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Penance, Murder, and the Sanctity of Close Kinship in Early Medieval England and Francia

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ABSTRACT

Many secular and ecclesiastical texts from early medieval England and Francia between the ninth and eleventh centuries show that in these societies, the killing of kin was treated as a distinct, and far more severe, offence than the killing of non-relatives. This article explores the differences in the treatment of these offences, demonstrating that there was a substantial social aversion to the killing of relatives among contemporaries, and considers some of the reasons for this reaction. It is also argued that the example of killing one's kin reveals important details about the conceptualisation of kinship in English and Frankish societies more widely: notably that bonds of close kinship were considered to possess a distinctly sacred element to them, and that this marked ties of close kinship out as different from other kinds of social bonds.

But this nation has become, as can be seen, severely burdened through manifold sins and through many misdeeds … through violence against kinsmen and through manslaughter … Here in this land, as can be seen, too many are painfully injured through sin. Here there are murderers and slayers of kinsmen, killers of priests and persecutors of monasteries …

– Archbishop Wulfstan of York, *Sermo Lupi ad Anglos*, c.1014.[1]

In the extract above, from Archbishop Wulfstan's famous 'Sermon of the Wolf to the English', Wulfstan decried the state of the English kingdom, blaming the many tribulations England endured during this tumultuous period of warfare, taxation, and military defeat

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[1] The following abbreviations are used in this article: Asser: William Henry Stevenson, *Asser's Life of King Alfred: together with the Annals of Saint Neots erroneously ascribed to Asser* (Oxford: Clarendon Press, 1904); *Beowulf*: Robert D. Fulk, ed. and trans., *The Beowulf Manuscript: Complete Texts and The Fight at Finnsburg* (London: Dumbarton Oaks Medieval Library, 2010); DRA: Douay-Rheims Bible 1899 Edition; MGH: Monumenta Germaniae Historica; OEP (*Old English Penitential*): Josef Raith, *Die Altenglische Version des Halitgar'schen Bussbuches (sog. Poenitentiale Pseudo-Ecgberti)* (Darmstadt: H. Grand, 1933); *Scriftboc*: Robert Spindler, *Das Altenglische Bussbuch (sog. Confessionale Pseudo-Egberti)* (Leipzig: Bernhard Tauchnitz, 1934).

Some elements of this article draw on content found in my PhD thesis, Alex Traves, *Kinship in Early Medieval England: Law, Land and Literature* (PhD thesis: University of Sheffield, 2022).

'Ac wearð þes þeodscipe, swa hit þincan mæg, swyþe forsyngod þurh mænigfealde synna 7 þurh fela misdæda … þurh mægræsas 7 þurh manslyhtas … Her syndan þurh synleawa, swa hit þincan mæg, sare gelewede to manege on earde. Her syndan mannslagan 7 mægslagan, 7 mæsserbanan 7 mynsterhatan … ', from Dorothy Whitelock, ed., *Sermo Lupi Ad Anglos* (London: Methuen, 1952), 46–50; translation my own.

on what he perceived as the many moral failings of early medieval English society. He provided an extensive list of sins and transgressions committed by the English which had supposedly incurred God's wrath and brought Scandinavian invaders back to England's shores. As seen above, one of these transgressions, which is mentioned on at least two separate occasions in his sermon, is the act of people attacking and killing their own kin.

In the *Sermo Lupi*, Wulfstan makes use of two distinct Old English terms to refer to violence against relatives: *mægræsas* (attacks on relatives) and *mægslagan* (slayers of relatives). In the sermon these words are paralleled by *manslyhtas* (manslaughters) and *mannslagan* (slayers of men or people) respectively, thus indicating there was a conceptual difference, at least in Wulfstan's eyes, between more general killing and killing which was committed specifically against relatives.[2] Both of these terms referring to such an act are rare in the surviving corpus of Old English: to my knowledge *mægræs* appears only in Wulfstan's sermon, whereas *mægslaga* is a little more common elsewhere, for example in Ælfric's homilies (in reference to Cain's murder of his brother Abel), and also in Cnut's 1020 letter to the people of England.[3] This latter reference in particular is significant, for it urges people to 'shun all [perpetrators of] wrongs, namely the slayers of kin and murderers, and perjurers and wizards and sorceresses, and adulterers, and incestuous acts': again killing people inside one's own family and killing those outside of one's family are, mirroring Wulfstan's approach, presented as two different transgressions with different terminology to describe them.[4] This is perhaps not surprising in this case, as Dorothy Whitelock argued that this letter adopts phraseology from Wulfstan's work and is informed by laws drafted by him.[5]

Nevertheless, an important question remains: why do these texts treat these actions as separate crimes, and refer to them using different terms? In what way did contemporaries understand the murder of kin as being different to the murder of non-kin, and why? And what can this tell us about perceptions of kinship more broadly? While many societies may regard those who killed their relatives with a particular aversion from a moral perspective, in most Western countries today kinship is not considered an aggravating factor in cases of homicide by law: such cases are treated the same as if the victim were not a relative at all. Early medieval society therefore conceived of these crimes quite differently to how many societies do today, and as such, the central questions identified above are important to address, as their answers may reveal crucial details about early medieval approaches to law, penance, murder, and, most significantly for the purposes of this article, kinship.

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[2] Whitelock, *Sermo Lupi*, 46–50.

[3] *An Anglo-Saxon Dictionary,* eds Joseph Bosworth and Thomas Northcote Toller (Oxford: Clarendon Press, 1898), https://bosworthtoller.com/22114 (accessed 17 October 2022), s.v. 'mægslaga'; see also results for 'mægslaga' in the *Dictionary of Old English Web Corpus*, https://tapor.library.utoronto.ca/doecorpus/ (accessed 17 October 2022).

[4] 'ælc unriht ascunian, ðæt synd mægslagan 7 mansworan 7 wiccean 7 wælcyrian 7 æwbrecan 7 syblegeru', from 'Cn. 1020', c.15, in Felix Liebermann, *Die Gesetze der Angelsachsen* (Halle: Niemeyer, 1903), 274; translation my own. For Whitelock's translation of this letter, see Dorothy Whitelock, ed., *English Historical Documents I: c.500-1042* (London: Eyre & Spottiswoode, 1955), no. 48, 414–6.

[5] Whitelock, *English Historical Documents I,* no. 48, 414. For scholarship on Wulfstan and his relationship with English law, see: Andrew Rabin, 'The Wolf's Testimony to the English: Law and the Witness in the "Sermo Lupi Ad Anglos"', *The Journal of English and Germanic Philology* 105 (2006): 388–414; Michael Kenneth Lawson, 'Archbishop Wulfstan and the Homiletic Element in the Laws of Æthelred II and Cnut', *The English Historical Review* 107 (424) (1992): 565–86; Andrew Rabin, ed., *The Political Writings of Archbishop Wulfstan of York* (Manchester: Manchester University Press, 2015), 1–44; Nicole Marafioti, 'Secular and Ecclesiastical Justice in Late Anglo-Saxon England', *Speculum* 94 (2019): 774–805; Matthew Townend, ed., *Wulfstan, Archbishop of York: The Proceedings of the Second Alcuin Conference* (Turnhout: Brepols, 2004).

On the subject of violence and the family in early medieval England, an array of historiographical works have been written exploring issues such as the feud and the process of wergild payments, that is, financial compensation paid by both the perpetrators of crimes and their families to the families of their victims, as a way of avoiding further violence in the form of a feud.[6] This also reflects the prominence given to inter-family violence in surviving secular law codes: for example, the seventh-century laws of King Æthelberht of Kent read almost as a formulaic compensation list for different crimes and injuries, and many of these earlier law codes are concerned particularly with outlining some of the rules of these processes of the feud and the system of wergild payments.[7] In other words, the secular laws deal with conflicts between different family groups. However, these same texts fall silent when it comes to the issue of murder committed inside the family, where both the victim and the perpetrator were relatives of one another. This silence would appear odd given Wulfstan's significant concern about these kinds of crimes, and the suggestion in Wulfstan's sermon and Cnut's letter that there was a conceptual difference between the killing of relatives and the killing of non-relatives. Further exploration of this phenomenon is therefore required. Some work has already been directed towards this effort: for example, Erin Sebo has written about the story of Hæthcyn, contained in *Beowulf*, who killed his own brother and left his father, Hrethel, devastated. Sebo reveals the emotional turmoil this act created, with Hrethel unable to avenge his son's death in the usual way through a feud or wergild payment, while at the same time being unwilling to pursue other potential acts of revenge against his other still-living son.[8] From this example we can see that the killing of relatives was an issue to which there was no easy answer or clear solution, and royal legislation offered no help. It is therefore the purpose of this article to examine this particularly problematic crime in greater depth, and to in the process reveal some important conclusions about contemporary conceptualisations of close kinship and its meaning between the ninth and the eleventh centuries.

Attitudes Towards Murdering Relatives

Having established that killing one's relatives was at least sometimes perceived as a separate crime from the killing of non-relatives, it is now important to understand how

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[6] On feud and wergild payments, see Lukas Bothe, Stefan Esders, and Han Nijdam, eds., *Wergild, Compensation and Penance: The Monetary Logic of Early Medieval Conflict Resolution* (Leiden: Brill, 2021); Paul Hyams, *Rancor and Reconciliation in Medieval England* (Ithaca: Cornell University Press, 2003); Paul Hyams, 'Feud and the State in Late Anglo-Saxon England', *Journal of British Studies* 40 (2001): 1–43; John Michael Wallace-Hadrill, 'The Bloodfeud of the Franks', *Bulletin of the John Rylands Library, Manchester* 41 (1959): 459–87; Stephen D. White, '"The Peace in the Feud" revisited: feuds in the peace in medieval European feuds', in *Making Early Medieval Societies: Conflict and Belonging in the Latin West, 300-1200,* eds. Kate Cooper and Conrad Leyser (Cambridge: Cambridge University Press, 2016), 220–243; Stefan Esders, 'Wergeld und soziale Netzwerke im Frankreich', in *Verwandtschaft, Name und soziale Ordnung (300-1000),* eds. Steffen Patzold and Karl Ubl (Berlin: De Gruyter, 2014), 141–159; Stephen D. White, 'Clotild's Revenge: Politics, Kinship and the Merovingian Blood Feud', in Stephen D. White, *Re-thinking Kinship and Feudalism in Early Medieval Europe* (Aldershot: Routledge, 2005), 107–30; Bruce O'Brien, 'From Morðor to Murdrum: The Preconquest Origin and Norman Revival of the Murder Fine', *Speculum* 71 (1996): 321–57; Joel Rosenthal, 'Marriage and the Blood Feud in "Heroic" Europe', *The British Journal of Sociology* 17 (1966): 133–44.

[7] 'Æthelberht', in Liebermann, *Die Gesetze*, 3–8.

[8] Erin Sebo, '*Ne Sorga*: Grief and Revenge in *Beowulf*', in *Anglo-Saxon Emotions: Reading the Heart in Old English Language, Literature and Culture*, eds. Alice Jorgensen, Frances McCormack, and Jonathan Wilcox (Abingdon: Routledge, 2015), 181–4.

society viewed such a crime. References to the act of killing one's kin in the extant corpus of material from early medieval England almost exclusively indicate that it was viewed with particular disdain, if not outright revulsion, by contemporary society. This can be seen clearly in evidence from contemporary penitentials: for example the *Scriftboc* (an Old English text likely produced during the late ninth century) states that if a person killed a parent or sibling, the penance due was to be decided by a bishop, although the penitential does suggest ten years of exile in foreign lands.[9] This canon speaks to the severity of such a crime: exile is not a suggested act of penance for any other crime or sin, except for some canons which suggest it for the murder of a cleric. Ten years is also a substantial amount of time to be separated from loved ones and one's life at home. The perceived severity of this act is also revealed in the involvement of the bishop: other canons often refer to the 'confessor' (presumably of any rank) or specifically to a priest who must provide further instructions, but in this case the situation is elevated to the level of a bishop and seems to be out of the hands of those of a lower ecclesiastical rank.[10]

The *Old English Penitential* and the *Old English Handbook* (the former a tenth-century text, the latter an eleventh-century text likely connected to Wulfstan of York) both take this a step further, involving not a bishop but the pope himself – the one who kills his immediate kin must leave his home and all his possessions, and journey to Rome to take direct papal instruction.[11] Unlike the *Scriftboc*, neither of these texts suggest a specific length of time for the perpetrator's exile, meaning it could have been longer than ten years, and possibly even permanent unless the pope decreed otherwise. The *Scriftboc* also draws directly on the Bible when outlining penance for this act, quoting John the Evangelist by saying 'whoever hates his brother is a murderer'.[12] This emphasis on showing unequivocal love and loyalty to one's immediate family, which will be explored in more detail below, is thus given biblical support. The switch in language is also significant: the author of this penitential left this particular phrase in Latin, rather than in Old English as with the rest of the text, possibly to emphasise the sacred and divine nature of these words which in turn underlined the supposed truth and wisdom of them.[13]

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[9] *Scriftboc,* ll.339–41, 187; for the dating of the *Scriftboc*, see Stefan Jurasinski, *The Old English Penitentials and Anglo-Saxon Law* (Cambridge: Cambridge University Press, 2015), 52, 54–84.

[10] For more on the administration of penance and pastoral care, see Victoria Thompson, 'The Pastoral Contract in Late Anglo-Saxon England: Priest and Parishioner in Oxford, Bodleian Library, MS Laud Miscellaneous 482', in *Pastoral Care in Late Anglo-Saxon England*, ed. Francesca Tinti (Woodbridge: Boydell Press, 2005), 106–20; Catherine Cubitt, 'Bishops, Priests and Penance in Late Saxon England', *Early Medieval Europe* 14 (2006): 41–63; Francesca Tinti, 'Benedictine Reform and Pastoral Care in Anglo-Saxon England', *Early Medieval Europe* 23 (2015): 229–51; Allen Frantzen, 'The Tradition of Penitentials in Anglo-Saxon England', *Anglo-Saxon England* 11 (1982): 23–56; Brad Bedingfield, 'Public Penance in Anglo-Saxon England', *Anglo-Saxon England* 31 (2002): 223–55.

[11] OEP, IV.2, 48; Roger Fowler, 'A Late Old English Handbook for the Use of a Confessor', *Anglia* 83 (1965): 24, ll.225–7; on the *Old English Penitential*, see Allen Frantzen, *The Literature of Penance in Anglo-Saxon England* (New Brunswick: Rutgers University Press, 1983), 132–3; on the *Old English Handbook* and its likely connection to Wulfstan of York, see Fowler, 'A Late Old English Handbook': 1–12.

[12] 'Qui odit fratrem suum, homicida est', *Scriftboc*, ll.341–2, 187.

[13] Language choice in medieval texts was often deliberate and meaningful. On this see Ed Roberts and Francesca Tinti, 'Signalling Language Choice in Anglo-Saxon and Frankish Charters, c.700–c.900', in *The Languages of Early Medieval Charters*, eds. Robert Gallagher, Ed Roberts, and Francesca Tinti (Leiden: Brill, 2020), 188–229; see also Robert Gallagher and Francesca Tinti, 'Latin, Old English and Documentary Practice at Worcester from Wærferth to Oswald', *Anglo-Saxon England* 46 (2017): 271–325, and Francesca Tinti, 'Writing Latin and Old English in Tenth-Century England: Patterns, Formulae and Language Choice in the Leases of Oswald of Worcester',

Wulfstan of York appears to have had a particular interest in this issue: aside from repeated mentions of killing relatives in his *Sermo Lupi* and the appearance of the sin in the penitential handbook connected to him, there are also a series of letters preserved in a manuscript associated with Wulfstan (CCCC 265), in which one of the issues discussed is that of penitents who have killed a relative. There are a number of examples of people who had committed parricide, usually involving the killing of a brother or the penitent's own children (and one who killed his paternal cousin). In two cases the letters describe the perpetrators as having been deceived by a *diabolica fraus* (diabolical fraud), making clear associations between the act of parricide and the actions of the Devil.[14] The letters confirm that many of the penitents were sent on pilgrimages to holy sites around Europe, including Rome, carrying the notes outlining their transgressions. Additional penance also seems to have taken the form of fasting, walking barefoot, only having their hair cut twice a year, and being banished from entering a church for certain periods of time. These letters therefore confirm the practice of exiling those who killed their kin, and (through some being addressed to the pope) the need for perpetrators to submit themselves directly before the pope, thus demonstrating the perceived severity of the act, as well as its distinctly satanic connotations.

Similar attitudes can also be found in Frankish penitential material, perhaps the most influential of which were the works of Halitgar of Cambrai and Hrabanus Maurus (both ninth-century clerics, the former a bishop of Cambrai, the latter an archbishop of Mainz), demonstrating that these views were not unique to England during this period.[15] While some of the Old English penitential material, particularly the *Old English Penitential*, drew on Halitgar as a source, Halitgar does not make any specific mention of the penance due for killing relatives. He does make some mention of parents, especially mothers, who kill their children (for which they must perform penance for ten years), but this appears to be in the context of abortion rather than murder.[16] Hrabanus, in contrast, tackled the issue more directly. He called the act of parricide a *detestabile crimen* (detestable crime), drawing on the Lord's words in the book of Genesis when Cain's murder of his brother was discovered: the Lord promised that Cain would henceforth be a 'vagabond' and a 'fugitive', cast out from his lands and forever cursed, with Hrabanus adding that Cain was to have no safe or quiet place anywhere.[17] In response to this judgement, Cain replied that 'my punishment is greater than I can bear'.[18]

While Hrabanus does not suggest a precise penance a confessor should instruct a penitent to perform, his quoting of this biblical passage demonstrates that he too viewed the sin of murdering one's kin as particularly detestable (in his own words), and that the

in *Writing, Kingship and Power in Anglo-Saxon England*, eds. Rory Naismith and David Woodman (Cambridge: Cambridge University Press, 2018), 303–27.

[14] Mary Bateson, 'A Worcester Cathedral Book of Ecclesiastical Collections, made c. 1000 AD', *English Historical Review* 10 (1895): 712–31 (728–9); see also Katherine O'Brien O'Keeffe, 'Body and Law in late Anglo-Saxon England', *Anglo-Saxon England* 27 (1998): 209–32 (221–2).

[15] For work on penance in early medieval Europe more generally, see Rob Meens, *Penance in Medieval Europe, 600-1200* (Cambridge: Cambridge University Press, 2014); Rob Meens, 'Penitentials and the Practice of Penance in the Tenth and Eleventh Centuries', *Early Medieval Europe* 14 (2006): 7–21.

[16] Hal. IV 3, in H. J. Schmitz, ed., *Die Bussbücher und das kanonische Bussverfahren* (Düsseldorf: F. Kirchheim, 1883), 279–80; on abortion in the Middle Ages more generally, see Z. Mistry, *Abortion in the Early Middle Ages, c. 500-900* (Woodbridge: Boydell & Brewer, 2015).

[17] Epp. 32, *Epistolae Karolini Aevi (iii)* (MGH Epp. 5) (Berlin: MGH, 1899), 463; Gen. 4: 8–16 (DRA).

[18] Gen. 4, 13 (DRA).

requirement of going into exile and relinquishing all wealth and property, which is stated more explicitly in other contemporary penitential texts, can clearly be traced back this section of the Bible. Notably, though, Hrabanus disagreed with the prevailing view that those who killed their relatives should be exiled or go on a pilgrimage. He complained that, in his view, too many sinners were travelling around causing disruption and spreading sin while performing this penance: instead, he suggested it would be better if they stayed at home and punished themselves severely in some other way, presumably so an eye could be kept on them and so they did not spread their sinful ways to other places.[19] This comment does suggest that, while Hrabanus personally disagreed with it, penitential exile was an established penance for people to perform for the most severe of sins during this period.

An example of the use of exile as penance for the murder of close relatives in the early medieval West can be found in the *Gesta Sanctorum Rotonensium*, a ninth-century Frankish text which documents the penance performed by a man named Frotmund, who had inadvertently participated in his own brother's death. Initially, as a result of this crime Frotmund travelled to the king's palace to seek guidance on what they should do. Crucially, it was not the king who then passed judgement on Frotmund and his remaining brothers, but instead the king called together a synod of bishops to decide their fate. As part of their penance, the men were ordered to travel to Rome, then Jerusalem, and then around Egypt, visiting important tombs and monasteries along the way, for a total of four years, before returning to Rome to meet with the pope.[20] This example further demonstrates that exile and a pilgrimage to Rome to seek guidance from the pope was indeed an established penance for murdering one's own kin, and despite the severity of such a punishment, this example does suggest it was at least in some cases followed and enforced.

It is also worth emphasising that penances due for homicide (except sometimes when the victim was in orders) almost always amounted to fasting for a specified number of years, and are in no way comparable to the severity of the penance required here for the murder of close relatives. For example, both the *Scriftboc* and the *Old English Penitential* state that a layman who intentionally killed another must fast for five years as their act of penance, and in the *Scriftboc* they are also banned from entering a church for forty nights.[21] The penance due for killing a close relative, by contrast, required the abandonment of one's former life in its entirety (including a renunciation of all one's wealth and possessions) for at least a decade if not longer, living in exile in a foreign land, and placing oneself at the mercy of bishops and/or the pope himself. Again, it must be highlighted that the requirement of communing directly with the pope as an act of penance is highly unusual in the context of the penitential corpus more broadly, and this must therefore reflect the strong aversion to the act of killing one's close relatives held by early medieval society, and it seems to have been a sentiment shared in both secular and ecclesiastical communities.

We can also see considerable evidence for this in repeated references to the murder of relatives in the epic poem *Beowulf*. To begin with, the entire basis of the poem's narrative rests on the existence of monsters such as Grendel and his mother, who act as the

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[19] Epp. 32, *Epistolae Karolini Aevi (iii)* (MGH Epp. 5), ll. 28–32, 463.
[20] Caroline Brett, ed. and trans., *The Monks of Redon* (Woodbridge: The Boydell Press, 1989), 207–9.
[21] *Scriftboc*, ll.321–3, 186; OEP, IV.1, 47.

primary antagonists for much of the poem. We are told by the poet that these monsters only existed in the world because of the biblical act of fratricide which saw Cain murder his brother Abel.[22] In other words, only a sin as grave and horrific as murdering one's own brother could have resulted in such dire consequences. This theme is also repeated later in the poem: the audience are told of the story of Hæthcyn, who 'missed his mark' and killed his own brother, an act which was described as a *feohleas gefeoht, fyrenum gesyngad* (a fight without compensation, sinfully perpetrated).[23] We are then told of the anguish suffered by the brothers' father, who never recovered from this event: he not only had to endure the grief of losing a son, but also, we are told, was not able to 'take satisfaction for the offense on the killer, any more than he could hate the warrior for the hated deed'.[24] His son's death could not be avenged in the usual way through the pursuit of vengeance or wergild payments, because the killer was also his son, and this act therefore created both legal and emotional challenges for the father that he was never ever able to resolve. This theme is also continued towards the end of the poem, in Beowulf's final words to Wiglaf as he lay dying from the wounds inflicted upon him during his battle with the dragon. One of the things he said here was: ' … I can take satisfaction in all that; on that account the ruler of men need not accuse me of the murder of kinsmen when the life departs from my body'.[25] The fact that Beowulf lingers on this issue on his deathbed further indicates the severity of such an act: not only would it have been a stain on his earthly honour and reputation, but he would also have been held to account in the afterlife, and Beowulf appears to express relief that he will not suffer this apparent dishonour.

We can see further examples of contemporary attitudes towards the murder of relatives in an Old English poem based on the Book of Genesis, preserved in the tenth-century manuscript *Junius 11*. Of particular interest is the section which recounts the murder of Abel by his brother Cain, where the author provided some additional emotive commentary on the events they were describing. The poet prefaced the section where Cain commits the murder by stating that Cain performed a 'terrible deed', a comment not present in the biblical text itself.[26] The poet continues, claiming that after the act had been performed,

> woe was raised, the progeny of grief. From that twig has grown evil and terrible fruit ever since for a very long time. The branches of crime have extended widely throughout the realms of men, the stems of evil touching the sons of men harshly and sorely, as they still do, from which the broad leaves of every kind of wickedness began to sprout.[27]

The poet here has imbued the passage with additional emotive language reflective of their own, and their society's, feelings on this act. Grief and sorrow are key themes associated with the killing of kin that the poet wished to highlight, as well as the wicked and evil

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[22] *Beowulf,* ll.1261–8, 168.
[23] *Beowulf,* ll.2439–41, 246; translation my own.
[24] *Beowulf,* ll.2464–7, 248–9.
[25] 'Ic ðæs ealles mæg/feorh-bennum seoc gefean habban/forðam me witan ne ðearf waldend fira/morðor-bealo maga, þonne min sceaceð lif of lice', *Beowulf,* ll.2739–43, 266.
[26] 'unræden … gefremede', ll.982–3, in George Phillip Krapp, ed., *The Junius Manuscript* (New York: Columbia University Press, 1931), 32.
[27] 'wea wæs aræred, tregena tuddor. Of ðam twige siððan ludon laðwende leng swa swiðor reðe wæstme. Ræhton wide geond werþeoda wrohtes telgan, hrinon hearmtanas hearde and sare drihta bearnum (doð gieta swa), of þam brad blado bealwa gehwilces sprytan ongunnon', ll.987–995, in Krapp, *The Junius Manuscript*, 32.

nature of such an act. Indeed, the poet believed this act to be so terrible as to be the actual origin point of crime and wickedness in the world. For the *Genesis* poet, it was this first act of fratricide which was responsible for the spread of 'evil and terrible fruit' throughout mankind. As such, the killing of kin is very clearly marked out as different, and far worse, than killing non-relatives: indeed, in this paradigm, manslaughter and other similar crimes could be said to only happen because of Cain's murder of his brother.

Furthermore, the idea that evil, crime, and wickedness can all be traced back to Cain's murder of Abel is not mentioned in the relevant biblical passages, instead it appears to be a concept added in and elaborated on by the poet.[28] The biblical Genesis' treatment of this episode is shorter and simpler than the *Genesis* poem: in the biblical version, Cain is exiled, and God says to him, 'cursed thou shalt be upon the earth, which hath opened her mouth and received the blood of thy brother by thy hand. When thou shalt till it, it shall not yield to thee its fruit', in other words the consequences of the act were borne by Cain alone. In the *Genesis* poem (as with *Beowulf*), this has been developed so that not only did the consequences of Cain's act of fratricide impact the whole of humanity rather than just himself, but the type of 'curse' resulting from the act has also been altered.[29] Cain's inability to obtain the fruits of the earth in the biblical Genesis was transformed into the creation and spread of the 'evil and terrible fruit' throughout the world in the *Genesis* poem. These differences between the two texts and the telling additions made by the *Genesis* poet provide important insights into how contemporaries viewed the act of murdering one's kin: the act in and of itself was evil enough, but it was also not just an isolated sin, and could in fact have wider effects long after the sin had been committed.

A classic example of contemporary attitudes towards the killing of relatives can also be found in *Hildebrandslied*, a fragment of a ninth-century Old High German heroic poem. The surviving section of the poem details the meeting of two opposing warriors on the battlefield, one older (Hildebrand), and one younger (Hadubrand). An exchange between the two reveals that Hadubrand was in fact Hildebrand's son he had left behind many years ago. However, despite his attempts to indicate his relationship to Hadubrand, Hadubrand believes his father is dead, and that Hildebrand's story was a ruse designed to gain the upper hand in battle, and as such refuses to believe that the two men were close kin. Hildebrand is then forced into an unenviable choice: 'he was now to be slain by his own son or must himself become his son's slayer'.[30] However, because Hadubrand was still eager to fight, Hildebrand had no choice but to continue: to refuse battle after such a challenge would have been dishonourable.[31] The poem is therefore an interesting case, for it demonstrates a clash between society's aversion to killing one's relatives, and the need to uphold honour within contemporary warrior culture. Ultimately, Hildebrand sides with the latter, and chooses to face his son in battle.

This example shows the tensions which could exist when societal ideals clashed in this way: Hildebrand could either shame himself by refusing to fight when challenged, shame

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[28] For more on this point, see Charles D. Wright, 'The Blood of Abel and the branches of sin: *Genesis A*, *Maxims I*, and Aldhelm's *Carmen de uirginitate*', *Anglo-Saxon England* 25 (1996): 7–19.

[29] Gen. 4, 11–12 (DRA).

[30] 'Das Hildebrandslied', in Wilhelm Braune ed., *Althochdeutsches Lesebuch* (Halle: Niemayer, 1921), 81; John Knight Bostock, ed. and trans, *A Handbook on Old High German Literature* (Oxford: Clarendon Press, 1955), 34–5.

[31] Albrecht Classen, 'Why Do Their Words Fail? Communicative Strategies in the "Hildebrandslied"', *Modern Philology* 93 (1995): 1–22 (15).

himself by killing his son, or be killed himself. None of these options were therefore attractive, and Hildebrand did not wish to fight his son if it could be avoided, as evidenced by his attempts to persuade Hadubrand of his paternity. In addition, Albrecht Classen has suggested that Hildebrand wished for his son to be a hero, so as to enhance both of their glories, which may have been, from Hildebrand's perspective, the best outcome from what was an undoubtedly tragic situation.[32] If so, Hildebrand may not have made his choice because he was unconcerned about harming his son, but because he was attempting to do what he believed to be right for both of them when faced with this seemingly impossible choice. *Hildebrandslied* need not be read in opposition to the above examples which show aversion to killing kin, therefore, and in many ways reinforces them. Indeed, the poet pre-empts the clash between father and son, lamenting that 'an evil deed was about to be done'.[33] Unfortunately, the surviving section of the poem cuts off before the audience discovers the outcome, and so their respective fates and any consequences of their fight are unknown. However, the reference to their clash as an evil or woeful fate (*wewurt*) is revealing: the killing of one man by another on a battlefield is not particularly remarkable, it is the fact that the men are father and son which renders the coming altercation woeful, an idea very reminiscent of the *Genesis* poem.[34]

Secular Law and Kinship Solidarity

One explanation of these attitudes towards this phenomenon lies in the operation of early medieval law. As discussed at the beginning, early medieval English law operated on a system of feuds and wergild payments: the perpetrator and his family must pay the wergild to the victim or the victim's family in the event of murder or sometimes other injuries, and if not the perpetrator and his family could expect the victim's family to exact violent revenge upon them.[35] Implicit in this system is the idea that the victim and perpetrator would be part of two different families, and there is no provision in any of the secular law codes for how to deal with murder when both the perpetrator and the victim belong to the same family. There was, therefore, a gap in the legal system in which relatives could theoretically be killed without the usual repercussions. Indeed, we see this very fact illustrated in *Beowulf* when the father of the two brothers laments that he was unable to exact any kind of payment or vengeance from his son's killer or his family, because he was also the killer's father and his family was both the victim's and the perpetrator's family. Sebo has discussed the fact that the father could have imposed a different punishment here, such as a period of exile, but such an act would be meaningless since the father did not blame his surviving son, and so as far as he was concerned there was no guilty party.[36] This did nothing, however, to assuage his grief or the pain caused by fact that no vengeance had been exacted on his son's killer: this is a testament, therefore, to very difficult emotional and moral problems

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[32] *Ibid.*, 17.
[33] 'Das Hildebrandslied', Braune, *Althochdeutches Lesebuch*, 81; Bostock, *Handbook on Old High German Literature*, 35.
[34] 'Das Hildebrandslied', l. 49, Braune, *Althochdeutches Lesebuch*, 81
[35] For more on this system, see the contributions in *Wergild, Compensation and Penance*, eds. Bothe, Esders and Nijdam.
[36] Sebo, '*Ne Sorga*: Grief and Revenge in *Beowulf*', 181–4.

such situations required those involved to wrestle with, outside of any legal issues that had to be navigated as well. This social aversion and strong disdain towards the murder of relatives plugged the gap in the legal system: while the law acted as a deterrent against killing people outside of one's family, the social revulsion towards the act of murdering one's kin acted as a deterrent against killing people inside one's own family, to avoid the legal and moral difficulties discussed above: the two worked together.

However, this explanation alone only provides part of the picture: it does not, for example, tell us where these ideas might have come from, or *why* people felt this way. The answer to these questions lies in part in the wider social expectations regarding kinship solidarity and mutual support. The expectation that relatives would assist and support their relatives were ideals embedded in early medieval laws on wergild payments and the feud. Regardless of whether those involved chose to pay the wergild or pursue further violence, either option could have had severe consequences: even at the lower rungs of the social hierarchy wergild values were expensive, and for families without significant economic resources they could be either ruinous or simply impossible to pay. The alternative was not an attractive option either, as potentially any member of the wider family opened themselves up to becoming the victim of further violence and killing. This could, particularly if the feud persisted over a longer period of time, also have a significant emotional and psychological effect on family members.

As such, if a feud was ever pursued or wergild payments made, the situation was a serious one: either option could have placed a significant burden on family members, and may have tested the solidarity between relatives which society often encouraged. A remarkable feature of early medieval English legal texts is that almost all of them from Æthelberht's seventh-century code to Cnut's eleventh-centuries codes outline the same fundamental principles of the feud and wergild processes and the expectation that people would support, protect and assist their relatives, regardless of whether they were a perpetrators or victims of an offence.[37] While historians have previously debated the extent to which feuds as described here actually occurred in practice in early medieval European societies, the persistence of the ideal of kinship solidarity across multiple centuries in English legal texts is much clearer, as is the level of familial obligations the laws continually promoted and fostered.[38]

Evidence of this ideal of kinship solidarity can be found elsewhere in the law codes, too, away from issues connected to feuds and wergild payments. For example, the family were tasked with providing food for a relative imprisoned in the king's estate in

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[37] There has been some debate around whether or not certain legal clauses attempted to outlaw the family's involvement in the feud, for example, see John Michael Wallace-Hadrill, *Early Germanic Kingship: In England and on the Continent* (Oxford: Oxford University Press, 1971), 42, and a rebuttal in Lisi Oliver, *The Beginnings of English Law* (Toronto: University of Toronto Press, 2002), 97. This debate has in particular focused around the laws of Edmund, for the two sides of this debate, see Patrick Wormald, *Legal Culture in the Early Medieval West: Law as Text, Image and Experience* (London: The Hambledon Press, 1999), 337–9, and Tom Lambert, *Law and Order in Anglo-Saxon England* (Oxford: Oxford University Press, 2017), 231.

[38] For examples of these debates, see Max Gluckman, 'The Peace in the Feud', *Past & Present* 8 (1955): 1–14; Paul Hyams, 'Feud and the State in Late Anglo-Saxon England', *Journal of British Studies* 40 (2001): 1–43; Guy Halsall, 'Violence and Society in the Early Medieval West: An Introduction', in *Violence and Society in the Early Medieval West*, ed. Guy Halsall (Woodbridge,: The Boydell Press, 2002), 19–20; Hyams, *Rancor and Reconciliation*; John D. Niles, 'The Myth of the Feud in Anglo-Saxon England', *The Journal of the English and Germanic Philology* 114 (2015): 199–200; Stephen D. White, '"The Peace in the Feud" revisited: feuds in the peace in medieval European feuds', in *Making Early Medieval Societies,* eds. Cooper and Leyser, 220–243; see also Stefan Esders, 'Wergeld und soziale Netzwerke im Frankreich', in *Verwandtschaft, Name und soziale Ordnung*, eds. Patzold and Ubl, 141–159.

Alfred's law code, and *II Athelstan* required that people be held legally accountable for the future behaviour of a relative previously found guilty of theft, as well as obligating them to find a lord for any lordless relative considered to be of bad character.[39] Such clauses therefore re-enforced these ideas of collective responsibility between family members, and show that solidarity was expected regarding not just wergild payments and feud-related issues, but a much wider range of issues as well.

Ideals of showing solidarity towards one's kin are not just found in law codes, either, but are also expressed in Old English poetry. Perhaps the most famous example of this is found in the epic poem *Beowulf*, where, while watching Beowulf stand alone against the dragon, it is said of Wiglaf (Beowulf's kinsman) that 'hiora in anum weoll sefa wið sorgum; sibb' æfre ne mæg wiht onwendan þam ðe wel þenceð' (The heart in one of them seethed with sorrow; nothing can ever change kinship ties for one who thinks properly).[40] Out of all the retainers watching Beowulf fight the dragon, it is Wiglaf alone who appears by Beowulf's side. It is true that Beowulf was also Wiglaf's king, but the poem makes clear that these bonds of lordship alone were not sufficient to summon the other onlooking warriors to Beowulf's aid, indeed it is only bonds of kinship, shared between Wiglaf and Beowulf, which are strong enough to compel Wiglaf to fight.[41] This therefore indicates a strong sense of duty connected with familial ties, especially in the elite warrior culture which is at the heart of the *Beowulf* poem.

We can see similar ideas expressed elsewhere in Old English poetry, for example in *The Battle of Brunanburh*. In documenting the death of the son of Constantine, the king of Scotland, the poet says that the king 'his sunu forlet on wælstowe' (left his son behind in the place of slaughter).[42] The verb *forlætan*, which is translated here as 'to leave', can, however, also be translated as 'to desert', or 'to abandon'.[43] The ambiguity of the word's meaning was therefore likely a deliberate choice by the poet, alluding to Constantine's failure to protect his son and live up to his obligations as a father. In this way, the poem elicits judgement of Constantine, and a condemnation of his inability (or unwillingness) to adequately defend his son.[44] Indeed, this failure sits in stark juxtaposition to Wiglaf's heroic actions in *Beowulf* in rushing to the defence of his kinsman.

We cannot suppose that people always adhered to these ideals about how one should behave towards one's kin, and indeed we have examples from this period of relatives quite publicly not getting along with each other.[45] However, it would have been difficult to ignore these societal values, and failing to live up to the expectation of

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[39] 'II Æthelstan', c.1.3, c.2, in Liebermann, *Die Gesetze*, 150–1.

[40] ll.2599–601, *Beowulf*, 256.

[41] For more on the relationship between Wiglaf and Beowulf, see John M. Hill, *The Anglo-Saxon Warrior Ethic: Restructuring Lordship in Early English Literature* (Gainesville: University Press of Florida, 2000), 19–46.

[42] Entry for 937, in Janet Bately, ed., *The Anglo-Saxon Chronicle: A Collaborative Edition: 3 MS A* (Cambridge: D. S. Brewer, 1986), 71; translation my own.

[43] Entry for 'for-lǽtan', *Bosworth-Toller Anglo-Saxon Dictionary*, http://bosworth.ff.cuni.cz/045795 (accessed 17 October 2022). See also the entry for 'forlǽtan' in the *Dictionary of Old English*, https://www.doe.utoronto.ca/pages/index.html (accessed 17 October 2022).

[44] For a recent examination of *The Battle of Brunanburh* more broadly, see Alice Jorgensen, 'Reading Emotion in The Battle of Brunanburh', *Neophilologus* 100 (2016): 663–76. Notably, one of Constantine's sons was apparently taken hostage by Æthelstan prior to the battle; see Sarah Foot, *Æthelstan: The First King of England* (New Haven: Yale University Press, 2011), 53.

[45] For example, see Andrew Rabin, '"Sharper Than A Serpent's Tooth": Parent-Child Litigation in Anglo-Saxon England', in *Childhood and Adolescence in Anglo-Saxon Literary Culture*, eds. Susan Irvine and Winfried Rudolf, (Toronto: Toronto University Press, 2018), 270–90.

supporting and protecting one's kin is likely to have come with a heavy social cost (as Tom Lambert has also suggested), and, as we have seen, potential legal consequences as well.[46] The killing of one's kin subverted all the usual social expectations regarding how relatives should treat each other: not only did such an act represent a betrayal by the very people one could usually expect to rely on most throughout life, but, perhaps even more importantly, it also challenged some of the core social and legal norms which underpinned secular society more widely.[47]

The Sanctity of Close Kinship

It is, however, important to note that these values and ideals of supporting, honouring, and showing loyalty to one's kin were not just secular values, but religious ones too. Indeed, one particularly important source for these sentiments and attitudes is likely to have lain in Christianity and contemporary interpretations of the Bible, and Hans Hummer has previously demonstrated the close and important connections between kinship, monasticism, and spirituality in medieval Europe.[48] The need to honour, love and support one's relatives is an ideal which is found throughout the Bible. For example, Exodus 20:12 orders one to 'honour thy father and thy mother', similarly Leviticus 19:3 states 'every one of you shall revere his mother and his father', and Proverbs 30:17 cautions that 'the eye that mocketh at his father, and despiseth to obey his mother, the ravens of the valley shall pick it out'. We have also seen that the Bible contains the story of Cain and Abel, where Cain's terrible act of fratricide (which formed a central part of the narrative in *Beowulf*) is laid bare. One should also recall the biblical quote from John the Evangelist included in the *Scriftboc* when explaining the penance due for the murder of close kin: 'he who hates his brother is a murderer'.[49] The inclusion of this quote in a penitential text demonstrates that these notions drawn from biblical texts were not only known in society but were actively informing penitential practice.

There is one biblical incident which would, at least on the surface, appear to run counter to these ideals, and that is Abraham's willingness to sacrifice his son, Isaac, to prove his devotion to God.[50] In this story, Abraham's killing of his son is portrayed as a necessary act, and his willingness to commit it as a positive. However, the specific choice of act to prove Abraham's devotion in this case is very telling, in that the most challenging test conceivable was that of killing his own son. The power of the story, and the whole value of the test, therefore lies in the fact that this was the most terrible

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[46] Lambert, *Law and Order in Anglo-Saxon England*, 353.

[47] For more on early medieval kinship, see Lorraine Lancaster, 'Kinship in Anglo-Saxon England I', *The British Journal of Sociology* 9 (1958): 230–50; Lorraine Lancaster, 'Kinship in Anglo-Saxon Society: II', *The British Journal of Sociology* 9 (1958): 359–377; Henry Loyn, 'Kinship in Anglo-Saxon England', *Anglo-Saxon England* 3 (1974): 197–209; James Holt, 'Feudal Society and the Family in Early Medieval England: I. The Revolution of 1066', *Transactions of the Royal Historical Society* 32 (1981): 193–212; Pauline Stafford, 'La Mutation Familiale: A Suitable Case for Caution', in *Community, The Family and The Saint: Patterns of Power in Early Medieval Europe*, eds. Joyce Hill and Mary Swan (Turnhout: Brepols, 1998), 103–23; Hans Hummer, *Visions of Kinship in Medieval Europe* (Oxford: Oxford University Press, 2018); Alex Traves, 'Genealogy and Royal Women in Asser's *Life of King Alfred*: Politics, Prestige and Maternal Kinship in Early Medieval England', *Early Medieval Europe* 30 (2022): 101–124.

[48] Hummer, *Visions of Kinship in Medieval Europe*; see also Andrew Wareham, *Lords and Communities in Early Medieval East Anglia* (Woodbridge: The Boydell Press, 2005).

[49] *Scriftboc*, ll.341–2, 187.

[50] Gen. 22 (DRA).

act a person, and particularly a parent, could commit, one that was at odds with all social and religious norms within Christian society. In addition, it should not be forgotten that God does not, in the end, allow Isaac to be sacrificed by Abraham, but rather intervenes at the final moment to ensure he is not, and that no act of kin-slaying is actually committed. This story of Abraham and Isaac therefore reinforces, rather than undermines, the point above, and should not be viewed in opposition to the importance of one's close relatives demonstrated elsewhere in the Bible, but rather as complementary to it. In addition, regardless of any modern interpretations of biblical depictions of family relationships, what matters most is what aspects of the Bible early medieval writers saw as most important and emphasised most in their works, and in many cases early medieval authors chose to emphasise passages which related to the importance and centrality of the immediate family.

The prevalence in early medieval Western Europe of these biblical ideals of supporting and showing loyalty towards one's immediate family are also demonstrated in Hrabanus Maurus' *De honore parentum*. As already mentioned, Hrabanus was a Frankish monk and later archbishop writing in 842, and in his treatise (addressed to Louis the Pious) this is a consistent theme. Hrabanus draws on Christian theology to underpin the ideal that one should honour and support one's immediate kin, and even quotes some of the biblical passages mentioned above in his work. He also cautioned against those who failed in this duty, particularly in the context of children not fulfilling their obligations to their fathers, which was an especially live and sensitive issue in Carolingian politics when Hrabanus was writing, given the civil wars which had broken out involving Louis and his adult sons.[51] For example, he states that 'Almighty God confirmed how pleasing the honouring of parents and the subjection of sons was to Him', while later claiming that 'the divine books declare how displeasing the disgracing of parents is to God'.[52] Indeed, these sentiments are also echoed in Asser's *Life of King Alfred*, another ninth-century text written by a monk and later bishop. When recounting the return of King Æthelwulf of Wessex from Rome and the refusal of his son Æthelbald to relinquish the control over the kingdom he had temporarily been given, Asser labelled him a *pertinax filius* (obstinate son) and claimed that such dishonouring of one's parent was a disgrace against the values and customs of all Christians (*infamia contra morem omnium Christianorum*).[53] We can see, therefore, that contemporary authors framed the need (and the failure) to support and honour immediate relatives, especially parents, as a distinctly religious, Christian issue, and drew directly on biblical teachings while doing so.

There is also evidence that while killing people *outside* of one's family was seen as a primarily secular crime in early medieval England, as seen by its frequent appearance in royal legislation, killing people *inside* one's family was seen as a distinctly spiritual crime: that is, a sin. If we recall the story of Frotmund mentioned earlier, who was accidently involved in his brother's murder, the king specifically declined to pass judgement

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[51] Hraban Maur, 'On honouring parents, 834', translated by Richard Gilbert, Alex Traves, Charles West, and Tianpeng Zhang, with an introduction by Mayke de Jong, in *Mittelalter: Interdisziplinäre Forschung und Rezeptionsgeschichte* 5 (2022): 1–33; on this text see also Mayke de Jong, 'Hraban Maur as mediator: De Honore Parentum (autumn 834)', in *Splendor Reginae: Passions, genre et famille: Mélanges en l'honneur de Régine Le Jan*, eds. Laurent Jégou, Sylvie Joye, Thomas Lienhard, and Jens Schneider (Turnhout: Brepols, 2015), 49–57.

[52] Hraban Maur, 'On honouring parents', 12, 15.

[53] Asser, c.12, 9–10; Andrew Rabin makes the point that disputes between parents and children represented 'a departure from the conventional parent-child bond', in Rabin, '"Sharper Than A Serpent's Tooth"', 286.

on this matter, instead referring him to a synod of bishops. It is similarly telling that while penitential texts recommended acts of penance for killing relatives, such matters are almost entirely absent in secular laws, and, as we have seen, it was to the pope that the *Old English Penitential* sent a kin-slayer, not to the king. This further suggests that this act was seen as a religious matter: not an affront to public order, but an affront to God and the health of one's own soul. Indeed, when Wulfstan decried the murder of kinsmen in his sermon, the Old English word used (*synleawa*) demonstrated the sinful nature of the act, and the episode of fratricide in *Beowulf* was also, as we have seen, described as having been *fyrenum gesyngad*, which can be translated as 'sinfully perpetrated'.[54] Showing loyalty, honour and unconditional support to one's close family in particular is a consistent theme of Christian teachings found in early medieval texts, and we have seen evidence that contemporary society saw this, unlike other forms of murder, as a specifically private and spiritual crime to be dealt with by clerics, rather than a public crime to be dealt with by the king and his secular officials and laws.

An important aspect of many of the above examples that it is necessary to highlight is that almost all of them refer to violence committed against immediate relatives (such as parents and siblings), rather than more distant ones. For example, the two clearest examples of the killing of relatives mentioned in *Beowulf* (the story of Hæthcyn and his brother, and Cain and Abel) involve fratricide, a man killing his own brother. The Old English penitentials are clear that the severe penance is only required for the killing of one's closest relatives (*nehstan mæg*), and make no specific mention of any penance due for the killing of more distant relatives.[55] One should also note that the aforementioned example of Frotmund's journey to the Holy Land as an act of penance was also because he (inadvertently) committed fratricide. While the extract from Wulfstan's *Sermo Lupi* cited at the beginning of this article does not specifically identify close kin, in this wider context it is very possible that he too was implying the murder of close kin in particular when detailing the sinful behaviour of the English. Indeed, in his glossary Ælfric translates the word *mægslaga*, which was used by Wulfstan in his sermon, to the Latin *parricida,* parricide, meaning the murder of a parent or close relative.[56]

Traditional historiography on English kinship, particularly work by Lancaster and Loyn, has suggested that more distant relatives such as cousins might have been less important than close kin due to the comparable dearth in Old English terms to describe extended relatives.[57] Many primary texts do not define precisely what is meant by 'nearest kin'. There are also no references in the primary source material to how, for example, godparents and godchildren might factor into this. However, one penitential text, the *Scriftboc*, does shed some light on the issue. It specifically identifies the murder of one's parents, siblings, or children as attracting the most severe form of penance, but this was not the case with any other form of relationship.[58] As such, this is the definition of 'close kinship' that will be followed here: parents, siblings, and children. The absence of godparents and godchildren in this list is significant, and would

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[54] Whitelock, *Sermo Lupi Ad Anglos*, 50; *Beowulf,* ll.2439–41, 246; translations my own.
[55] OEP, IV. 2, 48.
[56] Julius Zupitza, *Aelfrics Grammatik und Glossar* (Berlin: Weidmannsche Buchhandlung, 1880), 319; *Bosworth Toller's Anglo-Saxon Dictionary Online*, https://bosworthtoller.com/22114 (accessed 17 October 2022), s,v, 'mægslaga'.
[57] Lancaster, 'Kinship in Anglo-Saxon Society – I': 235–7; Loyn, 'Kinship in Anglo-Saxon England': 198.
[58] *Scriftboc,* ll.339–41, 187.

suggest that they too were excluded from penitential definitions of 'close kinship', and the murder of one's godparent or godchild does not appear to have required the performance of different penance compared to the murder of any other non-relative, despite the spiritual nature of these relationships. This therefore reinforces the idea that relationships between immediate kin (parents, siblings, and children) were considered distinctly important compared to any other form of relationship.

The evidence explored above suggests that close kinship was not just considered by contemporaries as simply a physical connection of shared blood and descent, but also a spiritual one. The killing of close relatives was not seen as a secular crime (as with the killing of non-relatives), but more specifically as a sin: a stain on the soul and a crime not against the king's peace, but against God and the natural order. While the murder of non-relatives was also considered sinful, as we have seen, there was a very significant disparity in the penance required to atone for the killing of non-relatives (and even godparents and godchildren) compared to that which was required for the killing of close kin, made up of parents, siblings, and children. If the murder of close kin was thus considered a severe sin but not a secular crime, this suggests that there was a unique spiritual element to this relationship which was not present between more distant kin or between non-relatives. As has been seen, the bond between close kin was perceived as being of paramount importance within Christianity by early medieval contemporaries, and showing love, respect, honour and loyalty to one's immediate relatives were seen as part of being a good Christian: indeed, biblical teachings repeatedly emphasise the importance of these values and relationships, teachings on which the penitentials and other contemporary texts frequently drew. This is perhaps to be expected of a religion in which the immediate family plays such a central role in its foundation story. Jesus was not just a prophet of God, but he was more specifically His son, with God as his father and the Virgin Mary as his mother. While the texts considered here do not directly reference the sanctity of the Holy Family as a model for others, it cannot be a coincidence that the spiritual nature of the bonds of close kin implied in the sources occurs in the context of a religion which was itself centred around a close and sacred family.[59]

The act of murdering a close relative not only violated the secular norms of kin-solidarity and honour (through a failure to live up to perceived obligations), but it also severed this sacred bond too. This explains why social attitudes towards the killing of close relatives were often so overwhelmingly disdainful, more so than attitudes towards conventional manslaughter, and why such an act became associated with the very worst events, such as the genesis of monsters in *Beowulf*, or the many crises which plagued the English kingdom in Wulfstan's *Sermo Lupi*. The sacred nature of the relationship between close kin also explains why in Frotmund's case the king refused to pass judgement on him, and instead referred him to a synod of bishops. The killing of his brother was a matter which lay outside of the king's secular jurisdiction, as it was not considered a violation of public order, but instead a very grave and also distinctly personal sin. The fact that a synod of bishops was called, rather than Frotmund receiving instruction from just one bishop (as some Old English penitentials

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[59] For more on this, and in particular the Virgin Mary, see Conrad Leyser, 'From Maternal Kin to Jesus as Mother: Royal Genealogy and Marian Devotion in the Ninth-Century West', in *Motherhood, Religion and Society in Medieval Europe, 400-1400*, eds. Conrad Leyser and Lesley Smith (London and New York: Routledge, 2011), 21–40.

recommend) is also notable. It suggests that such cases were not only rare but also challenging to address from a spiritual perspective: a simple regime of fasting, prescribed for most sins, would not be enough to absolve him of this particularly severe transgression. Indeed, even a synod of bishops was not able to assign a final penance to Frotmund, instead deferring the case directly to the pope, further illustrating both the rarity of the situation and the seriousness with which it was taken.

The sacred nature of the relationship between close kin is also demonstrated through considering the only other sin where the penitentials recommend exile and a journey to Rome, that of killing clerics. Unlike the killing of close kin, secular law did also punish violence against clerics as a violation of public order, but the severe spiritual harm such an act caused is also clear. Clerics were the servants of God living under His protection, and in possession of a deeper spiritual connection to the divine than others: the slaying of a cleric was therefore seen as a far graver sin than the slaying of a layman who had not dedicated their life to God in this way. This is partly why viking attacks on monasteries were often distressing spectacles for contemporaries. For example, Alcuin of York highlights the death and destruction after the 793 viking attack on the monastery at Lindisfarne in his letter to Bishop Higbald, stating: 'the pagans have desecrated God's sanctuaries, shed the blood of saints around the altar, destroyed the house of our hope and trampled the bodies of the saints in the temple of God like dung in the street'.[60] Alongside the expressions of horror at the violation and theft of the physical spaces and objects in the monasteries themselves is also the shock displayed towards the killing of monks (as hinted at by the reference to blood around the altar) who, at least in England, were often considered off-limits in armed conflicts.

This evidence therefore suggests that it was only the most severe spiritual crimes which required the performance of penance involving exile and travel to Rome: one of these was (in some instances) the killing of clerics, the other was the killing of close kin. While the sacred nature of clerics is immediately obvious, the sanctity of the latter is less so. However, the evidence considered in this article suggests that there was an important spiritual connection between close kin in early medieval society, underpinned and fostered by perceived biblical ideals, and which did not exist in the same way between more distant kin or between non-relatives. This therefore explains why this society had such a strong aversion to the killing of close relatives, and why the penance required for committing such an act was so different in form and severity from the killing of non-immediate relatives.

Conclusion

This article has made two claims. First, in early medieval society between the ninth and eleventh centuries there existed a significant social aversion towards the act of killing one's kin. We can see this through the unusually severe penance imposed on those who performed such an act both in England and Francia, its association with the calamitous Scandinavian invasions of England in the early eleventh century, and disdainful references to this act in Old English poetry. In attempting to explain the existence of this phenomena, royal legislation and secular norms regarding behaviour and kin-

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[60] *MGH Epp.* 4, ed. Ernst Dümmler (Berlin: MGH, 1895), no. 20, 57.

solidarity were also discussed. In particular, it has been argued that this aversion to kin-slaying plugged the gap in a legal system which only provided for dealing with murder when it occurred between two separate families. Another cause was also identified: that the act of murdering one's relative subverted social (and at times legal) expectations around how one should behave towards one's kin, which in turn generated an aversion towards those who had committed such an act.

Second, I have argued that the reason for this emphasis on close kin, and the disparities in penance due for murder between close kin compared with distant kin and non-kin, is that close kinship was not just perceived as a carnal relationship, but also a sacred one, which was encouraged and fostered by Christianity and contemporary interpretations of it. We can see this through repeated emphasis by contemporary authors on biblical passages showing the importance of close kinship in particular, the imposition of severe penance (adapted from God's punishment of Cain) which seems to have been reserved for only the worst spiritual crimes upon those who killed close kin, and the involvement of bishops and the pope in such cases rather than secular officials or the king as with other cases of murder. It is also evident through how contemporary authors such as Hrabanus and Asser consistently framed the deep bonds of close kinship, and particularly the relationship between parents and children, in distinctly Christian terms. Bonds of close kinship were therefore not just about shared blood: these relationships were also seen to possess a deeper sacred nature which does not seem to have been present between more distant kin and non-kin in the same ways.

The implications of these arguments are significant. In terms of kinship studies, it shows that not all family relationships were the same, and that parents, siblings and children held a unique and privileged position in society compared with more distant relatives, non-relatives, and spiritual kin such as godparents. This is the case even in ecclesiastical sources where godparents might be expected to have held a more significant position. This therefore means that the way historians discuss the family and kinship networks in the Early Middle Ages needs to be more nuanced in ways that reflect this. For example, the idea that the Norman Conquest brought with it transformational changes to the family involving the narrowing of family structures into a much smaller group of immediate relatives (compared with supposedly much larger pre-Conquest English family groups) remains prevalent.[61] However, in light of the clear emphasis placed on the immediate family already in pre-Conquest England which has been demonstrated here, this narrative of transformational or 'revolutionary' change is in need of revision: the immediate family, fostered by Christian ideals, remained distinctly important in both pre- and post-Conquest society. In addition, this article has demonstrated the importance of religion in shaping contemporary ideas about kinship relationships, a point which traditional scholarship on the subject has often overlooked.[62] As such, future work in this area must give greater consideration to the interaction between spiritual belief and the construction of ideas about family relationships: early medieval England and Francia were both societies moulded by religious belief, and I have shown here that contemporary ideas about kinship were no different.

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[61] See, for example, Holt, 'Feudal Society and the Family in Early Medieval England: I. The Revolution of 1066', 193–212.
[62] Hummer, *Visions of Kinship*, has recently made a case for the spiritual and sacred nature of kinship in medieval Europe more generally.

Another important implication pertains to the intersection of secular and ecclesiastical law. Studies have traditionally treated them as separate rather than complementary entities (perhaps except for work on Wulfstan of York), and texts such as law codes and penitentials are rarely considered together as part of a broader analysis.[63] However, this article has shown the importance of taking a more integrated approach: early medieval society did not operate with two entirely unrelated systems of social and legal regulation, with secular laws being of greater importance. It has been demonstrated here that not only should historians be cautious about viewing royal legislation as being of greater importance than penitential texts, but that secular and ecclesiastical regulations often operated together in complimentary ways, and they therefore must be studied together on those terms if we are to gain a more holistic understanding of early medieval society.

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[63] The most notable exception here is the important work of Stefan Jurasinski, *The Old English Penitentials and Anglo-Saxon Law* (Cambridge, 2015). For more on the relationship and distinctions between secular and ecclesiastical justice, see Marafioti, 'Secular and Ecclesiastical Justice, 774-805.