

When the Heads Stop Rolling: The disappearance of decapitation after the Norman Conquest

Alyxandra Mattison

University of Sheffield

On the morning of the 30th of April in 1076, Waltheof, Earl of Northampton, was beheaded for plotting to dethrone William the Conqueror as the king of England. This attempted overthrow was not an isolated event during William's reign but it is notable in its manipulation of judicial punishment for political purposes. The chronicler Orderic Vitalis specifically notes that Waltheof was punished in the Anglo-Saxon fashion of decapitation, while his co-conspirator Roger of Gael, Earl of Norwich, was allowed to continue further treasonous acts from imprisonment. In Orderic's account, Waltheof himself emphasises the negative implications of death by decapitation when he initially hears of the conspiracy and attempts to remove himself from association with it:

The law of England punishes the traitor by beheading, and deprives his whole progeny of their just inheritance. Heaven forbid that I should stain my honour with the guilt of treachery, and that such shame should be voiced abroad about me¹.

Orderic Vitalis wrote his accounts of the Norman Conquest in the twelfth century, but this cultural discrepancy in punishment is corroborated by the eleventh-century Anglo-Saxon Chronicle. The accounts provided in the Anglo-Saxon Chronicle are typically briefer and more straightforward. Of the all Bretons who took part in this treasonous affair it says, "some of them were blinded, some of them were banished, so all traitors to the king were laid low". Yet it too separates Waltheof, the lone Anglo-Saxon lord involved in the plot, simply stating, "earl Waltheof was beheaded at Winchester"². In both of these accounts there is the suggestion that decapitation was a purely Anglo-Saxon method of execution, and was used by the Norman kings for specific political statements during and just after the Conquest. It is this implied transformation in the practice of decap-

¹ M. CHIBNALL [trad.], *The Ecclesiastical History of Orderic Vitalis*, vol. II, Oxford, Clarendon Press, 1990, p. 315.

² G.N. GARMONSWAY [trad.], *The Anglo-Saxon Chronicle*, London and Melbourne, JM Dent and Sons Ltd, Everyman's Library, 1972, pp. 212-213.

itation across the Norman Conquest that will be the theme of this paper. Archaeological analysis of the burial of decapitated criminals will be combined with historical evidence for judicial punishment in an attempt to examine the changing role of decapitation in ninth- to twelfth-century England.

The Burial of Criminals

Medieval burial, from at least the tenth century onwards, is generally fairly uniform; after the conversion to Christianity most burials are located in consecrated churchyards, positioned supine and extended, orientated east-west, and usually have minimal or no grave goods. Thus, identifying Christian Norman burials from those of the Christian Anglo-Saxons can be fairly challenging, hampering studies on the impact of the Norman Conquest on funerary ritual³. Nevertheless, archaeologists have recently begun to search for post-Conquest developments in funerary practice, including the disruption of use and destruction of Anglo-Saxon cemeteries caused by the erection of Norman churches and castles and the emergence of new forms of funerary monument style⁴.

Of particular relevance to this paper is the evidence to suggest that changes in Christian funerary ritual can also be seen in the burial of individuals who transgressed acceptable norms of behaviour. In the later Anglo-Saxon period such social deviants appear to have been excluded from burial among the wider community within consecrated churchyards; yet this practice seems to have ceased in the early post-Conquest period. This paper focuses, in particular, on the fate of criminals, from perjurers to those committing the highest political treason. Looking at both the method of execution and the actual burial of these criminals has the potential to reveal the impact of the Norman Conquest on the conventional punishment for criminals and on changing views of the metaphysical fate of sinners.

There is an apparent change in the location of criminal burials from the ninth through twelfth centuries. In the late Anglo-Saxon period criminals seem to have been executed and buried in the same location, deemed an execution cem-

³ C. DANIELL, *Death and Burial in Medieval England 1066-1550*, London and New York, Routledge, 1997, pp. 116-152; C. DANIELL, *Conquest, Crime and Theology in the Burial Record: 1066-1200*, in *Burial in Early Medieval England and Wales*, a cura di S. LUCY – A. REYNOLDS, London, The Society for Medieval Archaeology, pp. 241-243.

⁴ E. CRAIG-ATKINS, *Seeking 'Norman Burials': evidence for continuity and change in funerary practice following the Norman Conquest*, in *The Norman Conquest: Transformations and Continuities*, a cura di C. DYER – D.M. HADLEY, SMA Monographs, Under Review; A. MCCLAIN, *Medieval Cross Slabs in the North Riding of Yorkshire: Chronology, Distribution and Social Implications*, in "Yorkshire Archaeological Journal", 79 (2007), pp. 155-193.

etery or, more traditionally, *cwealmstow*. It is common to find multiple types of deviant funerary practice at such sites, including evidence of decapitation, the binding of limbs (presumably for captivity and possibly hanging), and prone or seemingly careless burial. These are cemeteries primarily or exclusively for the burial of deviant members of society, and they are located in liminal yet prominent places, such as on the borders between administrative units (such as hundreds, which were sub-divisions of shires) but highly visible from major roadways. They are also often associated with prehistoric monuments such as Bronze Age barrows⁵. Sutton Hoo (Suffolk) provides a prime example of the Anglo-Saxon execution landscape; excavation uncovered a number of deviant burials imposed on a seventh-century elite barrow cemetery, with half of the deviants surrounding one such barrow, and the other half placed around a gallows, where many were presumably hanged⁶. Such use of landscape was intended to juxtapose the exclusion of sinners from the community, even in death, with the display of malefactors as signifiers of state justice. Andrew Reynolds suggests that the increasing frequency of such sites in the later Anglo-Saxon period is a direct result of a growing central government and its need for judicial punishment as a means of control⁷.

However, there was a dual function to the *cwealmstow*, marking a unification between Anglo-Saxon royal justice and Christian ideology in the condemnation of criminals. Politically, the execution cemetery was a visible warning to malefactors; religiously, it served as physical symbol of the eternal damnation of sinners. Sarah Semple has proposed that the Anglo-Saxons may have believed prehistoric monuments, near which the execution cemeteries are frequently located, to be associated with supernatural elements and demons, and barrows, in particular, to be directly connected to Hell itself. Comparison of the early eleventh-century Harley Psalter manuscript to its continental counterpart, the Utrecht Psalter, reveals that Anglo-Saxons continually redesigned continental images of hell and openings to the underworld as earthen barrows with bulbous hellmouths rising from the top⁸. BL MS Harley 603 f. 67r (fig. 1) depicts four decapitated persons contained within such a hell barrow. It is notable that they are drawn in the lighter ink also used for ethereal beings such as angels, likely signifying a non-corporal

⁵ A. REYNOLDS, *Anglo-Saxon Deviant Burial Customs*, Oxford, Oxford University Press, 2009, pp. 24-60, 180-234.

⁶ M. CARVER, *Sutton Hoo: A seventh-century princely burial ground and its context*. Reports of the Research Committee of the Society of Antiquaries of London, No. 69, London, The British Museum Press, 2005, pp. 315-359.

⁷ A. REYNOLDS, *Anglo-Saxon Deviant*, cit., pp. 236-247.

⁸ S. SEMPLE, *Illustrations of damnation in late Anglo-Saxon manuscripts*, in "Anglo-Saxon England", 32 (2003), pp. 231-245.

real nature to the headless individuals⁹. If this portrayal of the burial of deviants in a place literally thought to be hell was a representation of actual practice, then the significance of liminal burial becomes far greater than a political statement. It represents the eternal damnation of these sinners, the casting out of the criminal in death as in life.

In contrast, after the Norman Conquest criminals seem to be buried in consecrated cemeteries, amongst, and in the same fashion, as other members of the community. A lack of deviant individuals in the Anglo-Norman burial record supports this suggestion that criminals were no longer segregated in death, as do a number of later medieval county records describing criminals being removed from the gallows, sometimes shrouded, and carried to a nearby churchyard. From the twelfth century, Knights Hospitallers were sometimes known to have fulfilled this role, carrying hanged corpses from their places of execution to a local or nearby churchyard. Two records from the year 1276 chronicle a man being removed from the gallows at Ilchester (Somerset) and brought to the local church of St Olave's and a similar such criminal burial at St James' in York¹⁰. Anglo-Norman criminals were more probably executed just without the town walls in a more public ceremony, as certainly occurred in the later Middle Ages¹¹.

This transition in the location of execution and the subsequent burial of criminals is symptomatic of changing ideologies concerning corporal punishment during the eleventh century. The records of Waltheof's execution suggest decapitation may be at the forefront of this change. Decapitation is the most osteologically apparent method of execution, and thus should be identifiable in the post-Conquest period, regardless of burial rituals. However, as will be seen, there are few examples of Anglo-Norman decapitation compared to its more frequent occurrence prior to the Conquest.

Anglo-Saxon Decapitation

Decapitation can be directly identified through cut marks on the cervical vertebrae. It is, therefore, the form of execution most straightforward in identification and analysis, making it a crucial element in the examination of changing

⁹ *Ivi*, pp. 237-240.

¹⁰ R.B. PUGH, *The Knights Hospitallers of England as Undertakers*, in "Speculum", 56-3 (1981), pp. 566-568.

¹¹ For the issue of deviant individuals in the Anglo-Norman burial record see C. DANIELL, *Conquest, Crime and Theology*, cit., pp. 241-254, however, the statement is also supported by my own ongoing research into Anglo-Norman criminal execution and burial. On the issue of later medieval criminal burial see R.B. PUGH, *The Knights Hospitallers*, cit. and R. BARTLETT, *The Hanged Man: A Story of Miracle, Memory, and Colonisation in the Middle Ages*, Princeton-Oxford, Princeton University Press, 2004.

judicial practices. Due to vagaries of preservation and post-mortem displacement of bones, however, cut marks cannot always be identified; for an individual lacking trauma evidence to be considered to have been decapitated, it must be clear that the skull had been removed at the time of burial, such that either the skull is found with the body but in a non-anatomical location, or the grave is obviously cut to the size of the body without the head and the head is clearly misplaced. Overall there are nine securely dated and thoroughly examined execution sites containing around 50 instances of decapitation between them (the minimum number of unquestionable decapitations being 43 and the maximum number, which assumes that each skull and postcranial skeleton found separately represent a distinct decapitated individual, is 57). These sites are Chesterton Lane (Cambs.), Bran Ditch (Cambs.), Old Dairy Cottage (Hants.), Meon Hill (Hants.), Stockbridge Down (Hants.), Staines (Middx.), Sutton Hoo (Suffolk), Guildown (Surrey), and Walkington Wold (Yorks.)¹². It is necessary to note that at the time of writing this paper this research is still on going; however, while the numerical statistics may change slightly, the analytical conclusions are unlikely to be significantly impacted.

Not all of the remains of these decapitated individuals were able to be sexed and aged due to poor skeletal preservation. Of those that were able to be sexed,

¹² Specific burial and site information was found in the following excavation reports: C. CESSFORD, *Middle Anglo-Saxon Justice: The Chesterton Lane Corner execution cemetery and related sequence*, in "Cambridge Archaeological Journal", 164 (2007), pp. 197-226; C. FOX – W.M. PALMER, *Excavations in the Cambridgeshire Dykes. V. Bran or Heydon Ditch. First Report*, in "Proceedings of the Cambridge Antiquarian Society", 17 (1926), pp. 16-33; T. LETHBRIDGE – W.M. PALMER, *Excavation in the Cambridgeshire Dykes. VI. Bran Ditch. Second Report*, in "Proceedings of the Cambridge Antiquarian Society", 30 (1929), pp. 78-93; A. CHERRYSON – J. BUCKBERRY, *Old Dairy Cottage (ODC89), Littleton, Winchester: An analysis of skeletal remains and burial practice*, unpublished; D.M. LIDDELL, *Excavations at Meon Hill*, in "Proceedings of Hampshire Field Club and Archaeological Society", 12 (1934), pp. 127-162; N.G. HILL, *Excavations on Stockbridge Down, 1935-36*, in "Proceedings of the Hampshire Field Club and Archaeological Society", 13 (1937), pp. 247-259; G. HAYMAN – A. REYNOLDS, *A Saxon and Saxo-Norman Execution Cemetery at 14-54 London Road, Staines*, in "Archaeological Journal", 162 (2005), pp. 215-255; M. CARVER, *Sutton Hoo*, cit.; A.W.G. LOWTHER, *The Saxon Cemetery at Guildown, Guildford, Surrey*, in "Surrey Archaeological Collections", 39 (1931), pp. 1-50; J.E. BARTLETT – R.W. MACKEY, *Excavations on Walkington Wold, 1967-69*, in "East Riding Archaeologist", 1-2 (1972), pp. 1-93; J. BUCKBERRY, *Off With Their Heads: The Anglo-Saxon execution cemetery at Walkington Wold, East Yorkshire*, in *Deviant Burial in the Archaeological Record*, a cura di E.M. MURPHY, Oxford, Oxbow Books, 2008, pp. 148-168; J. BUCKBERRY – D.M. HADLEY, *An Anglo-Saxon Execution Cemetery at Walkington Wold, Yorkshire*, in "Oxford Journal of Archaeology", 26-3 (2007), pp. 309-329.

all but one indeterminate individual were male or probably male. Of those able to be aged, 90-93% were adults between the ages of 18 and 45 at death with 62% being definitely between the ages of 18 and 35 years. They were all generally healthy with very little evidence of disease, and no other trauma wounds. This demographic analysis supports the argument that these were executed criminals and not soldiers killed in battle. While decapitation is theoretically possible in the midst of a battle, it is difficult to achieve; yet this might not have precluded these being prisoners of war executed after the fighting ended. If this were the case, however, other signs of battle trauma, especially additional blade wounds would be expected.

The decapitations appear to have been performed with a heavy bladed weapon, probably a sword or axe. The majority of victims were executed from behind, but it is not unknown for the blow to come from the front, left or right. Most significantly, regardless of the position of the executioner in relation to the victim, on each individual the blows were all aimed at the same side, which further confirms that these were captives held in position rather than victims of battle. It is difficult to determine the exact manner of decapitation. One individual from Walkington Wold was thought to have been kneeling due to the cutmarks revealing that the blows came from behind but hit the skull in an upwards direction¹³. Returning to BL MS Harley 603 f. 67 (fig. 1), the action to the left of the barrow depicts one man bent at the waist awaiting decapitation, and another with his head pulled back using his beard, his throat exposed. These two decapitation positions appear in other manuscript images as well. In the twelfth-century images from MS M 736 f. 14v, St Edmund faces his execution bent forward, while the BL MS Arundel 155 f. 93 (fig. 2) image of David beheading Goliath in the initial D shows David holding Goliath's beard while the blow severs the neck from right side.

On the whole, the trauma evidence suggests that these are intentional and structured executions. This is not to say that the victim would not have struggled, especially since it often required multiple cuts to completely sever the head. At Chesterton Lane one individual had as many as five blows to the neck¹⁴. However, the trauma evidence does seem to support the interpretation that the head was severed in a single blow in roughly half of all cases. That this figure is due to preservation and the level of detailed osteological examination is a possibility, however it is likely that the expertise of the executioner and quality of the sword varied wildly as there is no evidence at this date for professional executioners.

The skull was not always discovered within the same grave as the post-cranial skeleton, and sometimes was not discovered at all. When the head was buried with its body it was most commonly placed in one of two general positions:

¹³ J. BUCKBERRY, *Off With Their Heads*, cit., p. 160.

¹⁴ C. CESSFORD, *Middle Anglo-Saxon Justice*, cit., p. 210.

either between or somewhere near the legs, or in roughly anatomical position. Placement between the legs may have been an appropriated earlier Roman or Celtic tradition, associated with fears of ghosts and the living dead; however it is difficult to know whether the supernatural beliefs were adopted with the physical tradition. There are later twelfth- to fourteenth-century accounts of such skull placement when dealing with the supernatural. For instance in one particular Norse saga, Grettir the Strong fells the ghosts of Kar and Glam by decapitation and places their heads between their legs. In Geoffrey of Burton's *Miracles of St Modwenna* the bodies of two men who were thought to have been haunting a village in Stapenhill (Derbyshire) were exhumed and decapitated, after which the heads were replaced in the grave between the legs of the two individuals¹⁵. However, there does not appear to be any Anglo-Saxon historical evidence that the placement of the skull between the legs was actually related to such beliefs. When the head of a decapitated individual was found in the correct location above the neck it was often turned around or skewed in some way. At Sutton Hoo one head was facing downward when the rest of the body lay supine and another was rotated so the top of the cranium was adjacent to the neck. Again, it is difficult to say for certain, but this could simply have been the result of carelessness when placing the separated head into the grave or alternatively could have signified disrespect and humiliation rather than fears of the supernatural.

The osteological evidence supports the notion that the decapitated Anglo-Saxon individuals were criminals rather than soldiers. Whether captives of individual persons or prisoners of the state, the men buried in these cemeteries were intentionally executed. Unfortunately, the Anglo-Saxon law-codes only reveal so much about what type of criminal merited death by decapitation. There are a number of crimes that could result in the death penalty, including fighting in the king's house, plotting against king or lord, theft, and striking or trading false coin, amongst others. However, the exact method of execution is rarely explicit. The laws usually prefer ambiguous phrases such as "he shall forfeit his life" or "he shall never be able to save his life"¹⁶. Few laws even mention the head. If a person went to the triple ordeal to prove himself innocent of a crime twice, and failed both times, "he shall not be able to make any amends except

¹⁵ G. HIGHT [trad.], *The Saga of Grettir the Strong*, London, J.M. Dent and Sons Ltd, 1972, pp. 44, 99; R. BARTLETT [trad.], *Geoffrey of Burton, Life and Miracles of Saint Modwenna*, Oxford, Clarendon Press, 2002, pp. 194-197.

¹⁶ For the Anglo-Saxon law-codes see F.L. ATTENBOROUGH [trad.], *The Laws of the Earliest English Kings*, Cambridge, Cambridge University Press, 1922; A. ROBERTSON [trad.], *The Laws of the Kings of England from Edmund to Henry I*, Cambridge, Cambridge University Press, 1925.

by his head" (I Æthelred 1.6, I Æthelred 2.1 and II Canute 32.1)¹⁷. Another law stipulates that a perpetrator who lies about purchasing witnessed livestock (akin to theft) "shall forfeit his head and all that he possesses" (IV Edgar 11)¹⁸. However it is difficult to know whether the head is being used to refer to the body as a whole, or if this actually implies decapitation. Theft, however, is deemed one of the most heinous crimes that could be committed, and the triple ordeal is the most brutal and serious of the ordeals. If these clauses are referring to decapitation, it is then a sentence for the worst and most serious of crimes. It is interesting to note that one of the crimes continually regarded as meriting death is plotting against the king or one's own lord, and as previously demonstrated through the example of Waltheof, the king, as judge, may have chosen the manner of death penalty best suited to his cause.

Anglo-Norman Decapitation

As previously stated, there are no apparent deviant cemeteries similar to the *cwealmstow* found after the Conquest. In fact, criminals appear to have been prepared and buried alongside other Christians; this deduction is based on the absence of 'deviant' burials from the post-Conquest archaeological record and historical evidence describing later criminal burials. Looking through excavated medieval church and monastic cemeteries, hospital burial grounds, in, around and under excavated castles, and any other burial locations stumbled upon, just three decapitations dating from the second half of the eleventh to the end of the twelfth centuries have been uncovered, which is in sharp contrast to the frequency of decapitation in the Anglo-Saxon period.

Excavation at St Andrew's, Fishergate in York has uncovered one clearly decapitated adult male. He had many other blade injuries along his body and he was carefully buried with stones supporting his head. This burial, with stones placed purposefully on either side of the head, is in contrast to the burial treatment of criminals seen in the Anglo-Saxon period. However, the presence of a number of other individuals with blade wounds in this same cemetery, as well as his own wounds, raises doubt as to whether this decapitation was one of judicial punishment; it seems more probable that it occurred during battle¹⁹.

A decapitated individual was found buried in the eleventh- to twelfth-century church cemetery at Thetford. The burial was orientated east-west, alongside

¹⁷ A. ROBERTSON, *The Laws of the Kings*, cit., pp. 52-55, 192-193.

¹⁸ *Ivi*, pp. 36-37.

¹⁹ G. STROUD – R.L. KEMP, *The Cemeteries of the church and priory of St. Andrew, Fishergate. The Archaeology of York 12/2*, York, Council for British Archaeology, 1993, pp. 130-146, 232-233; C. DANIELL, *Battle and Trial: Weapon Injury Burials of St Andrew's Church, Fishergate, York*, in "Medieval Archaeology", 45 (2001), pp. 220-226.

other Christians, and the decapitated man's head was found in anatomical position. Unfortunately, the dating here is unspecific and the decapitated individual could be either late Saxon or Anglo-Norman. It is possible he represents a transition period in which judicial decapitation continued to occur, but criminal burials were no longer segregated²⁰.

Another eleventh-century graveyard at Barton Bendish was cut through by later church foundations. The upper portion of grave 293 was cut through by the nave of the church, leaving only the lower legs and a skull placed between them. The skull is complete with mandible and upper vertebrae so it is tempting to assume that it was moved when the flesh was still on the bone and therefore likely to have been at the time of burial. The excavators commented that, while cut through, it did not appear as if the rest of the grave with the legs and skull had been at all disturbed by the building of the church. The position of the skull placed between the legs is reminiscent of Anglo-Saxon decapitation burials, but the burial location is unorthodox²¹.

It is significant that these decapitated individuals are all males in their adult years (the individuals from Barton Bendish and Fishergate are between 30 and 40 years of age, and the individual from Thetford was an older adult aged to 45 or older), similar to the Anglo-Saxon demographic profile. They are all roughly dated to the eleventh century so there is the possibility that at least the burials at Thetford and All Saints are of Anglo-Saxon date, or could possibly mark a transition period in which judicial decapitation was continued but funerary rites had changed. Regardless there is a distinct change in burial form from the Anglo-Saxon period – these three later decapitations were all buried supine, extended and oriented east-west, similar to other Christian burials.

Decapitation is not mentioned at all in the post-Conquest laws; however, specific punishments are generally lacking from these later laws. Beginning with the laws of Henry I in the early twelfth century, the written codes themselves are much more systematic and emphasise that the severity of the crime determines the severity of the punishment. All records and references to judicial punishment from historical documents point to hanging and mutilation as the main corporal punishments. William the Conqueror decreed that no one should be put to death, but rather criminals should be blinded and castrated²². However, records and chronicles confirm the maintenance of the death penalty, usually by

²⁰ C. DALLAS – E. CROWFOOT – S. ASHLEY, *Excavations in Thetford by BK Davison between 1964 and 1970*, Field Archaeology Division, Norfolk, Norfolk Museums Service, 1993, pp. 80-175.

²¹ A. ROGERSON ET AL., *Three Norman Churches in Norfolk*, East Anglian Archaeology Report 32, Norfolk, Norfolk Museums Service, 1987, pp. 1-66.

²² L.J. DOWNER [trad.], *Leges Henrici Primi*, Oxford, Clarendon Press, 1972; J. HUDSON, *The Oxford History of the Laws of England. Volume II: 871-1216*, Oxford, Oxford

hanging. For instance, the Anglo-Saxon Chronicle records a hanging of forty-four thieves in 1124. Notably, at this same event six thieves had their eyes ‘put out’ and were castrated²³. During the reign of Stephen, the criminal Robert Fitz Hubert was noted to have been hanged on the gallows, and the captive Bishop of Salisbury was threatened by the king himself that he would be “hanged on high before the castle entrance” if he did not allow the king’s men entry²⁴. These are just a handful of the abundant references to hangings in the post-Conquest period.

It appears that after the Norman Conquest, decapitation was a little used punishment, if used at all. It is rarely encountered in the post-Conquest archaeological record, and there are almost no references in eleventh- and twelfth-century historical documents. So the big question is what were the impetuses behind this change? Decapitation had a complex and multi-layered ideology in the Anglo-Saxon period, which was influenced by both political and religious forces. The second half of this paper will examine the ways in which changes in government and the Church effect the punishment of decapitation.

The Political Message

Decapitation is difficult and messy and would have been fairly inefficient compared to other means of death in the Anglo-Saxon period. Thus, the demonstration of the decapitation itself must have been a significant message to be worth the effort. In Anglo-Saxon literature, decapitation is often used as a show of power over an enemy, the severed head displayed as a trophy. In *Beowulf*, the severed head of Grendel is placed on a *wælstenge*, literally a “pole for the slain”, to be taken back to the mead hall of Heorot. It is referred to as a precious treasure and a trophy²⁵. Such display of the head of a conquered enemy is not just proof of victory but a symbolic show of strength and power. *De Obsessione Dunelmi*, an account of the life of Uhtred of Northumbria, depicts a scene following his suppression of a Scottish siege on Durham in which the heads of the deceased Scots are washed, their hair combed, and “fixed on stakes round the walls” of the city²⁶. In the poem *Judith*, after Judith cuts off Holofernes’ head

University Press, 2012, pp. 385, 869-870; A. ROBERTSON, *The Laws of the Kings*, cit., pp. 230-275.

²³ G.N. GARMONSWAY, *Anglo-Saxon Chronicle*, cit., p. 254

²⁴ K.R. POTTER [trad.], *The Historia Novella by William of Malmesbury*, London, Edinburgh, Paris, Melbourne, Toronto and New York, Thomas Nelson and Sons Ltd, 1955, p. 44; K.R. POTTER [trad.], *Gesta Stephani*, Oxford, Oxford University Press, 1976, pp. 78-79.

²⁵ G. JACK [trad.], *Beowulf: A Student Edition*, Oxford, Clarendon Press, 1994, p. 125.

²⁶ C. MORRIS [trad.], *Marriage and murder in eleventh-century Northumbria: a study of*

she holds it aloft to inspire the Israelites to war²⁷. This literary usage of decapitation is reminiscent of, and possibly continued from, the earlier Celtic 'head cult' association of severed heads with warrior prowess and masculinity. For instance Cú Chulainn, the hero of the Irish *Táin Bó Cuáilnge*, displayed the heads of his enemies by placing each one on a stone, and the more gruesome Fothad Canainne, always ate with a severed head on the table²⁸.

The post-mortem display of the severed head was not limited to literature, although the archaeological evidence is, admittedly, limited in the later Anglo-Saxon period. None of the skulls from the execution cemeteries appear to have evidence of having a pole jammed through them. However, some of the skulls are missing upper vertebrae or mandibles and at some sites, such as Walkington Wold, Bran Ditch and Old Dairy Cottage, the skulls appear weathered or the ratio of cranium to post-cranial skeleton is uneven, suggesting the skulls may have been displayed for a time before being thrown in a grave. Buckberry suggested that at Walkington Wold the severed skulls may have been placed atop a feature such as a gibbet or perhaps even lashed to poles instead of impaled²⁹. While it may be tempting to interpret this, albeit limited, archaeological evidence for displaying severed heads in the context of the aforementioned literary evidence, it should be noted that chronicles and Christian texts adopt a more judicial perspective on the motif of the decapitated enemy. The execution of Eadric Streona in the *Encomium Emmae Reginae* exemplifies this tone. Condemning Eadric because of his lack of fealty, the newly crowned Cnut orders:

'Pay this man what we owe him; that is to say, kill him, lest he play us false'. He [the executioner], indeed, raised his axe without delay, and cut off his head with a mighty blow, so that soldiers may learn from this example to be faithful, not faithless, to their kings³⁰.

Similarly the Anglo-Saxon abbot Ælfric of Eynsham described the heads of criminals displayed on the city walls, but as a warning of punishment for defiance of the law, rather than as trophies: "they hung the headless on the town-walls, and set their heads, like those of others who were thieves, outside the town-walls upon head-stakes"³¹.

'*De Obsessione Dunelmi*', Borthwick Papers No. 82, York, Borthwick Institute of Historical Research, 1992, p. 2.

²⁷ S.A.J. BRADLEY [trad.], *Judith*, in ID., *Anglo-Saxon Poetry*, London and Melbourne, J.M. Dent & Sons Ltd., Everyman's Library, 1982, p. 500.

²⁸ A. ROSS, *Pagan Celtic Britain*, London, Constable, 1992, pp. 158-159.

²⁹ J. BUCKBERRY, *Off With Their Heads*, cit., p. 164.

³⁰ A. CAMPBELL [trad.], *Encomium Emmae Reginae*, Cambridge, Cambridge University Press for the Royal Historical Society, 1998, p. 30-33.

³¹ R. SKEAT [trad.], *Ælfric's Lives of Saints: being a set of Sermons on Saint's Days for-*

Disparately, there are very few mentions of decapitation in post-Conquest written sources. Most of the handful of relevant references relate to events that take place around the Conquest itself, raising this question of whether the Normans were in the habit of decapitating political enemies or were merely utilizing a meaningful Anglo-Saxon execution method as a message to a newly conquered people. Examples include the accounts of the beheading of Waltheof in 1076, the dismemberment of Harold and subsequent liminal burial on the summit of an ocean cliff in 1066 and the homecoming of Hereward the Wake in 1070, whereupon he found that the Normans had taken his home and placed his brother's severed head above the gate. Of course, in proper Anglo-Saxon bloodfeud style, he retaliated by killing them all when they were drunk the following night and replaced his brother's displayed head with those of the Normans³². The lack of punitive decapitation after these three events (the latest occurring only ten years after the Conquest), in either literature or ecclesiastical chronicles, supports the limited archaeological evidence for decapitation. In Anglo-Saxon England the motif of the displayed severed head as a claim to authority and military victory was adapted to serve political needs and put into practice as a warning to criminals. In contrast, it seems that the Normans, perhaps without this assumed beheading heritage, discontinued the use of decapitation shortly after the Conquest, employing it only as a means to mark out Anglo-Saxon political enemies.

The Religious Implications

As well as having political significance, there was a religious component to the practice of decapitation, just as there was to the execution cemetery phenomenon as a whole. Decapitation is the most emblematic execution practice among the Anglo-Saxon treatment of criminals, combining socio-political exclusion with eternal damnation. Returning once again to the Harley Psalter, decapitation is a main motif on both sides of the f. 67 image (fig. 1). Outside of the barrow two men are about to be decapitated, and the executioner of one of them is, notably, an angel dispensing heavenly judgement. The barrow itself contains four deviant burials, their severed heads still freshly streaming blood, eternally embedded and headless in hell.

merly observed by the English Church. Vol. 1, Early English Text Society 76, 82, London, E.E.T.S., 1881, pp. 492-493.

³² M. CHIBNALL, *Ecclesiastical History*, cit., pp. 311-323; F. BARLOW [trad.], *The Carmen de Hastingae Proelio of Guy Bishop of Amiens*, Oxford, Clarendon Press, 1999, pp. 33-35; M. SWANTON [trad.], *The Life of Hereward the Wake*, in ID., *Three Lives of the Last Englishmen*, New York, Garland, 1984, pp. 62-63.

Many literary passages also hint at a connection between beheading and eternal damnation. In *Judith*, Holofernes' soul flees directly to hell following his decapitation, to face eternal torture: "His foul carcass lay behind, dead; his spirit departed elsewhere beneath the deep ground and was there prostrated and chained in torment ever after"³³. The passage hints at both the immortal consequences of death by decapitation and contains a reference to the involvement of the English landscape in the Anglo-Saxon understanding of hell. Ælfric's sermons suggest a suddenness to decapitation as a method of punishment which disallows for time for confession:

The robber will now be slain and shamefully punished, and his wretched soul will journey to hell afterwards, to the eternal torments, in dark chains. Nevertheless, we know that the all-ruling savior will be merciful to the wicked robber if, with all his heart and inward lamentation, he cries to almighty God and request his pity before the sharp sword sways to his neck...³⁴.

Ælfric implies that salvation is possible, but it is a race against time and executioner. In this same passage decapitation is juxtaposed with hanging, for which Ælfric paints a picture of a slower process – being accused and bound and then finally brought to the place of execution – during which there would have been plenty of time to repent.

All of this – decapitation as a favoured method of execution, the execution cemetery as an entity and the ideology behind it, the consolidation of Church and state powers in the condemnation of criminal, the multifaceted nature underlying execution – it all ends after the Norman Conquest. Why? Factors relating to practicality must not be ruled out. It was previously mentioned that punishments become more contextual to the type and severity of the crime in the eleventh century; in the laws of Henry I punishment for theft could be monetary compensation, compensation by loss of limb, or death. It may seem counterintuitive, or even just absurd, that cutting off a person's hand is considered compensation, rather than corporal punishment, but this is, in fact, key to interpreting Anglo-Norman laws. The victim of the crime would not literally receive a severed hand as compensation, yet nor would they receive any form of financial restitution under the Anglo-Norman government. One of the major changes made over the course of Anglo-Norman rule is that compensation payments began to no longer be received by the victim of the crime, but went, instead, to the government – and the government could occasionally afford to claim a crim-

³³ S.A.J. BRADLEY, *Judith*, cit., p. 499.

³⁴ N. MARAFIOTI, *Punishing bodies and saving souls: capital and corporal punishment in late Anglo-Saxon England*, in "Haskins Society", 20 (2009), pp. 46-47.

inal's limbs instead of his money³⁵. This change alone may have encouraged political authorities to issue monetary compensation and mutilation as punishment far more frequently than death for their own personal gain, thereby changing the entire political relationship with execution.

Nonetheless, historical documents do suggest that criminals were still put to death in the Norman period. While the laws of Henry do not specifically pronounce the death penalty, they do mention a number of crimes, such as treason, construction of fortifications without permission and manifest theft, for which the persecutor is "at the king's mercy" (*Leges Henrici Primi* 13,1), implying possible execution³⁶. So why, specifically, was decapitation disposed of as a method of execution, and why were execution victims no longer buried together in separate cemeteries? The answer may not just be due to a difference in cultural tradition and ideology, but may be symptomatic of a division in the roles of Church and state in the monitoring of social welfare. The government, at this time, while still receiving ecclesiastical counsel, begins to set itself somewhat apart from religious matters. This can be evidenced by the formation of the ecclesiastical court to handle religious judicial cases³⁷. Whether this movement was instigated by the government or the Church, it set a distinctive boundary between judicial and religious affairs.

At the same time as the formation of the ecclesiastical council, the Anglo-Norman Church was becoming more inclusive at the time of death. Since the late ninth-century laws of Edmund, confession had always been allowed to anyone condemned to death; however the physical burial of anyone and everyone in the same manner takes the potential metaphysical equality of all Christians to a new level, which includes the most abhorrent sinners³⁸. Clauses concerning permitted burial in consecrated ground, or lack thereof, were largely absent from the Anglo-Norman laws. In essence, ecclesiastical institutions began leaving eternal judgements in the hands of an omniscient God, rather than condemning sinners themselves. This was a natural progression from earlier Anglo-Saxon belief that clerics should not themselves condemn a man to death. Ælfric believed that capital punishment was necessary, but should be mandated by the judicial authorities and never by the clergy.

We [the clergy] may not be involved in the death of a man. Even if he is guilty of manslaughter or a murder or a great thief, nevertheless, we must not prescribe

³⁵ J. HUDSON, *The Oxford History*, cit., p. 411; H.M. THOMAS, *The Norman Conquest: England after William the Conqueror*, Lanham, Maryland, Rowman and Littlefield Publishers, Inc., 2008, p. 86.

³⁶ L.J. DOWNER, *Leges Henrici*, cit., p. 116-117

³⁷ J. HUDSON, *The Oxford History*, cit., pp. 297-298.

³⁸ A. ROBERTSON, *The Laws of the Kings*, cit., pp. 6-7.

death for him. Nor may we ever make a judgement concerning that. But let a laymen assign him life or death, so that we do not destroy sweet innocence – we who may not even kill a bird³⁹.

The Anglo-Norman clergy took such beliefs one step further, separating themselves from both the judicial and spiritual condemnation of criminals. Influencing this movement was likely to be the beginnings of purgatorial thinking.

Purgatory became official doctrine in 1274 at the Council of Lyons, and the belief is generally viewed as having been born around 1170⁴⁰. While Purgatory as a physical space for souls may not have been conceptualised until the late twelfth century, the formation of the belief in a second chance for salvation after death and the deconstruction of a strict behavioural Heaven and Hell dichotomy are reflected in the transition in the burial of criminals occurring in late eleventh-century and early twelfth-century England. The burial of all members of the community together and in the same fashion allows each person to account for their sins directly to God, and demonstrates a clear change in the view that the decision of one's eternal location is made at the time of death. Carl Watkins has similarly argued that an early vision of purgatory in England can be found in twelfth-century Anglo-Norman tales of revenants and ghosts. He suggests that there was a notion of penance and purgatory in ecclesiastical accounts of ghosts who return not to haunt the living but to seek clerical aid in achieving absolution beyond the grave⁴¹. This emphasises that the soul was thought to await final judgement for a time and that the living could assist in this process. Thus, although purgatory as a realm did not become an official doctrine until the thirteenth century, belief in this concept was clearly impacting Christian burial in England earlier.

Conclusion

While it is now thought by scholars that the Normans adopted, and adapted to, English culture, for instance through the adoption of the Anglo-Saxon laws and government structure, there were a number of ideologies that had been developed over many centuries of which the Normans were not aware or simply may not have appreciated. One of these may have been the significance of decapitation, another was likely the connotation of the English landscape in judicial processes. Displaying severed heads atop barrows thought to be gateways

³⁹ N. MARAFIOTI, *Punishing bodies*, cit., pp. 44, 39-57.

⁴⁰ C. DANIELL, *Death and Burial*, cit., pp. 177-180; J. LE GOFF, *The Birth of Purgatory*, trad. A. Goldhammer, London, Scholar Press, 1984, pp. 1-14, 130-153, 237-288.

⁴¹ C.S. WATKINS, *Sin, Penance and Purgatory in the Anglo-Norman Realm: The Evidence of Visions and Ghost Stories*, in "Past & Present", 175, 2002, pp. 3-33.

to hell and the supernatural did not strike the same sense of trepidation into the hearts of sinners under the Normans as was previously the case. Anglo-Norman authority was displayed in the form of massive castles imposed upon that English landscape and enacted through the collection of taxes and compensation for crimes. When displays of judicial might were required, they utilised this new authoritative space by hanging their criminals outside the castle walls and leaving the corpse there for all to see. At the same time, a firmer trust in, and perhaps a greater fear of, God's judgement made displays of ecclesiastical power and warnings of damnation less necessary. In Anglo-Norman England legal judgement and funerary ritual occurred in completely different societal spheres. The judicial system implemented by the Normans removed all traces of significance accorded decapitation by the Anglo-Saxons. The practice became merely messy and inefficient, possibly seeming barbaric to the foreign Normans. Therefore, it seems clear that the Anglo-Saxon relationship with decapitation did not survive beyond the Norman Conquest, but rather, as is perhaps appropriate, it died a complex and multifaceted death.



Fig. 1. Depictions of Psalm 127 from the eleventh-century BL MS Harley 603 f. 67r, showing deviants buried within a barrow and decapitations being performed without the barrow. Image obtained from the British Library Catalogue of Illuminated Manuscripts, <http://www.bl.uk/catalogues/illuminatedmanuscripts/record.asp?MSID=18402&CollID=8&NStart=603>.



Fig. 2. Image of David slaying Goliath from the eleventh-century BL MS Arundel 155 f. 93. Image obtained from British Library Catalogue of Illuminated Manuscripts, <http://www.bl.uk/catalogues/illuminatedmanuscripts/ILLUMIN.ASP?Size=mid&IllID=11262>.