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"How a Widow Becomes a Witch: Land, Loss and Law in Charter S. 1377"  
Uncorrected Draft

The study of anything in Anglo-Saxon England must always be an endeavor of forensic imagination, constrained by but not limited to the surviving documentary record. Regardless of theoretical approaches, scholarship treating women in pre-Conquest England has often focused on well-attested aristocratic women and literary figures, or produced abstracted codifications from archival and archaeological records. This essay takes a slightly different tack, and provides an intensive study of a woman who survives now as a barely legible hapax legomena, existing only in trace form in a twelfth-century copy of a tenth-century charter – a record that documents the end of this woman’s life in order to erase her from the historical register. Exploring the known and conjectural micro-history of this woman reveals the network of gendered, geographic, rhetorical, moral, cultural, legal, political, religious, ethnic and authoritarian values that she lived and died within, whose forces converge at the moment of her prosecutorial killing.

In or shortly before the year 948, among a cluster of East Midlands villages and estates in the northern spur of Northamptonshire, just to the west of Peterborough, a widow (hereafter AW, for "Ailsworth Widow") and her son were accused of attacking a man namedÆlfsige, either as an act of physical violence or, as it is more commonly read, by the practice of sympathetic magic.¹ The alleged evidence for this activity was an iron stake or pin (staca), the "murderous thing" (mord) discovered inside her home. Subsequently AW was drowned in the local River Nene, while her son escaped, becoming a literal outlaw (utlah). The widow’s small estate at Ailsworth then became the forfeited property of King Eadred, who in turn granted it to the same Ælfsige, who is attested as being a "most faithful minister" (ministro...fidelissimo) of the king.

That is the sum total of the surviving information we have about AW. The probable year of the event, the size of the widow’s estate at Ailsworth, and that Ælfsige was a loyal minister of the king are details noted in one Peterborough charter, S.533, preserved in three later twelfth-century copies.² All other information derives from


² All charters are referred to by their Sawyer reference number (for all, see Electronic Sawyer: http://www.esawyer.org.uk). S.533: dedi cuidum ministro mihi fidelissimo vocitato nomine Ælfsino quandam ruris particulam . III . videlicet mansas in loco ubi solicole illius regionis Ægelesuurô nomen
S.1377, a slightly later charter (c. 975-980, but likewise surviving in a twelfth-century copy), that details a series of subsequent land transactions between Bishop Æthelwold of Winchester and Wulfstan Uccea, the son of Ælfsige. For ease of reference, the text of S.1377 is reproduced here in full.3

Her sutelað on þyssum geawrite þet Æpelwold bisceop 7 Wulstan uccea

Here it is made clear, in this document, that Bishop Athelwold and Wulfstan Uccea hwyrfdon landa on Eadgares cyninges 7 on his witenâ gewytnesse. Se exchanged lands in witness of King Edgar and his councilors. The bisceop sealde Wulstane þet land æt Hwessingatune 7 Wulstan sealde him

bishop gave Wulfstan the land at Washington, and Wulfstan gave him

þet land æt Jaceslea 7 æt Ægeleswyrðe. Þa sealde se bisceop þet land æt

the land at Yaxley and at Ailsworth. Then the bishop gave the land at

Jaceslea into Þornige 7 þet æt Ægeleswyrðe into Buruh. 7 þæt land æt Yaxley to Thorney, and at Ailsworth to Peterborough. And that land at Ægeleswyrðe headde an wyduwe 7 hire sune ær forwyrt forþanþe hi drifon Ailsworth had by a widow and her son earlier been forfeited, because they drove

[i]serne stacan on Ælste, Wulfstanes feder, 7 þæt werð æreafe, 7 man teh þæt an iron stake into Ælfsige, Wulfstan’s father, and it was discovered, and someone drew out that morð forð of hire inclifan. Þa nam man þæt wig 7 adrencete hi æt Lundene murder(ous thing) forth out of her inner chamber. Then someone took that woman, and drowned her at London

brigce, 7 hire sune ætberst 7 werð utlah. 7 þæt land eode þam kynge to handa

Bridge, and her son broke out and became an outlaw. And the land went to the king’s hand, 7 se kynge hit forgeaf þa Ælfsige 7 Wulstan Uccea, his sunu, hit sealde eft and the king gave it back to Ælfsige, and Wulfstan Uccea, his son, again gave it Adeluuoðle bisceope swa swa hit her bufan sægð. to Bishop Athelwold, as it here before is stated.

With a few recent exceptions, when interest has been shown in AW, scholarship has focused on her as evidence for the study of witches in Anglo-Saxon England, often unquestioningly accepting S.1377’s implications of necromancy, an approach fraught with its own issues of gender bias.4 Stephen Pollington’s recent supposition

impæ suerunt; ed. S.E. Kelly, Charters of Peterborough Abbey (Oxford: British Academy, 2009), 221-225; see also C.R. Hart, The Early Charters of Eastern England (Leicester: Leicester UP, 1966), 110-111 and 161-62. The authenticity of this charter’s language and content to the tenth century is not in doubt.


that the charter documents "a spontaneous public reaction to a frightening old crone" regrettably distills such sentiments.\(^5\) Likewise, Rolf Bremmer's assessment is particularly revealing of how un-skeptically AW's story has been read. Terming her a "widow-witch," Bremmer writes, "We are not told why the widow had murder on her mind, but I think we are not far from the truth if we assume that she practiced black magic to further her interests as a widow" (69). Because of such readings, AW has remained firmly established in the scholarly imagination as much more witch than widow. In its entry for this woman, for example, the Prospography of Anglo-Saxon England (PASE) database lists her as a "woman accused of witchcraft" and catalogs her status as "Witch" – even though the charter never explicitly names her as such (Figure 1).\(^6\) The entry for "Anonymous 1044 (Female)" nowhere recognizes her status as wyduwe, though that term, along with wif, is the only concrete way she is described in the charter. Ignoring the scant denotive data available, the PASE entry instead reconstructs AW as a network of connotative and incriminatory metadata: confiscation, crime, drowning, execution, forfeiture, injury and wounding, outlawing, and seizure of land.

The PASE entry for "Anonymous 1044 (Female)" exposes how effectively AW's historical identity remains driven not by the letter of the documentary record, but rather by the assumptions of its critical reception – a program of cultural and gendered reading in many ways simpatico with the systems of Anglo-Saxon English power, gender and desire that underwrite the careful rhetorical strategies of S.1377 itself, which pointedly never names AW or her son. In the PASE database, the designation of "Anonymous" is a purely utilitarian one, as literally thousands of recorded individuals lack names, but as a function of their approach, scholarly

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\(^6\) [http://www.pase.ac.uk/](http://www.pase.ac.uk/)
treatments of AW often continue and even augment the (un)naming and erasure of her identity begun in S.1377. Naming her, for example, the "Peterborough 'Witch'" (as Andrew Rabin does) backfills the identity void created by the charter with a name that both perceptively critiques modern scholarly assumptions about the widow (Rabin purposefully places "Witch" in scare quotes), and yet also names her as "Peterborough" – the monastic origin of the charter in question, but ironically the institution which also ultimately came to own AW's lands after her execution. The problem is that in the only record we have of her, AW neither comes from Peterborough nor is called a witch. While her real name will never be known, "Ailsworth Widow," at least, both preserves her legal and social status held before

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8 Rabin, "Before the Law," 43.
she was killed, and the land (and therefore power) that helped define her while alive, not dead.

**Widow**

S.1377’s description of AW as *wyduwe* provides her with a very specific social standing. As the widowed possessor of an estate, AW would likely have been a noblewoman, albeit probably one in the lower aristocratic ranks. Ailsworth was not a big estate, but it was an ideal one; the three hides described in the earlier S.533 charter of 948 cover an area of land roughly four miles long and one mile wide between Castor, Upton, Helpstone, Ufford, Sutton, and Water Newton (Figure 2). Situated in the northeast midlands only four miles east of Peterborough Abbey, the estate would have been desirable property, containing everything a community needs in microcosm: woods, a village, arable fields, and access to both a river and a Roman road (Ermine Street). The northern end of the "London Bridge" where AW was drowned was also likely on her property, in the southeast corner of her estate, where the Roman by-road intersects with the River Nene.

The estate was profitable; under its subsequent ownership by the abbey, by 1086 it had tripled in hidage, consisting of 27 households (17 villagers, 2 smaller landowning farmers, and eight freemen), the village, meadows, woods and two mills. The documentation of AW’s status as *wyduwe* and her estate’s forfeiture to the king suggests that this land was at least nominally, if not completely, under her independent control.

The incongruous place of the widow in Anglo-Saxon society has been studied in

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9 See Kelly, *Peterborough Abbey*, 224-225 for an impressively detailed reading of the topography of S.533’s vernacular boundary clauses for the Ailsworth estate. The boundaries appear to largely follow the surviving civil parish boundaries for Ailsworth, which the map provided here likewise follows as appropriate.


11 *Open Domesday* ("Ailsworth": http://opendomesday.org/place/TL1199/ailsworth/); in 1086 the area had increased to nine hides in value; see also Kelly, *Peterborough Abbey*, 224 and Hart, *Early Charters*, 162-63.
Figure 2: Satellite photo of the estimated boundaries of AW’s estate at Ailsworth, the Ermine Street Roman Road, the location of London Bridge, and Peterborough Abbey. Original image source; Google Maps
some detail. As widows could end up as independent owners of goods and land, they had the potential to operate outside of and challenge standard social networks of the time, where women were usually subordinated within natal or marital male kinship groups. While upon the death of the husband, "there is no question in Anglo-Saxon law of estate and property passing automatically to the an eldest son, with the widowed mother left dependent on his provision," studies of the documentary record in fact show that the large majority of women landholders in Anglo-Saxon England were in fact widows. Likewise, Marie-Françoise Alamichel details several Anglo-Saxon widows from this period who "were obviously living in their own residences, administering their estates with the help of reeves and stewards, managing themselves many domestic concerns such as the supervision of large numbers of servants, [and who] mention their main homes" (126). Though it cannot be claimed with any certainty that AW's circumstances paralleled such a condition, S.1377 implicitly ascribes authority to her. In the charter, the son first appears like he may be an equal partner to AW, but then becomes a secondary figure. After establishing in the plural that AW and her son had forfeited the estate and attacked Ælfsige (hi drifon [i]serne stacan on Ælsie), the charter's language then switches to the singular and emphasizes AW over the son – the murderous instrument is taken out of her chamber (hire inclifan), and it is she that is then executed for this action.

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14 Fell et al., *Anglo-Saxon Women*, 61.


There are a number of routes whereby AW could have ended up with independent or joint ownership of her estate. Evidence from Anglo-Saxon wills from this period attest that female heirs for property were relatively unexceptional, and dowries (which often included land) could pass to the widow.\textsuperscript{17} If the estate has been a traditional \textit{morgengifu} to the woman at her wedding, she may have owned it outright and had complete control over it from the beginning.\textsuperscript{18} Additionally, in the tenth century, protection of widows holding property by charter, or \textit{boclond}, shifted from her kin group to the king, providing such women with newfound legal and economic freedoms.\textsuperscript{19} With particular reference to the circumstances of AW and her son, records also survive of Anglo-Saxon women inheriting or being granted property which will then pass to their children when they die, or which the woman has the authority to bequeath upon her children.\textsuperscript{20} A late tenth-century charter from Bishop Oswald of Worcester, for example, grants three hides of land (coincidently the same size as AW's estate at Ailsworth) to one Ælfiðild for the duration of her lifetime, and after her death, to two of her heirs.\textsuperscript{21} The fact that the land is able to be confiscated by royal forfeiture could also suggest that AW had control over the Ailsworth estate. If AW held the land as \textit{boclond} or \textit{læneland} (i.e. permanently or temporarily granted to the widow under specific terms of a charter or will) it may not have then been subject to claims by her son or other existing members of her natal and marital kin networks (unless by terms of the legal document); in such a case it would take a serious criminal offense for its ownership to default to directly to the king.

But while such agency and independence clearly existed for some widows in Anglo-Saxon England, many such women also struggled to maintain control over their own property and lives.\textsuperscript{22} Anglo-Saxon law codes, for example make it clear that forcing

\textsuperscript{17} Alamichel, \textit{Widows}, 84-116, esp. 110; Nelson, "Wary Widow," 94-95; Fell \textit{et al.}, \textit{Anglo-Saxon Women}, 95. See also F.M. Stenton, “The Historical Bearing of Place-name Studies: the Place of Women in Anglo-Saxon Society," \textit{Transactions of the Royal Historical Society} 25 (4\textsuperscript{th} series) (1943): 1-14, for a survey of women landowners based on toponymic evidence.


\textsuperscript{19} Meyer, "Land charters," 65-66.

\textsuperscript{20} Alamichel, \textit{Widows}, 105-06 and 110, Fell \textit{et al.}, \textit{Anglo-Saxon Women}, 85-87.

\textsuperscript{21} S. 1309 (ed. and trans. Robertson, \textit{Anglo-Saxon Charters}, 87-88); Alamichel, \textit{Widows}, 110 and Fell \textit{et al.}, \textit{Anglo-Saxon Women}, 86.

\textsuperscript{22} See Rivers, "Widows' Rights," for a representative example of the earlier arguments that Anglo-Saxon England was, relatively speaking, a golden era for medieval English widows. See Anne L. Klinck, "Anglo-Saxon Women and the Law," \textit{Journal of Medieval History} 8 (1982): 107-21 and Stafford, "Women and the Norman Conquest," for a review and subsequent critique of such claims.
widows to re-marry against their will was a practice that occurred enough that it needed to be legislated.23 Alamichel sums it up with concision: "widowhood meant instability, precarity, hardship and isolation" (145). The rise of widow-specific law codes in the late Anglo-Saxon period attest to a rise in such struggles, as the vulnerability of widows living outside traditionally limned networks of male patronage made them targets both inside and outside their families.24 One late tenth-century charter details both the precarity and the perceived threat of widows in a single complicated case, where a nobleman named Wulfbold first seized the lands of his widowed stepmother, and then, after Wulfbold executed for successive and similar crimes, his widow and son proceeded to avenge him, killing a king’s thegn and his companions who occupied one of the estates Wulfbold had illegally seized. Subsequently, the king confiscated all Wulfbold’s estates, including those the widow and son would have held.25

**Charter**

By the functional nature of the documentary form, lawsuits recorded in charters favor the winners, and often construct the losers through skewed and morally inflected rhetoric.26 In his study of S.1377’s rhetoric of revelation and concealment, where the winners are named and the losers pointedly remain unnamed, Andrew Rabin views the claims of the charter with a studied skepticism:

> though claiming to document a series of legal events, the account nonetheless contains numerous contradictions and omissions that elicit questions concerning the precise nature of the widow’s crime, the regularity of the proceedings, and the manner in which the individuals involved understood themselves as agents and subjects of the law.27

The immediate cause for suspicion is the potential gap between the accusation of witchcraft and the consequent punishment of drowning. Alfred’s ninth-century prohibition generally pronounces that a woman accustomed to practicing witchcraft should be killed, while Athelstan’s early tenth-century Grately law code does prescribe the death penalty for anyone caught undeniably practicing witchcraft that

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24 Fell et al., Anglo-Saxon Women, 61-2; Thompson, "Women, Power and Protection," 5-6 and 9.


results in the death of the victim. In Athelstan’s law, though, this is subject to appeal by triple ordeal if denied by the accused; if found guilty by ordeal, the punishment is then a prison term and a set of fines. Other legal and penitential codes broadly stipulate, sometimes for women specifically, a punishment of either fasting or excommunication (if penance is not performed) for such murderous rituals, even if successful. Wulfstan’s eleventh-century Canons of Edgar specifically cites a kind of sympathetic magic implicated in S.1377:

Gif ænig man oðerne mid wiccocræfte fordo, fæste .vii· ger. þa .iii· on hlafe
If any one kill another with witchcraft, he is to fast 7 years, 3 years on bread
& on wætere. & þa .iii· ger .iii· dagas on wucan on hlafe & on wætere.
And on water and for 4 years (he is to fast) 3 days each week on bread and water.
Gif hwa drife stacan on ænigne man · fæste ·iii· gear on hlafe & on wætere ·
If someone drives a stake into another man, he is to fast 3 years on bread and water,
& þa ·ii· fæste on wucan þry dagas on hlafe & on wætere ·
and for 2 years he is to fast 3 days each week on bread and water,
& gif se man for þære stacunge dead bið · þonne fæste he ·vii· gear ·
and if the man is dead because of the stake, then he is to fast 7 years.

Drowning, on the other hand, appears to be a legal punishment reserved for theft. Early medieval law codes are not absolute reflections of how those found guilty acts were punished, but they did serve as prospective guidelines for measuring the severity of a sentence within the context of both the law and its particular circumstances. In S.1377, the gap between surviving legal and ecclesiastical metrics and the severity of the punishment dispensed suggests that at best, the charter omits information that could explain such a disparity, and at worst, that the charter glosses over a less than legal process to possess AW’s property at the expense of her life.

The six clauses of the charter describing the conditions of the widow’s forfeiture and execution do encode, however, a series of performative, gendered and penetrative acts, producing a linked succession of bodily and proprietary violations that derive from a social substrate of a sexualized authority, threat and response. The violence

29 II Æthelstan 6, 6.1 (Liebermann, Die Gesetze, 242).
31 Old English Penitential, in Anglo-Saxon Penitentials: A Cultural Database: www.anglo-saxon.net/penance, 44.12.01-13.01; a similar version exists in the Old English Handbook (ibid. 54.35.01)
32 IV Æthelstan 6.4. See Davies, “Witches,” 50 for the supposition that S.1377 is evidence of an ordeal by water that considerably predates its legal codification. See also Roach, Kingship and Consent, 131-32.
AW and her son are accused of presumes an attempted penetration of Ælfsige’s body by the widow, either virtually or literally, by iron stacan – a provocative and criminal behavior that reverses the gendered performance of the hetero-normative sexual act. In turn, this action is both discovered and undone, when the widow’s own "inner chamber" (inclifan) is entered, from where her "violent instrument is withdrawn" (teh þæt morð). The widow’s own body is then forcibly seized (nam), and submerged (drencete) in the river Nene, a chiasmic punishment framing her own alleged acts of somatic penetration. Her son, notably, does not suffer the same, feminized fate of drowning as a witch. Instead, for the son the penetrative structures that define his mother are inverted, as he bursts out of his own containment (ætberst) and along with it the legal structures that govern him, becoming a literal outlaw (utlah) in the process. In short, even within the spare and omissive rhetoric of this charter, it tells the story of a woman whose domestic space, body and land was invaded, claimed and taken, and of her son, a man who by contrast is not defined by containment, but escape.

The gaps at the center of the charter register a conflicted desire; its language expunges AW and her son as much as possible from the written record while still acknowledging the necessity of her existence. Unlike the high-status men who begin and end this charter, the widow and her son are never named, nor are a number of other the individuals - the man who discovered the iron stake and the man who drowned her are referred remain simply that, "someone." The categorical ambiguity of the widow and son’s crime is striking; the charter describes their attack but never specifically names it as a form of witchcraft, and instead asks the reader to conclude this widow was, in fact, a witch – a conclusion modern readers have been all too ready to make. But this rhetorical strategy also destabilizes the event recounted, and suggests the basis for the widow’s disenfranchisement and death may have been rooted less in legible fact than in the desired invention of convenience.

AW’s story occurs at almost the exact middle of the charter, a placement literally centering this woman in the text even as it removes her. This structure again contains her, framing her redacted identity and legal status within the accounts that both begin and end the document, those of the men who posthumously transact her forfeited property back and forth between them: the forfeiture of AW’s estate to King Eadred, Eadred’s subsequent gift of the Ailsworth land to Ælfsige, both his most faithful minister and the widow’s alleged victim, the passing of the estate to Ælfsige’s son, Wulfstan Uccea, then the trading of the estate between Wulfstan and Bishop Æthelwold of Winchester, and the flipping of this property by Æthelwold to Peterborough. As Patrick Wormald has shown, from the tenth to the eleventh century, English kings increasingly used criminal prosecution as an opportunity to confiscate lands and enlarge their landholdings. In S. 533 and S.1377 we see this in action, as in c. 948 royal prerogative is used in essence to launder land – to take it from a widow and her son and give it to a favored lieutenant.

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Depending on the particulars of the widow's rights and control of the Ailsworth estate, a royal forfeiture through criminal activity may have been one of the only recourses available to obtain the land through a legal process. If AW lived on the estate as an arrangement of traditional folcland, that is, as a family property, in normal circumstances, upon her death it would remain inalienable to any other party other than a kinship group. If AW held her land as some version of bocland, that is, under specific conditions of ownership documented in a royally sanctioned document, she would either have complete authority over the property, or hold it within a set of conditions such as her son or family inheriting it upon her death, though with an overriding obligation to the king. Regardless of the estate’s specific disposition of ownership, following AW’s execution, S.1337’s reporting that hire sune ætherst 7 werð utlah also suggests a strategy that could foreclose other possible claims to the land in order to securely alienate it outside the family network. The charter’s use of the term utlah should not be considered figural; the term carries a specific legal function, designating a status where, in the words of Kristen Carella, an individual has been “stripped of all forms of legal protection... because justice has compelled his flight, since all legal measures penalizing acts of violence against him, even his murder, or requiring feud on the part of his kinsmen to support him, had been formally lifted.” Lagu, the Scandinavian loanword for “law,” and its cognates utlah/utlagu/utlaga enters into Anglo-Saxon vernacular legal discourse ca. 970, same timeframe as the date of S.1377. Two or three decades after AW forfeits her land and is executed, S.1377 post factum applies the latest legal terminology to her presumed heir, ratifying his own complete loss of legal rights, including any claim he might have to his mother’s lands.

What exactly happened between the Ælfsige and AW and her son will never be known; the possibilities range on a spectrum from AW being an actual practicing witch who tried to murder Ælfsige, to being an independent landowner who was unjustly framed and had her land stolen from her and her family. Ælfsige may well


35 Alamichel, Widows, 108, 116 and 121; Stafford Unification and Conquest, 176, further notes that, "Widow's land was part of the old family provisions which nobility successfully exempted from royal forfeiture."


38 van Houts, "The Vocabulary of Exile and Outlawry in the North Sea Area around the First Millennium," Exile in the Middle Ages (Turnhout: Brepols, 2004), 13-28, at 15.

39 Roach, Kingship and Consent, 131-132 reads the events as the culmination of an ongoing local dispute, ending in "mob justice," that is then later provided legal authority.
have been viewed as a carpetbagger from the south and not well liked by northern locals. There is evidence to suggest he and his family were based in Kent or Sussex, and in addition to S.1377’s claim that a Northamptonshire woman in Ailsworth tried to kill him, earlier someone else abducted a slave-woman from his nearby estate in Yaxely. \(^{40}\) Ælfsige’s son, Wulfstan Uccea (whose brother was also the Bishop of Sherborne), may not have been so well regarded either. \(^{41}\) But Ælfsige and his son also came from an demonstrably powerful family; he, his father and brothers held and transacted lands with Bishop Æthelwold throughout the east midlands and elsewhere, and may have even sold back to Æthelwold the actual land on which Peterborough Abbey itself was situated. \(^{42}\)

S.1377’s retroactive language highlights the decades between the events in question (c.948) and their documentation (c. 975-980), suggesting some legal cover was required. S. 533 earlier documents the gift of land from King Eadred to Ælfsige as an unambiguous example of royal bocland, making no mention of AW’s previous ownership, that the lands were forfeited to the king, or the sensational circumstances of their forfeiture. This may have been an intentional strategy of obscuring the previous owner, a scheme that converted kin-owned lands into a shiny new bocland without a history. \(^{43}\) Decades later, however, as the land is set to be part of a transaction between Bishop Æthelwold and Peterborough monastery, there appears to have been some need to establish the provenance, process and legality of the land’s acquisition, perhaps due to anxiety surrounding the original particulars of the forfeiture. \(^{44}\) Even if AW held the land as bocland, and subject to the king’s prerogative, outside of extra-ordinary circumstances like criminal prosecution, it could still be subject to claim by kin upon her death. \(^{45}\)

The opening of S.1377 promises *her sutelað* ("here it will be made clear"), yet the continued omission of the AW’s and her son’s identities also intentionally obscures the land’s provenance and history. The charter’s content refuses to fashion a parchment trail back its original owners, thus fixing the origin of the land’s ownership in the documentary present, where the past validates the present, but is denied its own presence and agency.

\(^{40}\) In S.1377, the land traded to Wulfstan Uccea for the northern properties of Ailsworth and Yaxley, Washington, is in Sussex. See also Kelly, *Peterborough Abbey*, 50 and 224, and 275-6; Hart, *Early Charters*, 162, and charter S.1447.

\(^{41}\) *Ibid.*, 276. Wulfstan’s byname Uccea derives from *yce*, the Old English word for frog, and likely meaning "swollen."


\(^{44}\) *Cf.* Kelly, *Peterborough Abbey*, 277.

One factor which likely lies behind all these rhetorical strategies is the growing resentment in the 960's and 970's of local nobility at the aggressive procurement of territory by Benedictine Reform monasteries under the protection of King Edgar. On Edgar's death in 975, monasteries found themselves the focus of an anti-monastic backlash, reified through legal and extra-legal attacks designed to take back lands that had become Church property in the preceding decades through a variety of tactics, some demonstrably suspect. Bishop Æthelwold was a central figure in acquiring land for monasteries during this time, and records at Winchester, Ely and Peterborough show that he had no qualms in rigging documentary evidence to legitimate his territorial acquisitiveness for pet monastic projects like Peterborough and Thorney. It's likely, even probable, that S.1377 was in fact drawn up by Peterborough sometime shortly after Edgar's death in order to protect the property from subsequent anti-monastic litigation by Wulfstan Uccea or other parties. The Ailsworth property was part of a growing and linked set of local Northamptonshire and Huntingdonshire properties connected to Ælfige's powerful family that Æthelwold was involved in acquiring in order to build up Peterborough and Thorney. Some of the other properties which passed from Wulfstan Uccea through Æthelwold to these monasteries were subject to post-Edgarian legal challenges and repossession; in the case of the Yaxley property mentioned in S.1377, Æthelwold himself had to buy the estate back for Thorney, after Wulfstan Uccea tried to undo the deal. While no surviving records show the Ailsworth property as being a direct part of such disputes, S.1377's ex post facto profile, with its carefully constructed details of Ailsworth's past provenance of AW's alleged criminality, her son's uthlæah status, and her estate's royal forfeiture appears designed to insulate it from subsequent anti-monastic litigation.

**Church**

In his near contemporary biography of Æthelwold, Ælfric writes that among his numerous positive qualities (including his prodigious capacity for acquiring land for

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47 Barbara Yorke, *Bishop Æthelwold: His Career and Influence* (Woodbridge: Boydell, 1997), 5: “The archives of Winchester, Ely and Peterborough demonstrate the way in which Æthelwold relentlessly pursued his aims through law-suits, and transfers and purchase, and if his houses did not possess suitable charters from their foundation period for the lands to which they claimed titles, new charters were constructed in which the history of the house was carefully rehearsed.”


monasteries), the bishop was known as a "comforter of widows." The Church's role as the caretaker of widows was traditional, and likewise reflects both the special and precarious place of the early medieval widows. As has been much noted, in tenth- and eleventh-century Anglo-Saxon England, both the ecclesiastical and secular records reflect a growing need to codify the protection of widows, in response to a concomitant rise in offenses against them. The Anglo-Saxon church protected widows in concrete ways: in documented instances of the *mund/mundium* (the legal protection of male guardians afforded to women and children) for widows, those identifying the Church as their protector substantially outpace those of secular guardians, while during Edgar's reign in the 960's and 970's that legal statements ratifying the Church's guardianship of widows first begin to appear. Widows who did not desire to remarry had good cause to become *deo sacrata* and institutional wards of the Church, where widows could continue to live at home and bishops would defend their property from familial of other challenges for its control. In return, the Church profited from such benefice, as they became primary recipients of valuables and property upon the widow's death, either immediately or upon the death of their children.

Such protections afforded to widows highlight the gendered disparity of their condition; compensation for offenses against widows were usually paid to her appointed male guardian (or the Church, or even the king), but rarely to the woman herself. Widows were often subjected to moral scrutiny to determine whether they deserved to be protected; Æthelræd's code of 1008 notes, "each widow, who keeps herself with what is right (sylfe mid rihte gehealde), should be under the protection of God and the king." The increasingly ecclesiastical tone of later Anglo-Saxon

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54 Rivers, "Widows' Rights," 211.


56 Crick, "Widowhood in Pre-Conquest England," 36; see Alamichel, *Widows*, 137, for her study of a will (S.1535) where a widow grants her son land, but stipulates that it pass to the local church upon his death.


royal codes may elaborate the need to protect widows, but they also relay a growing concern with widows’ sexuality. This is the pivot point around which the early medieval ideology of the widow turns: the widow as defenseless woman to be protected, and the widow as perceived threat to Anglo-Saxon social and moral structures.

In such a cultural landscape, widows who fought for their lands against the church or state could be reconstructed in documents as moral outliers, implicitly or, in some cases, explicitly allied against both royal and ecclesiastical authorities. S.1457, a charter contemporary with S.1377, reports how the widow Brihtwaru forfeits her home estates to King Edgar, who turn sells them Bishop of Rochester, who allows Brihtwaru to continue to live on them. Possibly as part of the post-Edgar monastic backlash, Brihtwaru and her kin then are able repossess the land from the bishop through the support of her ealdorman and the people of the community. The charter makes it clear that the victorious widow and these people (folc) are all "God's opponents" (Godes anspreca). In his consideration of Brihtwaru’s case, Patrick Wormald reads the widow unsympathetically, concluding that even though the evidence had been "supplied by the opposition . . . it was perhaps not unreasonable to regard Brihtwaru as a criminal." In S.1457, the widow Brihtwaru was (and still is, apparently) judged as Godes anspreca for winning back her lands; in S.1377, AW is another model of Godes anspreca - recognized as a widow but killed as a witch to legally support why she lost her lands. As such, AW is an anti-deo sacra, the opposite of the ideal widow who pledges herself to God’s protection and gives her possessions to the Church in gratitude. Witch or widow, though, with regards to property, the result is the same. One way or another, these charters tell such women, the Church deserves your lands.

**Witch**

Witches, like widows, were women in late Anglo-Saxon England who had power that society said they shouldn't have. Despite some scholarly protests, by the tenth-century "witch" was a gendered term, in the documentary record most often representing a woman. Though the Old English words for witches often did apply to both male and female practitioners of magic, later law codes appear to specify a gendered distinction between "witches" (wicce) and "wizards" (wicca), and while male practitioners certainly were understood in theory to exist, the majority of

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Figure 3: Map showing areas of Scandinavian settlement in the Danelaw, based on placename data, and Ailsworth's location on the southeastern border. 
documented or described figures practicing magic appear to have been female. In tenth-century England, witches were a northern threat, connected to the pagan heritage of recent Scandinavian invasions and settlements. To date, no one has studied the Ailsworth Widow's fate in relation to her own geo-temporal position with respect to heathenism, living as she did on the southern border of the recently re-conquered Danelaw (figure 3). AW lived and died amidst the legacy of religiously and ethnically charged Anglo-Saxon policies engendered by the perceived difference of this region and its inhabitants. The monastery at Peterborough's own rebirth had its origin story in Viking violence; Medeshamstede, its earlier incarnation dating from the mid-seventh century was reportedly destroyed (or at least seriously reduced) in 870 by Vikings during their land campaigns.

AW's death for alleged witchcraft would have happened during the collapse of Scandinavian control that had defined this northern region for the previous seven decades, the most recent of which were punctuated by resistance and resentment towards Scandinavian (and at least initially, pagan) occupation and settlement. The Danes of Cambridge submitted to King Edward in 917, but the area was re-conquered during Olaf of York’s major offensive and reoccupation of the five burhs in 941. King Edmund recovered the territory for good in 942, and in 948, the year AW's forfeited lands were given to Ælfsige by King Eadred, the king ravaged Northumbrian lands to the north in a brutal campaign that ultimately led in 954 to the expulsion of Erik Bloodaxe, the last Scandinavian king of York. After aggressions ceased and England was unified, the cultural differences and foreign aspects of northern England became more codified (the term "Danelaw," for instance does not appear until 1008). After Edgar’s death in 975, decades of renewed Viking raiding continued the propaganda of anti-Scandinavian, anti-heathen sentiment. In the mid tenth-century, on a south-eastern border of the Danelaw, the Peterborough region functioned a culturally liminal space between

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62 On such distinctions of terms, see Meaney, "Women, Witchcraft and Magic," 13-14 and 28-30, Bonser, Medical Background, 145-147; Crawford, "Witchcraft," 106-12, and Alaric Hall, "The Meanings of Elf and Elves in Medieval England" (Ph.D. dissertation, University of Glasgow, 2008); Chapter 8, "Wið faerstice," 173; on the literary and documentary predominance of female or feminine practitioners of magic, positive and/or negative in valence, see Richards and Stanfield, "Women in the Laws," 92; and Meaney, passim. See Crawford, 110-112 and Meaney 28-29 for discussion that in tenth-century Anglo-Saxon England wiccan took on a distinctly feminine denotation; for a contrasting argument, see Fell et al., Anglo-Saxon Women, 66.

63 For a survey of Medeshamsted's history and alleged Viking destruction c.870, see Kelly, Peterborough Abbey, 2-40


66 Ibid. 43: "As the West Saxon war machine advanced, its mouthpiece, the Anglo-Saxon Chronicle, could portray Alfred and his descendants . . . as liberators of the Angeleynn and of acceptably submissive Christian Danes from the yoke of heathen Northmen."
Anglo-Saxon and Anglo-Scandinavian populations; it is possible that Athelwold, a West Saxon, even (re)established Peterborough (as well as Thorney) in c. 972 as part of a strategy to disrupt the expansion and consolidation of power of pre-existing ecclesiastical institutions historically under the control of Anglo-Scandinavian elites.67

AW's reported use of an *iren stacan* for *morð* (murder) implicates her as a witch, but in her place and time of existence, her alleged identity would align her more broadly as a practitioner of pagan magic, a practice that encompassed both harm and healing.68 By the end of the tenth century, after the better part of a century of Anglo-Scandinavian conflict and renewed fears of paganism on the ground in England, both beneficial and injurious magical rituals had become a threat to the authority of the Church.69 To late tenth-century ecclesiastics like Ælfric or Wulfstan, for example, a "white witch" was potentially more dangerous than an explicitly evil witch, "because her magic would seduce men away from Christianity."70 Tenth- and eleventh-century civil law codes accordingly saw increasingly specific prohibitions against the practice of any kind of magic, no doubt as another aspect of the growing ecclesiastical flavor of secular laws.71 This trend signified a profound shift away from the more agnostic attitudes of "dread and honor" towards supernaturally inspired practitioners of pagan magic evident in early Anglo-Saxon England.72 Starting with King Alfred's codes, civil laws legislated heavily against witchcraft and sexual immorality as largely feminized performances of human corruption; at the same time, they exhibited the pronounced need to distinguish "good" converted Danish settlers in the north from the fearful specter of unreconstructed northern heathenism.73 The laws of Cnut collect both witchcraft and worshiping pagan gods

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67 Kelly, *Peterborough Abbey*, 44.


69 For a concise discussion of the surviving literary evidence for such late tenth-century anxieties, see Della Hooke, *Trees in Anglo-Saxon England* (Woodbridge: Boydell, 2013), 31-35 ("Continuing Heathenism").


71 Richards and Stanfield: “Women in the Laws,” 96-97; For a summary of all civil laws against witchcraft from Alfred to Cnut, see Bosner, *Medical Background*, 148-149.

72 Crawford, Evidences for Witchcraft, 107-111; Hall, "*Wið færstice,*" 172-3 follows Meaney, "Women, Witchcraft and Magic," (17-18) in charting the gradual "decline" of the meaning of Old English words originally denoting supernaturally females to a more frequently representing mortal figures.

73 Cf. Fell et al., *Anglo-Saxon Women*, 163, on English kings and the Church's moral goals: "One is the stamping out of all heathen practices and the encouragement of due respect for the sanctities of the church; the other which is directly connected with this is improvement of sexual morality." See Smyth, *Emergence of English Identity*, 35-39 on tenth-century Anglo-Saxon moral distinctions between Christian Danes and heathen ones.
under the same statute prohibiting heathenism, an association echoed in Æthelstan’s laws (and numerous other texts of the time, such as the Canons of Edgar and Wulfstan’s Sermo Lupi), while Cnut’s Proclamation of 1020 conflates Anglo-Saxon and Norse traditions in its reference of both witches and Valkyries in the very same noun phrase.⁷⁴

Even the widow’s son may be factored into the heathen condition of her fate. As an утлах who "bursts out" of the limits and laws of his own community, in the borderlands of the Danelaw, the Scandinavian loan word’s sociolinguistic association with foreignness with illegality would have remained pronounced, and charges him with a quality of ethnic northern alterity. By S.1377’s implications of AW’s northern witchery and her son’s outsider status, the charter suggests a localized and radicalized response to longstanding cultural anxieties of the region, and their spiritually inflected proscriptions. Whether or not AW actually practiced magic, she lived in a region where such accusations would have been provocatively loaded with ethnic bias. In Northamptonshire in 948, if the authority of an independent or troublesome widow needed to be undone and her lands seized, implying that she was a pagan witch and her son an illegal alien would have been an excellent strategy.

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In her assessment of Anglo-Saxon women, property and protection, Victoria Thompson concludes by noting how even documented cases she found of women struggling to protect their property often must have failed, as the lands detailed do not subsequently show up in Domesday, and/or are later confiscated by family, kin or other parties.⁷⁵ The account of the Ailsworth Widow in S. 1377 hints suggestively at the systemic process of attrition by which such women could, and did, lose what they had. Social progress has a long, and sometimes temporally queer arc. After Peterborough Abbey obtained the Ailsworth Widow’s lands, the Abbey owned them for about the next 560 years, until the its dissolution by the Crown in 1541. Afterwards, in 1650, the "Commissioners for the sale of Bishop’s Lands" sold land and cottages at Ailsworth to one Margaret Venne of Middlesex, who, as it happens, was a widow.⁷⁶

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⁷⁴ 2 Cnut 5.1-2 (Liebermann, Die Gesetze, I. 312); 2 Æthelstan 6 (Liebermann, Die Gesetze, I. 152-53); Cnut’s Proclamation (Liebermann, Die Gesetze, I. 274); Canons of Edgar, XX.16 (Roger Fowler, ed., Wulfstan’s Canons of Edgar, EETS, OS 266 (London: EETS, 1972), 4-5.

⁷⁵ Thompson, "Women, Power and Protection," 16.

⁷⁶ Adkins, Victorian History, 475.