicit tension between loyalty and disloyalty. Offa suggests at the outset that some men might fail in their duty through fear or dread (“yrhðo geþolian,” line 6b). The term yrhðo has an important role in Cnut’s second law code, written by Archbishop Wulfstan of York. In provision 77, Cnut declares that whoever deserts his lord on account of his yrhðo shall lose all his property and his life. There are legitimate reasons to desert one’s lord, but yrhðo is not one of them. In Psalm 88 (89):41, the terms on yrhpe vel on fyrhto gloss the Latin formidinem, “dread or fear.” In Ælfric’s sermons and in the Benedictine Rule, the term also means “fear,” but sometimes the fear of God. The more recent English term coward derives from the Old French cuard, in turn possibly from Lat. cuada, “tail,” and implies turning tail. But, when Godric, Godwin, and Godwig flee from the battle, their cowardice is not named nor isolated by the poet as a moral failing. The three possibly Danish men (perhaps auxiliaries) did their duty—they fought until
Byrhtnoth died—then sought to save their own lives, perhaps because their oaths were no longer in force. The poet emphasizes, not any act of cowardice, but Godric’s theft of Byrhtnoth’s trappings or *geræde* (which puns on *ræd*, “judgment or counsel”), “þe hit riht ne wæs” [which was not correct/legal/just]. Fear is not the opposite of loyalty nor of keeping one’s oath. And it is not clear that the three brothers were afraid. In the face of a dead Byrhtnoth, the fleeing men may have surmised that they were no longer bound by their personal oaths to the “folces ealdor” [leader of the folk]. Offa’s charge against them is not that they were cowards, but that Godric “beswicene” (line 238b) [deceived] the other men. This term often glosses the Latin *deceptus* and is used of the Devil’s deception. This is not a betrayal of an oath. By riding on Byrhtnoth’s horse, Godric deceived the army, perhaps unintentionally, into thinking Byrhtnoth was in retreat. The question the soldiers ask themselves in this poem is emphatically not “Should I or should I not be loyal?” but “How far does my oath bind me?”

*Maldon* appears to illustrate the legal extent of oaths and not an abstract conflict between loyalty and betrayal. At the end of *Maldon*, the poet does not show individuals weighing ambiguities and choosing either to comply or not to comply with contracts, but men of each arms-bearing estate fulfilling, in some measure or other, their sworn offices. Offa falls having fulfilled his “beot” made to his “beahgifan” (line 290) [ring-giver], notwithstanding the death of Byrhtnoth. He has fulfilled his oath in spirit and in fact. From this scene and from the poem’s narrative of the battle, one can draw juridical principals. First, oaths are part of a moral code (of *riht*, as illustrated in line 190b). Like baptism, an oath of allegiance to God, a *beot* obliges a person to a code of behavior. Not the strengths of oaths per se, but the moral strengths of oath-bound men are illustrated and tested in the fictional pressures of this poem. Second, duty is its own motivation. In the material world, gold is exchanged for peace, rings for protection, words for words, blows for blows, and heads for heads. This is the world of the deeds of hands. Oaths in the material world are convenient contracts. In the spiritual world, one’s duty is irreducible to choice or values. This is the world of *Hige*. Oaths here are expressions of will (suggested in the poem by the frequent repetition of *willan*). Third, an oath to serve a lord does not always end at the lord’s death. What Cnut’s laws will find it necessary to declare, *Maldon* illustrates.

Byrhtnoth vows that if the Vikings breach the peace on Æthelred’s earth, it shall be with great
suffering. Byrhtnoth keeps his word and, in dying, fulfills his duty to King Æthelred. The results of fulfilled duty are clear: suffering (polian). The image of Byrhtnoth at prayer sets his earthly suffering against the redemptive power of God, who is incapable of failing in his promises. Fourth, suffering is shown to be a necessary part of honoring military oaths. The suffering soldiers fulfilled oaths they made earlier ("þonne we on bence beot ahofon," line 213 [when we raised oaths on benches]). Their exemplary behavior is a direct result of fidelity to their spoken oaths as it should be understood legally, rather than of fidelity to a man. Fifth but perhaps not finally, Maldon tells us that each man’s reputation rests ultimately on the proper exercise of his office and the faithfulness of his word. Throughout the poem, each man is defined and judged according to the duties and obligations incumbent upon him. In gathering himself to meet the charge of duty imaginatively, an Anglo-Saxon reader of Maldon was able to contemplate the profound legal and moral force of an oath.

Notes


3. Thus Scragg writes, “The theme of this poem, as most critics agree, is loyalty” (“Fact or Fiction?” p. 23); similarly, Rosemary Woolf, “The Idea of Men Dying with Their Lord in the *Germania* and *The Battle of Maldon*,” *Anglo-Saxon England* 5 (1976): 63–81. My own view of *Maldon* as provoking a single theme has changed significantly since George Clark kindly wrote me in response to the final chapter of my *Race and Ethnicity*. Don Scragg offered me a generous critique, for which I am very grateful. My thanks for convincing me to abandon my earlier views are also due to Craig Davis, Jim Earl, Chick Chickering, and Jenny Adams.


7. “Nobility,” *æþele*, was inborn, not achieved. Byrhtnoth’s grandson, Oswy, is thought to have fallen in battle under similar circumstances at Ringmere in Cambridgeshire. It was not only a family tradition, but a class tradition. See Clark, “Hero of *Maldon*,” pp. 265 and 264: “Anglo-Saxon society evidently expected *ealdormenn* to lead the *fyrd* into battle at the risk of their own lives.”

University of Notre Dame Press, 1984), pp. 11–12.


22. Robertson, *Laws*, pp. 88–89. See also VII Æthelred, line 8; VIII Æthelred, line 43; and X Æthelred in its entirety, which asks explicitly that Anglo-Saxons follow Christian precepts.


28. Thus, Miller, *Bloodtaking*, pp. 224–25, who is stunned at a lack of “coercive state institutions,” posits instead an inborn human impulse, a “will to Law.” But see Aðalsteinsson, “Horse Liver,” pp. 59–77. See also the oath of Þorsteinn Oxfoot in the *Hauksbók*, sworn on “Freyr and Njord, and the Almighty God,” in Jón Jóhannesson, *A History of the Old Icelandic*


30. Wormald, Making of English Law, p. 429. See VII Æthelred, line 8, which sees God’s mercy exchanged for dues paid. See also VIII Æthelred, line 35, which asks Christians to avenge offenses against God. Only until recently did witnesses in American trials swear to tell the truth, “so help me God.”

31. Wulfstan implored his parishioners to follow divine precepts, and Alfred expected that the Bible would teach his ealdormen to be judges. For both, the ius divinum stood first and without equal as the guide to a moral life and a just society. See Wormald, Making of English Law, pp. 453 and 429. See also J. M. Wallace-Hadrill, The Barbarian West, A.D. 400–1000: The Early Middle Ages (New York: Harper, 1962): “Behind the barbarian laws lies the Book of Deuteronomy” (p. 56). On the ius divinum, see Otto Gierke, Political Theories of the Middle Ages, trans. F. W. Maitland (Chippenham: Thoemmes, 1996), pp. 74–77.


33. Bill Griffiths writes in An Introduction to Early English Law (Hockwold cum Wilton, Norfolk: Anglo-Saxon Books, 1995), “The intention of this was clearly to associate the concept of human law with that of divine law, and to trace the descent of divine authority from its Old Testament form, through New Testament confirmation, into ecclesiastical canons and so to secular law in Alfred’s present” (p. 43). The Anglo-Saxons as the “chosen people” was proverbial to British prime minister David Lloyd George, “God has chosen little nations as the
vessels by which he carries wines to the lives of humanity” The Pentateuch and Haftorahs, ed. J. H. Hertz (London: Soncino, 1993), p 775. And see Gierke, Political Theories, p. 13.[AU: quoted in The Pentateuch? Also, I show the correct quotation from George is “God has chosen little nations as the vessels by which he carries his choicest wines to the lips of humanity”]

34. VII Æthelred, line 3. See Chaney, Cult of Kingship, pp. 203–5. King George VI called many times for days of prayer during the worst of World War II.


38. The phrase appears in Bald’s Leechbook, and refers to physical damage; T. O. Cockayne, Leechdoms, Wortcunning and Starcraft of Early England, 3 vols., Rolls Series 35 (London: Public Record Office, 1864–86) 2:258, “Ahsa hwaðre þone mannan þe þis þrawað hwaþer he æfre were slegen on þa sidan oððe gestungen ðeþe hwaþer he lenge ær afeolle oððe gebrocn wurde” [Ask whether the man who endures this, whether he was ever beaten on the side or stung or whether he had ever fallen or became broken].


41. The hawk also has typological significance. Clement of Alexandria writes, “For the
eagle indicates robbery, the hawk injustice” (Clement of Alexandria, Stromata 5.8, in Ante-
Nicene Fathers: Translations of the Fathers Down to A.D. 325, ed. Alexander Roberts and James
Rapids: Eerdmans, 1977]).

42. Dobbie, The Anglo-Saxon Minor Poems, p. 56.

43. Le Livre du roi Dancus: Texte française inédit du XIIIe siècle suivi d’un traité de
38. On hunting with hawks in Anglo-Saxon England, see Gale Owen-Crocker, “Hawks and
Horse-Trappings: The Insignia of Rank,” in Battle of Maldon, AD 991 (see n. 11), pp. 220–37.
Owen-Crocker concludes that Offa’s hawk signals his rank and that the hawk’s release signals
Offa’s resolution to fight; see pp. 220, 224, 226.


45. See Dobbie’s notes to the poem in The Anglo-Saxon Minor Poems, p. 142. He reports
the idea from F. Klaeber.


47. Jacob Grimm, Deutsche Rechtsalterümer, 2 vols. (Darmstadt: Wissenschaftliche
Buchgesellschaft, 1965), 2:147–48, and 2:291–95. See, for example, II Cnut 48.1, II Cnut 8.1, II
Cnut 30.4, and II Cnut 36. Grimm notes that in Ulfilas, we find Gothic hantprutto for Latin
contractus. In Latin and Germanic sources, the right hand was offered as a sign of a promise.
Americans who take formal oaths, as in court, raise their right hands. In Vilkinasaga, the right
hand holds the hawk; see Grimm, 2:293 n. 1. In an unlikely but intriguing connection, Norse
oaths, as described above, were sometimes taken to Frea, poetically homonymous with the term
frean (“superior,” but also implying lord and protector). On frean see D. H. Green, Language
102–6, 357–58, 361–62. The Gothic is frauja. On oaths to Frea or Freyja, see Grimm,
Rechtsalterümer, 2:544.
48. Grimm, *Rechtsalterümer*, 1:191. It is also symbolic of the whole person; see Liebermann, *Gesetze der Angelsachsen*, 2:490, “Das Wort Hand bezeichnet auch die ganze Person, persönliche Macht” (The word hand also indicates the whole person, personal strength).


51. The same phrase at line 105 implies that fate will decide who falls, not allegiance to the Church. One wonders whether the Anglo-Saxons thought foreigners could be trusted to keep oaths: to *welsh* is to swindle or to fail to keep one’s promise. The term is from *Wealh*, Old English for “foreigner.” Ælfric, in explaining the command to love one’s neighbor, limits neighbors to “þa ðe þurh geleafan us gelenge beoð, and ðurh cristendom us cyððe to habbað” [those who through belief are related to us, and through Christendom are allied to us]: Ælfric, *Sermones catholoci*, ed. Benjamin Thorpe, 2 vols. (Hildesheim: Olms, 1983), 2:314.


57. See the *OED*, s.v. “threat,” sense 2.


59. The provision in OE reads, “7 gif ænig sciphere on Englaland herige, þæt we habban heora ealra fultum; 7 we him sculon mete findon, ða hwile ðe hy mid us beoð”; in Latin, “Si navalis exercitus Angliam infestet, ut habeamus eorum auxilium; et ministrabimus eis victum, quamdui nobiscum erunt” [If any naval force harries England, we will have them as auxiliaries; and we will provision them as long as they are with us]. Liebermann, *Gesetze der Angelsachsen*, 1:220–27, section 1.1. Simon Keynes explains that by this treaty the English promise to keep the Vikings supplied, and that “if any other viking fleet should attack England in the meantime, they would all be obliged to help” (Keynes, “The Historical Context of the Battle of Maldon,” in *Battle of Maldon, AD 991* [see n. 11], pp. 81–113 [p. 92]). One minor difficulty lies in the plural pronoun *heora* (Latin *eorum*), which, in Keynes’s view, refers to the singular masculine noun
sciphere (Latin exercitus). Might it refer to the English lords of the previous section?
Nevertheless, Maldon was within the protection of the treaty, and the Vikings, having been paid by the king and by regional ealdormen, are clearly in breach of the peace. See Keynes, “Historical Context,” pp. 104, 106.

60. The Latin text of the 994 treaty reads, “sit ex lex apud nos et omnem exercitum.” The Old English is “beo hit utlah wið us 7 wið ealne here” (Liebermann, Gesetze der Angelsachen, 1:220–27, section 1.1).


62. Line 1508; Cathey, Heliand, p. 64. See also p. 179.

63. The second, third, and fourth provisions of the treaty give protection to all of Æthelred’s subjects and their goods, even if one should find himself in an unprotected region, land, Latin terra (not patria, Old English eþel). See Liebermann, Gesetze der Angelsachsen, 1:220–27. Perhaps accordingly, Maldon places much emphasis on the importance of defending one’s “eard” (lines 53a, 58a, 126b, 222a) and “land” (line 275b).

64. Lambeth Palace, MS 427. The glossator has used the Latin conjunction vel in the Old English. The Psalm is appropriately a prayer to God’s faithfulness. Similarly, Wulfstan in his Sermo Lupi (EI version) writes that the Britons came to suffer God’s wrath through invasion “ðurh leode unlaga & þurh wohdomas, ðurh bispocas asolcennesse & ðurh lyðre yrhðe Godes bydela þe sóþes geswugedan ealles to gelome” [on account of popular lawlessness and through unjust judgments, through idleness of bishops and through the loathsome fear of God’s beadles who too often stifled the truth]; Dorothy Bethurum, ed., The Homilies of Wulfstan (Oxford: Clarendon Press, 1957), pp. 267–75, lines 180ff.

65. They are sons of Odda, a Scandinavian name, but Godric is likely an English name. See Margaret A. L. Locherbie-Cameron, “The Men Named in the Poem,” in Battle of Maldon,
AD 991, pp. 238–49.