RANKS AND CLASSES AMONG THE ANGLO-SAXONS.

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[Only that portion of this paper is here printed, which treats of the Eorls.]

The accepted doctrine as to the original classification among the Anglo-Saxons, is that the entire population fell into two distinct classes, eorls and ceorls, terms which have been corrupted into the modern earl and churl, but which originally implied nothing more than a certain ill-defined hereditary distinction in rank, hardly so strong as that of noble and freeman. This view, which is held by Lingard, Palgrave, Kemble, Hallam and Stubbs, is nowhere better expressed than by Mr. Freeman.¹ "In the primary meaning of the words, eorl and ceorl—words whose happy jingle causes them to be constantly opposed to each other—form an exhaustive division of the free members of the state. The distinction in modern language is most nearly expressed by the words Gentle and Simple. The ceorl is the simple freeman, the mere unit in the army and the assembly, whom no distinction of birth or office marks out from his fellows." This is, as I have said, the prevailing view at present; and, so far as the word ceorl is concerned, there is no question as to its correctness; but with regard to eorl, I am inclined to go back to the earlier opinion, held by Thorpe² and Lappenberg,³ and to take the ground that it never designates

¹ Norman Conquest, i. p. 37.
² Glossary to "Ancient Laws and Institutes of England."
³ Vol. ii. p. 313.—Compare also Waitz, Deutsche Verfassungsgeschichte, i. p. 76. Waitz remarks, as a matter of course, that the Anglo-Saxons, like the Franks, had no hereditary nobility. To explain this departure from the prevailing institutions of the Germanic nations, we must consider, in the first place, that the German nobility was
an hereditary rank, but always a personal office or relation. It is admitted that this was the case in the eleventh, and partially in the tenth century; it appears to me that the weight of evidence is as to having always been so—that it never essentially changed its meaning until after the Norman Conquest, when, in its modern form earl, it became an hereditary title of nobility.

The passages in which the word Eorl occurs, may, for our purposes, be classified into three groups:—the early Kentish laws of the seventh century; the laws of Alfred and his successors; and the Saxon Chronicle and other works of literature. Between the two groups of laws there is an interval of about 200 years; and it is to be noticed that the arguments for “the distributive character of the words” eorl and ceorl, i.e., as, with the meanings “Nobleman” and “freeman,” making up the entire free population, are derived wholly from two or three passages in the later laws. Taken by themselves, neither the early laws nor the scattered passages in the Saxon Chronicle and other documents, would suggest any such meaning. Now it may fairly be urged that the use of the words in the seventh century, if explicit enough, is sufficient by itself to establish their original signification.

First, however, it will be proper to compare the English Eorl with the Danish Jarl, which is of course the same word, and may fairly be presumed to have the same original meaning. The settlers of Kent, it will be remembered, in which kingdom we first meet the term as a legal one, were neither Angles nor Saxons, but Jutes, or natives of the peninsula of Denmark. That is, while the English as a whole are more nearly related to the Scandinavians than to the Germans, the Kentishmen stand in a peculiarly near relation to the Scandi-

very limited in numbers—among all the Saxons, there were only about twenty-five noble families; and in the next place, that they migrated, not under kings, but chiefs—heretoga—and that these chiefs undoubtedly included whatever nobles chose to join in the enterprise. It is hard to see, therefore, what can have been the origin of the eorls as an hereditary class.
navians. It may be assumed therefore, that the Eorls of Kent were identical with the Jarls of Denmark and Norway. Now the Scandinavian Jarls were not an hereditary class of noblemen, but were officers or magistrates appointed for life or pleasure. It is significant too, that the late well-established use of Earl, as the governor of a province, is attributed to Danish influence.

In the laws of Kent its use is never inconsistent with this. Ceorl is used, as it always is, for the common freemen—"peasant," if we choose to employ this term, but not by any means a low order of peasant; the ceorls are represented as landowners and even slave-owners, and may perhaps be best described by the term "yeoman." The legal standing of the Eorl, as represented by the bot or composition, is double or triple that of the Ceorl; but this is by no means a proof of difference in hereditary rank, but may equally well indicate a personal authority or a special relation to the king.

Turning to the Saxon Chronicle for this early period, we find this conclusion strengthened. In a speech of King Wihtrid of Kent, A. D. 692, we read: "Kings shall appoint Earls and Ealdormen, Shire-reeves and Judges" (corlas and ealdermen, scire-revan and domesmenn.) From this it appears clearly that the Eorls were not an hereditary, but an appointed class. In the same document, A. D. 657, we read (of the King of Mercia): "to all his thegns, to the archbishop, to the bishops, to his earls." Note the word "his," showing a personal rather than an hereditary relation. Again, A. D. 675 (in Mercia): "neither king, nor bishop nor earl nor no man." This, although not so explicit as the others, certainly implies no hereditary rank. The above are all the instances of the use of the word eorl which I have been able to find before the time Alfred except in works of poetry. I think it will be

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1 Dahlmann, Gesch, Danemark's, ii. pp. 88 and 306. The same view is taken by the latest Norwegian historians, Munch and Keyser, as I am informed (being myself ignorant of Norwegian) by Mr. R. B. Anderson, Instructor in the Scandinavian languages in the University of Wisconsin.
admitted that they clearly support the view that the English *eorls* were, like the Danish *jarls*, appointed officers or magistrates, not hereditary noblemen.

Let us now pass to the later group of laws, those of Alfred and his successors. Here we find four passages in which the words *Earl* and *Ceorl* are coupled in what appears to be a distributive use: these are, Laws of Alfred, 4, "all degrees, whether earl or ceorl"; Judicia Civitatis Lundonie: Intr.: "as well eorlish as ceorlish"; Laws of Ethelred, vii. 21: "we know that through God’s grace a thrall has become a thane, and a ceorl has become an eorl." Of Peoples’ Ranks and Laws: "each according to his condition, eorl and ceorl, thegen and theoden." These four are, I believe, all the instances of the so-called distributive use of the terms Eorl and Ceorl; upon these, therefore, the prevailing theory is exclusively founded.

It may be observed, in the first place, that in the Latin translation of these documents, dating probably from the twelfth century, Earl is uniformly rendered by *comes*, a word which has more than one use, but which certainly never has the general meaning of gentlemen or noblemen, but always that of some special rank or office, as follower, magistrate, or, in later times, count or earl. I do not rest much upon this argument, for the reason that this translation was made at a time when *earl* had a fixed meaning in English, as designating particular grades of nobility, so that it is very easy to suppose that the translator confounded the meaning of the word in his own day with that which it had in the original document. It is more to the purpose to remark that we have an equal number of cases, in genuine Latin laws of the tenth century,¹ in which *comes* and *villanus* are used precisely as these same words are used in the translation just referred to, and as *earl* and *ceorl* are used in their originals. If therefore *earl* and *ceorl* are distributive, we have a right to infer that *comes* and *villanus* were

so; that is, that all persons who were not ceorls or peasants (the accepted meaning of villanus) were comites—a use of comes which is certainly inconsistent with any accepted meaning of this word. It is still more to the purpose to note that thegn is joined with ceorl in precisely this same way (Ord. resp. the Dun-saetæs, 5); and the inadequacy of the argument is proved by noticing that in Ethelred’s Law thrall and thegn are joined, exactly as ceorl and earl are. Now a thrall was a slave; and it certainly was not true that all who were not slaves were thegns. The coupling of earl and ceorl is easiest explained by the jingle, as that of thrall and thegn is by the alliteration. It may be noticed too that the Norsemen made use of precisely the same jingle—jarlar ok karlar. As to the explicit statement (Eth. vii, 2) that a ceorl might become an earl, Mr. Freeman is obliged, in consistency with his view of the strictly hereditary rank of the earl, to question the correctness of the statement. “I may remark that the jingle of beginnings and endings has carried the lawgiver a little too far. In strictness the Ceorl could not become an Earl (in the older sense of the word.)”

When we leave these four passages, we find that the use of the word Earl in the ninth and tenth centuries is perfectly consistent with what we find in the sixth. It is usually assumed that the later use of Earl as a governor of several counties was introduced by Cnut; and it is certain that Cnut did reorganize the kingdom and establish a new grade of governor with this title. It is no less certain, however, that even before his time the word was frequently used to designate magistrates, as equivalent to ealdorman, (see Bosworth, Anglo-Saxon Dictionary, s. v.), and that this use occurs even in legal documents. In the Laws of Edward and Guthram (12) we find: “If any man wrong an ecclesiastic or a foreigner, then shall the king, or the earl there in the land, and the bishop of the people, be unto him in the place of a kinsman and of a pro-

*Norm. Conq. i. p. 95, n. 1.*
tector.” Again, in the Saxon Chronicle (A. D. 968); “neither king, nor bishop, nor earl, nor shire-reeve.” In these two passages the earls are certainly not an hereditary class, but persons invested with power and authority. This view is supported by the fact that in the Saxon Chronicle this word is regularly used for the Danish jarls.

The use of the word in poetry is not inconsistent with the view here presented. In Beowulf, for example, the earliest Anglo-Saxon poem, it is translated by Mr. Thorpe, 20 times by warrior, 13 times by earl, 7 times by man, hero once, and noble once: where it is translated noble, (v. 4488) either of the other terms would have made equally good sense. Indeed, if one always rendered it “man,” using the word with the same latitude that we do in English (e. g., as in the expressions, “This was a man,” “a company of so many men,” “he was such a one’s man”) it would answer fairly enough; in several verses (3458, 4272 and 6327) we find eorlscipe translated “bravery”—virtus. (Noble is regularly aetheling; see vv. 1968, 2592). This is consistent likewise with the song of the Battle of Brunanburh (Sax. Chron. A. D. 937), where Athelstan is called “Eorla Dryhten,” (lord of earls); again, (A. D. 957), we read of Edgar “thæt cyningas and eorlas georne to him bugon” (that kings and earls willingly submitted to him). In Christian poetry Christ is called “Eorla hele,” refuge of men.

There is, however, one poem of very great antiquity, the Rigsmal, which certainly appears to support the view that the Danish jarls were originally an hereditary class; it is cited by Munch and Keyser to show that this was the mythical or præhistoric meaning, although they hold without any question that its historical meaning was that here presented. In this poem the three classes, of nobles, commons and slaves are represented as descended from three brothers, Jarl, Karl and

1 e. g., A. D. 871, 915.
2 Most of these references to Beowulf were furnished to me by my friend, Mr. Thos. Davidson, of St. Louis.
Thrall. Inasmuch as my concern is simply with the historical value of the term eorl, as applied to the Anglo-Saxon classes, its mythical or pre-historic value makes no difference to my argument. I will only mention, to show how little consistency there is in this mythical genealogy, that among the sons, not of Jarl, but of Karl are, besides Smidr (Smith) and Bondi (peasant); Thegn, which is the title of the later nobility in England, and which even as early as Beowulf (v. 3298, eald- or Thegna, prince of Thegns) indicated a vassal of rank; and Hauldr, the designation, according to Dahlmann,¹ of "a genuine primitive nobility," and which we find also among the Danish invaders of England,² and afterwards as the highest nobility in the Danish parts of England.³

We are warranted, therefore, in the conclusion that, although there are a few expressions a little hard to explain, there is nothing really inconsistent with the view supported by the great weight of evidence—that Earl originally designated some purely personal rank or position—one to which even a peasant, ceorl, could rise. It must have been the title either of a class of officers or magistrates, or of the personal followers of the king.

¹ Il., p. 394.
² Sax. Chr., A. D. 905, 911, 915.
³ Of Wergild's, North County Laws, 4.