Preface

Everyone has heard of Domesday Book. In the English-speaking world of today it may not be so sharply perceived as, say, Magna Carta, the Bill of Rights, or the Declaration of Independence. Nevertheless, it exists as a subliminal presence at the beginning of our common history. Mark Twain made good use of this fact, to considerable comic effect, in *Huckleberry Finn*.

> My, you ought to have seen old Henry VIII when he was in bloom. He was a blossom. He used to marry a new wife every day, and chop off her head next morning. And he would do it just as indifferent as if he was ordering up eggs. 'Fetch up Nell Gwynn,' he says. They fetch her up. Next morning 'Chop off her head!' And they chop it off. 'Fetch up Jane Shore,' he says; and up she comes. Next morning, 'Chop off her head'—and they chop it off. 'Ring up Fair Rosamun.' Fair Rosamun answers the bell. Next morning, 'Chop off her head!' And he made every one of them tell him a tale every night; and he kept that up until he had hogged a thousand and one tales that way, and then he put them in a book, and called it Domesday Book—which was a good name and stated the case. (Chapter 23)

Twain's understanding of the origins of Domesday Book might be eccentric, but there can be no doubt that it struck a chord in his readership. Why this should be generally so is a complex story. There is clearly much to be said for a good name; 'Domesday Book' is as striking as the Tibetan Book of the Dead (or, come to that, H. P. Lovecraft's Necronomicon), and such a sonorous title is bound to guarantee some degree of celebrity. But this begs the question: how did Domesday Book come to merit its name?

It does not seem to have been founded in any defining ideology, for authorities of one sort or another have done little to bring the work into a sharp focus. It has always been perceived as a document of the first importance, but the very fact prevented the emergence of any consensus as to its significance. In the later medieval and post-medieval periods it was used by polemicists as a stick to beat their opponents with, and in the modern world it has become the subject of often equally acrimonious academic debate. Agreement has never persisted long enough to find its way into school textbooks (or analysis has been too technical to warrant inclusion).

Far from taking a lead, on the contrary, politicians and historians have followed. The best explanation for the persistence of Domesday Book in the popular mind seems to lie in the survival of a genuine folk tradition. It received its name by the acclaim of the people rather than by the calculation of any government bureaucrat, and the continuous use of the document kept alive and fuelled a mystique that has resonated into the modern period. This

enthusiasm is absent from sources contemporary with the Domesday inquest, but nevertheless developed at an early period. So it is that many of its themes have been taken as integral to the authentic history of the source. From the twelfth century Domesday Book has had a life of its own that has divorced it from the circumstances that engendered it.

This is, of course, a problem with any celebrated source—the traditions of a department of state can be as misleading in this respect as common prejudice—and in the last hundred years historians have rejected some of the more florid interpretations that Domesday has had to bear. But one element of what can be called the Domesday myth has survived to colour and determine analysis of the procedures and purpose of the Domesday enterprise. There remains an all-but universal conviction that the compilation of Domesday Book was the aim of the inquest recorded in the 1086 annal of the Anglo-Saxon Chronicle. This perception draws upon, and perpetuates, a misunderstanding of the nature of the inquest as an instrument of government.

The inquest is best known from the processes of the common law that developed in the late twelfth century. Here the verdict of a sworn jury was used as an instrument of peacekeeping, dispute resolution, and administration. It is exemplified *par excellence* in the tightly structured procedures of the eyre in which oral testimony was proved against written record. Here the procedure informed a bureaucratic process, and thus it is that which has been seen as an appropriate model for a Domesday inquest in which the objective was always the production of Domesday Book. The upshot has been that almost all studies of the purpose of Domesday have concentrated on the making of Great Domesday Book (GDB) and Little Domesday Book (LDB) on the assumption that, just as the verdict in the eyre was central to the pleas that ensued from the processes of policing, so the minutiae of data collection in the Domesday inquest were directly relevant to William's aims in late 1085.

Hence, for over a century now debate has centred on the supposed dichotomies of geographically and seigneurially arranged precursors of Domesday Book, of geld and service, and of public and private. All of this has become the commonplace of academic discourse. And yet if there is one feature that characterizes the results of all this research it is the signal failure of historians to produce a coherent explanation of the Domesday process; the Domesday data have consistently refused to be squeezed into the straitjacket of a neat schema.

It is argued here that this dislocation between the common ground of Domesday studies and the ability to explain is a direct function of anachronisms in the analysis. The historiography of Domesday bristles with common law concepts. The first task here has been to rescue the inquest from the uses to which it was put from the late twelfth century as a conscious tool of royal power. In essence the device was evidentiary rather than executive and in the context of a countrywide inquest, of which Domesday was an example, was

a truly investigative procedure that was employed to ascertain facts where record was incomplete or unavailable or the mechanisms of local government were untrustworthy. It had developed in pre-Conquest England as both the cause and effect of the introduction of geld and was the principal forum in which the common interests of the king and the free men of the shire were negotiated. So the device continued to function into the reign of Edward I until it was to be superseded by parliaments.

The inquest, then, was no bureaucratic process. Its normal outcome was not a recognition, but a verdict constituting agreed fact that informed future action. It was an open-ended process in which, by definition, the end was not predicated on the beginning. The immediate implication of this formulation is an unsettling one for the historian. Verdicts informed but did not determine decisions. Put more starkly, they were only contingently related to the purpose of an inquest and its outcome. Domesday Book can no more embody the whole business of the inquiry than any other document drawn up in the Domesday process.

It is this that is the starting-point of a re-examination of the Domesday texts and the processes that produced them. The analysis makes no assumptions about the integrity of the enterprise; the Domesday inquest is uncoupled from the making of Domesday Book. For many, the conclusions will be surprising, for some, heretical. Evidence will be presented to demonstrate that Domesday Book, both LDB and GDB, was unrelated to the concerns which launched the inquest in 1085. It seems to have been compiled, probably under the supervision of Rannulf Flambard, from the records of the inquest after 1089 and is best interpreted as a response to the revolt, and consequent tenurial chaos, of 1088. The Domesday inquest, by contrast, is emphatically concerned with the exemption of demesne from the geld, and its findings were the basis on which the king negotiated a reimposition of taxation in return for a redefinition of personal service. The Domesday inquest was about both the geld and knight service.

Far from being mutually exclusive, 'public' and 'feudal' dues can now be seen to be complementary. The fact highlights a wider theme, the mutuality and reciprocity of Anglo-Norman political and social interchange. The current consensus suggests that the Domesday inquest and Domesday Book were the function of executive fiat (albeit with tasty carrots dangled in front of the tenants-in-chief in the form of confirmation of honours to ensure co-operation). This, of course, is a perception that embodies several agendas. Military and administrative energy were defining ingredients of *Normanitas* as perceived by contemporary Normans. But at the time the concept was used, perhaps consciously, to ideological ends; to the English, *Normanitas* was simply spoliation. And it has continued so to be used. Normanists used to conceive of a people come to cleanse and invigorate a corrupt realm, while Saxonists saw the imposition of a harsh tyranny over a free nation. These are categories to which no

historian would now own in public. Nevertheless, the notion of the all-embracing Domesday process still panders to an enduring Norman self-image.

It is a notion that has not gone unchallenged in recent years; the administrative efficiency of the Anglo-Norman polity has come into question in a number of areas. This study suggests that the Domesday inquest is hardly testimony to Norman omnicompetence. Most national inquests in the post-Conquest period were a response to crisis of one sort or another. In 1085, as historians have increasingly stressed in recent years, it seems to have focused on the problems created by an imminent invasion and the billeting of mercenaries recruited to counter it, and, as in the pre-Conquest period and subsequently, the inquest established a body of accepted fact on which an agreed course of action could be decided. William the Conqueror was in no position to dictate to his subjects. The Domesday inquest attests a king working with his barons and the community of the shire to a common end, albeit with an eye to striking as hard a bargain as he could.

It is probably only in the production of Domesday Book itself that the mechanical hand of the bureaucrat can be detected. With the development of the Domesday myth, of course, the document took on the well-documented public life of its own. But like subsequent abbreviations of inquest records, there is nothing to suggest that it was not compiled solely for the convenience of central government. The earliest references to the source call it 'the king's book', 'the book of the Exchequer', or simply 'the book of Winchester', and, significantly, the earliest copies in non-royal archives are of a relatively late date. This was no public record. It was, rather, a land register that was compiled and used for specifically administrative purposes.

The Domesday inquest and Domesday Book are, then, witnesses to two very different processes of society and government. The one, providing the grounds on which a political relationship was defined at a time of crisis and change, was truly communal. The other, although equally prompted by crisis, was merely an administrative aid. The Domesday processes identified in this study are irreducibly manifold, and as such conform more readily to the realities of eleventh-century politics and society than the monolithic schemas of contemporary orthodoxy.

1

The Mystique of the Book

On Christmas Day 1085 William, duke of Normandy and conqueror and king of England, had much thought and deep discussion with his council at Gloucester about England:

> how it was occupied or with what sort of people. Then he sent his men over all England into every shire and had them find out how many hundred hides there were in the shire, or what land and cattle the king himself had in the country, or what dues he ought to have in twelve months from the shire. Also he had a record made of how much land his archbishops had, and his bishops and his abbots and his earls—and though I relate it at too great length—what or how much everyone had who was occupying land in England, in land or cattle, and how much money it was worth. So very narrowly did he have it investigated, that there was no single hide nor virgate of land, nor indeed (it is a shame to relate but it seemed no shame for him to do) one ox nor one cow nor one pig which was there left out, and not put down in his record; and all these records were brought to him afterwards.[1]

So wrote the English author of the E version of the Anglo-Saxon Chronicle about what is now known as the Domesday survey or inquest.

Remarkably for the period, there survives from the process a mass of documentation of one sort or another.[2] The Liber Exoniensis of Exeter Cathedral (hereafter referred to as Exon) preserves a contemporary record of the evidence presented in the south-western shires, and the Inquisitio Comitatus Cantabrigiensis (ICC) is a twelfth-century copy of a compilation of the data collected in Cambridgeshire. Various other snippets of information from similar stages in the inquiry are also known, but by far the most substantial survival is the two volumes of Domesday Book itself preserved in the Public Record Office in London. Volume one, known as Great Domesday Book (GDB), is an abbreviation of records of the inquest. Its 382 closely written folios (that is, 764 pages) contain an account of the whole of England south of the Tees, except for the

[1] *ASC* 161–2. In addition to folio numbers and columns of the MSS, references to the Domesday text are made to the Phillimore edition throughout since the numbering of entries facilitates precise identification. Place-names and personal names are usually given in the form there recorded. There are, however, some deviations since usage is by no means consistent throughout the edition. Moreover, the Feilitzenization of some forms in the later volumes has been reversed so that old friends remain familiar. Hereweard, for example, has reverted to the more usual Hereward. I have generally preferred my own translations. The Alecto and Ordnance Survey facsimiles and the MSS themselves have been consulted for all paleographical matters.

[2] See abbreviations, pp. xvi–xix.

three counties of Norfolk, Suffolk, and Essex, and of those parts of Wales that had been conquered by the Normans by 1086. Volume two, Little Domesday Book (LDB) is somewhat more expansive, containing a description of the three missing East Anglian counties in its 450 folios.

The scope of the enterprise is impressive and it duly impressed and appalled the annalist in equal measure. By the strict standards of evidence he must be deemed guilty of hyperbole. The number of oxen and kine recorded in the extant Domesday corpus would be hardly enough to keep a minute proportion of the population of late-eleventh-century England in shoes, and the number of pigs noted (notional or otherwise), although large, would make bacon for breakfast a rare treat for king and peasant alike. Nevertheless, the annalist's exaggeration is fully justified in the cause of literary effect.[3] As a record of a realm the Domesday inquest was unprecedented in England and probably unparalleled in medieval Europe. For every county there is an account, manor by manor and tenement by tenement, of the lands of the king, his ministers and almsmen, bishops and clerics, and every tenant-in-chief in various degrees of detail, along with an assessment of the tax liability of each unit, its economic and social resources, and its value. The statistics are impressive: thirty-three counties described in full; 25,000 personal names of those holding in 1066, some 19,500 of lords and tenants in 1086;[4] innumerable place-names relating to over 13,000 settlements; 270,000 unnamed inhabitants of various degrees of freedom; 81,000 plough teams; 2,061 churches; 6,082 mills; and much, much more.[5] As the annalist hints, there is something almost indecent in the extent and depth of the information that William demanded and received.

The Anglo-Saxon Chronicle preserves an English and, strictly speaking, an ecclesiastical view of the survey. But the author, probably writing within a year of the events he describes,[6] was not alone in his wonderment at the process. An account of the survey by Robert Losinga, bishop of Hereford, exhibits more measured tones but nevertheless manages to convey a sense of extraordinary events.

> [In the] twentieth year of his reign by order of William, king of the English, there was made a survey [*descriptio*] of the whole of England; of the lands in each of the counties; of the possessions of each of the magnates, their lands, their manors [*mansionibus*], their men both bond and free, living in cottages or with their own houses and lands; of ploughs, horses, and other animals; of the services and payments due from all the men in the whole land. Other investigators followed the first and were sent to counties that they did not know, and where they themselves were unknown,

[3] Darby, *Domesday England*, 172–4. (For full details of works cited in the notes, see Bibliography.)
[4] Keats-Rohan, *Domesday People*, 15.
[5] Darby, *Domesday England*, 336–71, providing a handy summary of statistics.
[6] Clark, *The Peterborough Chronicle*, p. xxi.

to check the first description and to denounce any wrongdoers to the king. And the land was vexed with much violence arising from the collection of the king's taxes.[7]

Unless the last sentence is intended as a comment on the process (which might suggest a perhaps anachronistic socialist sensibility), Robert's account is neutral. But, as a senior Norman cleric and tenant-in-chief, it is likely that he was consulted at Gloucester and it must therefore be supposed that he had assented to the enterprise. Indeed, co-operation by magnates is illustrated by a third notice of the inquest, a letter written by Lanfranc, archbishop of Canterbury, sometime in the course of the survey, to a royal official identified as 'S':

Lanfranc, an unworthy bishop, greets his dear and loyal friend S. and sends him his blessing. I am most grateful for your thoughtfulness and goodwill, in that from the outset of our acquaintance you have assured me of your friendship and whenever the occasion offered you have always been ready to prove it in practice. Now once more I pray and beseech you—though you have no need of so many prayers—to act as effectively on our behalf in the present business as the opportunity to do so is given you from on high. I confirm that in those counties in which you have been assigned the duty of making an inquest I have no demesne land; all the lands of our church in those parts are entirely given over to providing food for the monks. The brother who is bringing you this letter has told me a great deal in your favour, too much to be set out here in the brief limits of a letter. May almighty God, whose memory nothing escapes, recompense you according to his knowledge many times over and be your vigilant helper at all times to defend you from every evil machination.[8]

LDB preserves a record of what use 'S' made of this information.

The reception of the inquest by the commonality of English and Anglo-Norman society was less sanguine. The impact of the survey was clearly widespread; the surviving documentation attests the participation of all levels of society, from the humblest peasant to the closest allies of the king, in hundreds of records of their presentments provided in manor courts, village assemblies, and hundred and shire courts. Such a great enterprise cannot have failed to impress on the populace the momentousness of the undertaking, and it was evidently a momentousness that inspired suspicion. Echoing the restrained outrage of the 1085 annal, Robert of Hereford's note hints at popular agitation, for he would have us believe that the vexation of the country by taxation was a direct function of the inquest. It was this, the inquest and its consequences, that was the focus of the contemporary accounts, and contemporary popular judgement would seem to have been generally adverse.

[7] Stevenson, 'A Contemporary Description of the Domesday Survey', 74. This passage is echoed in a copy of Marianus' History probably from Worcester (BL Cotton MS, Nero C v). It reads: 'William, king of the English, ordered all of the possessions of the whole of England to be described, in fields, in men, in all animals, in all manors from the greatest to the smallest, and in all payments which could be rendered from the land of all. And the land was vexed with much violence proceeding therefrom.' See, Stevenson, 'A Contemporary Description of the Domesday Survey', 77.

[8] *Letters of Lanfranc*, no. 56; Barlow, 'Domesday Book: A Letter of Lanfranc', 289.

That judgement and its focus was soon to change. Probably throughout the Middle Ages, and certainly into the thirteenth century, the documentation of the inquest survived and was used by government; many early references to the survey may have been to this material.[9] But popular perception soon fixed on Domesday Book itself. The first explicit notice of the work is a reference to the *liber regius* in an authentic writ probably of 1099–1101.[10] Writing was still in progress (or was yet to start) in the early years of the reign of William Rufus,[11] and it seems clear that 'the writings' that the annalist asserts were taken to the king must have been the inquest records. Domesday Book was relatively late on the scene, but it was soon to command an approbation that the records from which it was compiled had never commanded. The transformation in opinion is largely invisible, but was probably fostered by continual use in one form or another. How commonly Domesday Book was consulted in the course of routine administration in the aftermath of the survey is unknown. There are a number of writs that appear to refer to the work in the early twelfth century. In the 1120s, for example, Henry I ordered that services be restored to the lands of Ely 'which my Winchester charter shows to have been sworn to its fee'.[12] But, judging from the clean state of the manuscript, it was relatively little used throughout the Middle Ages—copies or breviates were probably preferred, a number of which survive. Nevertheless, throughout the period it did travel around the country with the Exchequer,[13] and, moreover, most tenants-in-chief of any substance seem, latterly at least, to have had copies of the description of their own lands made, *inter alia*, for record purposes. For fifty or so years after 1086 Domesday Book must in one way or another have continually impinged on the consciousness of local communities.

Familiarity fostered recognition. By the early twelfth century Domesday Book had become the purpose of the Domesday inquest in the mind of a Worcester annalist. Paraphrasing the 1085 annal of the Anglo-Saxon Chronicle, he subtly changes its import with an explicit reference to the volume:

A.D. 1086. William, king of the English, sent through all the provinces of England, and caused it to be inquired how many hides were held in the whole of England, and how much the king had in lands and cattle and livestock in each province, and what customary dues each year. This he caused to be done in respect of the lands and dues both of all the churches and of all his barons. He inquired what these were worth, and how much they then rendered, and how much they were able to render in the time of King Edward. And so thoroughly was all this carried out that there did not remain in the whole of England a single hide or a virgate of land or an ox

[9] See below, pp. 242–3.
[10] Galbraith, 'Royal Charters to Winchester', 389.
[11] Lewis, 'The Earldom of Surrey and the Date of Domesday Book', 327–36.
[12] *Regesta Regum*, ii, no. 1500. For others, see ibid., nos. 236, 373, 386a, 468, 976, 1000, 1488, 1515.
[13] *Dialogus de Scaccario*, 62–3; Hallam, *Domesday Book Through Nine Centuries*, 34.

or a cow or a pig which was not written in that return [*in breviatione illa*]. And all the writings of all these things were brought back to the king. And the king ordered that all should be written in one volume [*volumen*], and that that volume should be placed in his Treasury at Winchester and kept there.[14]

Probably at much the same time Domesday Book began to assume its reputation as an authority unparalleled in this worldly realm. It is variously referred to in official records as 'the king's book', 'the book of the Exchequer', or 'the book of Winchester'.[15] But *c.*1179 Richard fitz Neal wrote in the Dialogue of the Exchequer that the survey was commonly known by the native English as Domesday, that is, the Day of Judgement:

for as the sentence of that strict and terrible last account cannot be evaded by any skilful subterfuge, so when this book is appealed to on those matters which it contains, its sentence cannot be quashed or set aside with impunity. That is why we have called the book 'the Book of Judgement,' not because it contains decisions on various difficult points, but because its decisions, like those of the Last Judgement, are unalterable.[16]

From the mid-thirteenth century 'the book called Domesday' became the official name for the document.[17] But already by the late twelfth century the transformation from notorious Domesday inquest to famous Domesday Book was complete.

The stage was set for the birth of a mystique that has survived to the present day. By the time that fitz Neal wrote, Domesday Book was largely irrelevant to the government of England; its data were outdated and its format was not conducive to revision for use as a working record. It was, paradoxically, this obsolescence that fostered its mystique. Domesday Book not only documented the roots of post-Conquest English society, but did so in a form that had become especially evocative. By the early twelfth century the codex was not the normal repository of record. Anglo-Norman governance was characterized by the employment of rolls. The book was redolent of more solemn writings, notably scripture. It would seem, then, that the apocalyptic referent of the survey's popular name was not entirely a function of whimsy. And it was a symbolism that was clearly not lost on the early twelfth-century Worcester annalist; it would no doubt be fanciful to see in his assertion that William ordered Domesday Book to be written and placed in the Treasury an echo of the practice of placing a book on an altar when a solemn gift was made,[18] but he clearly perceived of an appropriate place for such a special artefact.

Domesday became an icon precisely because it was a book, and, like scripture, its mystique was enhanced by limited access. The very concept of a

[14] *EHD* ii. 853. [15] Galbraith, *Domesday Book*, 103–4.
[16] *Dialogus de Scaccario*, 64. [17] Hallam, *Domesday Book Through Nine Centuries*, 34.
[18] Clanchy, *From Memory to Written Record*, 204–5.

public document was probably meaningless until the fourteenth century: it was only in 1372 that the principle of copying documents for legal use, whether the evidence went for the king or against him, was accepted.[19] Even then, as the oldest and most treasured public document, Domesday Book was hedged about with restrictions on its use. Some early transcriptions, such as that preserved in the Historia Croylandensis,[20] may suggest some browsing. But from the late thirteenth century it was one of the records that was in the charge of two clerks or deputies of the chamberlain in the Receipt of the Exchequer, and they had the responsibility for making searches and copying extracts, for which, from 1279, they were entitled to charge.[21] From the 1470s exemplifications were made in Carolingian minuscule to reflect the authority and no doubt dignity of the text, a custom only otherwise found in the copying of final concords where a twelfth-century hand was employed. These arrangement remained in place, with little modification, until 1826.[22] It was, to be fair, as difficult consulting any other record. Nevertheless, the effect was to place a premium on the data.

As such Domesday Book attained extraordinary talismanic status in the Middle Ages. It was the fount of all wisdom for the perplexed: in the Ragman inquiry of 1274/5 a number of juries suggested that the commissioners might search Domesday to resolve problems of ancient status and standing.[23] It was the hope of the oppressed: countless villeins paid for exemplification of entries in Domesday to demonstrate a privileged status as tenants of royal demesne.[24] It was the ultimate protection of the endowed: lords and communities appealed to the survey to protect and enforce their title to land and liberties.[25] Appeal to the source might be more in belief in its legendary powers than knowledge of its contents. Litigants frequently sought corroboration of the line of boundaries, the details of service, or the nuances of status where Domesday was quite irrelevant. But only in the determination of ancient demesne, with its corollaries of higher taxes for the crown and less burdensome services for villeins, was its evidence clear-cut and effective. Nevertheless, despite the repeated frustration of expectation, Domesday Book retained its aura of consummate authority into the modern period. It continued to be cited in court cases well into the nineteenth century, although cases dropped off markedly after the abolition of fines and recoveries in ancient demesne in 1833. The document still remains a legal public record; in 1969 a judge sitting in Liverpool Crown Court cited it in a case which was brought to decide whether a motor car

[19] *Rotuli Parliamentorum*, ii. 314.
[20] Roffe, 'The Historia Croylandensis: A Plea for Reassessment', 93–108.
[21] Hallam, *Domesday Book Through Nine Centuries*, 56–7.
[22] Ibid. 57.
[23] See e.g. *Rotuli Hundredorum*, i. 354a.
[24] Hallam, *Domesday Book Through Nine Centuries*, 54, 199–209.
[25] Ibid. 199–209.

registration book was a public document. In 1958 it was used to verify the right to a market in Taunton in a dispute over rating and methods of valuation.[26]

Citation in court is now, of course, a quaint rarity. But Domesday Book retains its authority in popular consciousness as the ultimate imprimatur of heritage. Before immigration from the Commonwealth in the 1950s, there was scarcely a single Englishman who was not a lineal descendant of landholders named in Domesday Book, and yet there is a subtle social cachet in claiming to be able to point to a particular William, a Richard, or a Roger as an ancestor. Anthony Trollope made much of the comic possibilities of such pretensions in *The Small House at Allington*:

'I think something of my family, I can assure you, Adolphus, and so does my husband,' [said Lady Amelia de Courcy].

'A very great deal,' said Mr Gazebee.

'So do I of mine,' said Crosbie. 'That's natural to all of us. One of my ancestors came over with William the Conqueror. I think he was one of the assistant cooks in the king's tent.'

'A cook!' said young de Courcy.

'Yes, my boy, a cook. That was the way most of our old families were made noble. They were cooks, or butlers to the kings—or sometimes something worse.'

'But your family isn't noble?

'No, I'll tell you how that was. The king wanted this cook to poison half-a-dozen of his officers who wished to have a way of their own; but the cook said, "No, my Lord King; I am a cook, not an executioner." So they sent him into the scullery, and when they called all the other servants barons and lords, they only called him Cookey. They've changed the name to Crosbie since that, by degrees.'[27]

Where family has not provided, the estate agent can oblige. What greater recommendation can there be for a house than the confident assertion that 'it appears in the Domesday Book',[28] or, in the face of incontrovertible evidence of modern construction, that the local community to which it has so recently become an adornment has the distinction of being mentioned in the same? Domesday Book may be used to ground a rudderless society in a certain past in the face of an unsure future, but it is still a guarantee of authenticity in its own right.

Domesday Book and Historical Writings

As an icon of national identity and, for some, a touchstone of liberty, Domesday Book is paralleled by Magna Carta and the Bill of Rights. Its mystique, however,

[26] Ibid. 174. [27] Trollope, *The Small House at Allington*, 324.

[28] The use of the definite article here is a sure sign of a layman. The initiated always omit it, a distinction that even the Bible does not share (although Magna Carta does). How conscious are historians that the usage is an implicit acceptance and promotion of the mystique?

has been far more pervasive and nowhere more so than in historiography. Perhaps reflecting perceptions of the relative importance of the inquest, up to the early twelfth century passages from Domesday Book do not seem to have been copied. Early cartularies like those of Peterborough and Worcester, compiled between 1086 and 1130, preferred documents from the inquest.[29] Although it is now impossible to prove the point, the survival of so much documentation from this stage of the Domesday process may be entirely owed to early copyists. Thereafter, it was Domesday Book that mesmerized administrators and historians alike. Tenants-in-chief and religious houses appeared to have wanted copies of the entries relating to their land as a matter of course; a Domesday section is a common feature of medieval cartularies after the mid-twelfth century.[30] Concern with title was probably never far from their minds. But at the same time there was also a desire to record the information for its own sake because Domesday Book embodied a decisive stage in the history of their family or community. A cartulary of the Basset family of Weldon in Northamptonshire illustrates this concern.[31] It contains the Domesday account of the main Basset estates in Nottinghamshire and Derbyshire, but none can be proved therefrom to have been held by the family in 1086. Indeed, the incompetent transcription and the muddling of settlements (notably Car Colston with Colston Basset, the later *caput* of the fee) would have made the document unusable in a court of law. Its only purpose can have been historical. This perception of Domesday as a point of departure in English history is, needless to say, by and large justified. For the vast majority of families, communities, and settlements it provides the first datum of a history.

The fact has fuelled a wider ideology. From an early period Domesday Book was perceived as a turning-point in English history. For the author of the E version of the Anglo-Saxon Chronicle history was primarily about chaps, and, as a cleric, he was alive to the wider significance of their actions within the world. So it was that he took the opportunity of a pitiful account of the famine in 1087 to comment on the virtues of men. Chief among these was, of course, the king himself and his closest advisors.

[29] London, Society of Antiquaries, MS 60, the Black Book of Peterborough; *Hemingi Chartularium*. Claims have been made that sections of Heming's cartulary were extracted from GDB (*DB Worcs.*, Appendix V). For a detailed discussion of these texts, see below, pp. 106–12. Only one copy of the privileges of Oswaldslow Hundred is identical with the entry at the beginning of the bishop of Worcester's Worcestershire breve (GDB 172c: *DB Worcs.*, 2,1; App. V, Worcs. F). It must be remembered, however, that the bishop's breve appears not to have been compiled by the GDB scribe but to have been copied from a cathedral source. See below, pp. 143, 208. Worcester D, a schedule of geld liability of 28 tenants-in-chief in Worcestershire, exhibits the same order of fees as GDB, but is clearly not directly derived from it since it contains information on exemptions that is not found there (*DB Worcs.*, Worcs. D). For the Bath Cartulary, see below p. 101.

[30] Hallam, *Domesday Book Through Nine Centuries*, 53. There has been no systematic listing of Domesday extracts in medieval cartularies. It is, of course, impossible to determine when Domesday Book passages were first copied in the later compilations.

[31] Northampton Record Office, ZB 347. I am grateful to Dr Trevor Foulds for drawing my attention to this source.

But such things happen because of the people's sins, in that they will not love God and righteousness. So it was in those days, there was little righteousness in this country in anyone, except in monks alone where they behaved well. The king and the chief men loved gain much and over-much—gold and silver—and did not care how sinfully it was obtained provided it came to them. The king sold his land on very hard terms—as hard as he could. Then came somebody else, and offered more than the other had given, and the king let it go to the man who had offered more. Then came the third, and offered still more, and the king gave it into the hands of the man who offered him most of all, and did not care how sinfully the reeves had got it from poor men, nor how many unlawful things they did. But the more just laws were talked about, the more unlawful things were done. They imposed unjust tolls and did many other injustices which are hard to reckon up.[32]

This passage anticipates the obituary of William that the annalist appended to the same annal following the king's death in Normandy on 9 September 1087. According to him, William was wise and powerful, a stern and violent man who respected God but was merciless to those who opposed his will. Good and bad were mixed with an energy that at once inspired in the annalist admiration and fear. His sentiments could as easily refer to the Norman Conquest.

How the Domesday inquest fitted into his perceptions of William's reign is not made explicit; he notes it merely as a species of adroit political intrigue. Echoing the wonderment expressed in the 1085 annal he comments: 'He ruled over England, and by his cunning it was so investigated that there was not one hide of land in England that he did not know who owned it, and what it was worth, and then set it down in his record.'[33] But the context suggests a wider understanding. He goes on to assert that: 'Wales was in his power, and he built castles there, and he entirely controlled that race. In the same way, he also subdued Scotland to himself, because of his great strength. The land of Normandy was his by natural inheritance, and he ruled over the county called Maine; and if he could have lived two years more, he would have conquered Ireland by his prudence and without any weapons.'[34] It would seem that the annalist saw the Domesday inquest as a means by which England had been brought to submit to William's will.

This was a theme that, projected onto Domesday Book, was to be developed in the later Middle Ages and subsequently. The generation following the Domesday inquest was as circumspect as the annalist. The E chronicle's 1085 account of the Domesday inquest was widely copied in the twelfth century and later.[35] Robert of Hereford's version was also influential. Appended to a shortened copy of the Universal History of Marianus Scotus, it was to find its way to Worcester where Robert's interpretation was to influence a number of historians into the next century.[36] In the 1120s Henry of Huntingdon

[32] *ASC* 162–3. [33] *ASC* 164. [34] *ASC* 164. [35] See e.g. *EHD* ii. 853.
[36] Hallam, *Domesday Book Through Nine Centuries*, 35–6.

combined elements of both, and this composite version was to inform numerous other works into the thirteenth century.[37] In the later twelfth century, however, wider inferences were being drawn, apparently fostered by the shift in interest from the Domesday inquest to Domesday Book itself, with all of its semi-sacral connotations. Writing in the Dialogue of the Exchequer, Richard fitz Neal perceived a high political programme in the survey:—

> Domesday Book . . . is the inseparable companion in the Treasury of the royal seal. The reason for its compilation was told to me by Henry, bishop of Winchester, as follows. When the famous William 'the Conqueror' of England, the Bishop's near kinsman, had brought under his sway the farthest limits of the island, and had tamed the minds of the rebels by awful examples, to prevent error from having free course in the future, he decided to bring the conquered people under the rule of written law. So, setting out before him the English laws in their threefold versions, namely Mercian law, Dane law, and Wessex law, he repudiated some of them, approved others and added those Norman laws from overseas which seemed to him most effective in preserving the peace. Lastly, to give the finishing touch to all this forethought, after taking counsel he sent his most skilful councillors in circuit throughout the realm. By these a careful survey of the whole country was made, of its woods, its pastures and meadows, as well of arable land, and was set down in common language and drawn up into a book; in order, that is, that every man may be content with his own rights, and not encroach unpunished on those of others.[38]

The theme was further developed by Matthew Paris in the mid-thirteenth century. For him Domesday Book was equally the aim of the Domesday inquest and it was here that 'the manifest oppression of England began'.[39] It was a sentiment that was to inform political thought into the modern period; it was the common currency of the Levellers in the Civil War and it coloured the debate between Whigs and Tories in the eighteenth and nineteenth centuries.[40]

Domesday Studies

Domesday Book is no longer the subject of political discourse. Resonances of the debate, however, have persisted in scholarly discussions, and to the present day awe of the document itself has continued to influence interpretation. The last hundred years has seen the growth of a veritable cottage industry in which the study of the Domesday text has developed into an arcane speciality in its own right. As in any discipline, debates and controversies have arisen, but certain basic assumptions have been all but universally accepted. The undoubted authority that Domesday Book enjoyed from its completion has fostered the idea that it was conceived with a single-mindedness of purpose

[37] *Henrici Archdiaconi Huntendunensis Historia Anglorum*, 207.
[38] *Dialogus de Scaccario*, 62–3.
[39] *Matthei Parisienis Historia Anglorum*, iii. 172.
[40] Hallam, *Domesday Book Through Nine Centuries*, 37, 132–4.

and seen through to completion by the exercise of royal will: Domesday Book was the aim of the Domesday inquest, the product of a strong government with a mission.

Implicit in this perception is the assumption that the process was essentially executive and bureaucratic. So it is that the model adopted, consciously or unconsciously, for the procedure of the inquest has been the well-documented processes of the common law. Bureaucratic procedures there are exemplified by the conduct of the eyre. As in the Domesday inquest, the verdict of the sworn jury was central to the process. In reply to the articles of the eyre the hundred jurors presented the matters that had come before them since the last eyre and provided information on such other concerns as from time to time the justices decreed. Their evidence was checked against the records of local government and pleas ensued. Finally, the jury made a recognition and the justices then pronounced judgement.[41] The process is a fully integrated one. The jury's role was subordinate to the aim of the whole enterprise, and its presentments, in both form and content, reflected that aim; it initiated a process of indictment that led to resolution.

The model is an appropriate one where Domesday Book is seen as the aim of the Domesday inquest. It is, moreover, one that is of supreme convenience. Contemporary sources are silent on the purpose of the whole enterprise and here is a method of recovering that purpose. As the engine of an integrated process, the presentments of the Domesday jurors and the returns that are made from them must embody what the inquest, and by extension Domesday Book, was about. Thus it is that all critical study of Domesday has been founded on the content of the Domesday verdicts and the form of the texts that record them. The Bible, here as an expression of divine will, is perhaps the only other text in the world that has been subject to such a detailed analysis of its composition and precursors to the end of uncovering its purpose.

These, the terms of the debate, were effectively set by John Horace Round. Up to the late nineteenth century analysis of the survey was largely confined to antiquarian studies of Domesday Book. Round changed all that. His was a penetrating analytical mind honed to a fine acuity through acrimonious debate in the otherwise gentlemanly world of medieval genealogy. Bringing it to bear upon the purpose and procedures of the Domesday inquest and Domesday Book, he produced a brilliantly incisive examination of the survey in a series of essays published in 1895 in a volume entitled *Feudal England*.[42] His starting-point was not Domesday Book, but ICC, a geographically arranged precursor of the GDB account of Cambridgeshire. The hundredal structure of the

[41] Bolland, *The General Eyre*, 48–54; Crook, *Records of the General Eyre*, 30–4. For the imperceptible blurring of the inquest and the business of the eyre, see Cam, *Studies in the Hundred Rolls*, 15, 30, 127–38 and id., *Hundred Rolls*, 39–46. She traces the articles of the inquest of 1274/5 to the articles of the eyre and presupposes a similar procedure.

[42] Round, *Feudal England*, 1–146.

document provided a seemingly incontrovertible explanation for the common hundredal sequences of entries in the seigneurial *breves* of GDB, and the conclusion was self-evident: 'the original returns' of the inquiry were compiled vill by vill and hundred by hundred, only to be subsequently rearranged in the feudal form of Domesday.

The analysis was immediately accepted at the time and still remains impressive. Round himself was never explicit as to what he understood to be the function of Domesday Book. What was undeniable was that the inquest was a fiscal matter. It was left to Maitland, writing in the following year, to draw out the implications of the argument. Every item of data in Domesday Book, from assessment through ploughlands, demesne ploughs, population, and resources to value, was germane to geld assessment: 'Domesday Book is no register of title, no register of all those rights and facts which constitute the system of landholdership. One great purpose seems to mould both its form and its substance; it is a geld book.'[43] For him, Domesday Book was a geld list and the purpose of the inquiry was to reassess liability.

Round introduced the term 'return' into the debate and, with the endorsement of Maitland, the quest of every student of Domesday since has been to elucidate the form of these so-called satellites.[44] Round's method has never been questioned. The analysis was a powerful one and, although details of the argument were rejected, even his identification of 'the key to Domesday' remained unchallenged for almost fifty years. It was, however, to be attacked with devastating effect by Galbraith in 1942 and more fully in 1961.[45] Galbraith was quick to point out that the tenurial arrangement of Domesday Book was hardly conducive to its use in the collection of a geographically based tax. Starting with the seigneurially arranged Exon, a series of documents that are precursors of the Domesday account of the south-western counties, he argued that the feudal form of Domesday Book was intended from the very conception of the inquiry on Christmas Day at Gloucester in 1085, and that the text was compiled through a series of recensions that distilled a mass of seigneurially arranged material ordered by geographical lists of estates into the required form. The purpose of Domesday Book was no less than a feudal register of the new Norman order.

The all-important fact about Domesday is that it is our earliest public record, carefully preserved by the officers of the king's household for more than eight centuries, and so to be found today at the Public Record Office, Chancery Lane, where it can be seen in the Museum. There must be some good reason to explain this lone survivor of the Conqueror's no doubt considerable archives. And it is not far to seek; for, in striking contrast with later official surveys, the prudent Norman clerks at

[43] Maitland, *Domesday Book and Beyond*, 25.

[44] For a summary of work up to 1085, see Clarke, 'Domesday Satellites.' For subsequent additions to the menagerie, see Roffe, 'Yorkshire Summary' and 'Historia Croylandensis'.

[45] Galbraith, 'Making of Domesday Book' and *Making of Domesday Book*.

Winchester, subordinating completeness to practical utility, deliberately jettisoned more than half the information gathered by the king's *legati*, commissioners or justices, compressing the mass of statistics into a single volume, albeit a large one. It was, in short, a forward-looking handy summary, made to last. And so it proved, having served ever since as the blueprint of the new society created after 1066.[46]

In the aftermath of the tenurial revolution that the Conquest had seen, William the Conqueror had inaugurated military tenures, and Domesday Book was to act as both a guide to the Norman settlement and an administrative instrument for the management of the new dues to which the king had become entitled.

Galbraith had done little to explain the form of ICC; the lameness of his discussion of the document is as resounding as Round's silence on Exon.[47] Nevertheless, his analysis is now generally preferred to the Round thesis. Scholars have discussed the merits of various 'satellites' to elucidate different stages in the process,[48] but the only significant modification has been to propose a role for pre-existing documentation. Dr Sally Harvey has argued that seigneurially arranged documents were routinely used in the course of shrieval administration and it was they that informed the procedure of the Domesday inquest and determined the form of Domesday Book.[49] However, the link that Galbraith proposed between Domesday Book and the Norman Conquest and settlement has been further elaborated. Professor Hyams has argued that title was the central concern of the inquest. He postulated that right to land could be established either by producing a writ or evidence of the delivery of the land of an *antecessor*, that is, a pre-Conquest holder of land whose estates had been granted *en masse* to a Norman successor, likening the procedure to the late-thirteenth-century *Quo Warranto* proceedings where title was either established by charter or immemorial usage.[50] The case has been even more eloquently formulated by Professor Sir James Holt. In an article published in 1987 he argued that Domesday Book cannot be understood without consideration of the Oath of Salisbury which was sworn on 1 August 1086. The event is recorded in the Anglo-Saxon Chronicle: 'Then [King William] travelled about so as to come to Salisbury at Lammas; and there his councillors came to him, and all the people occupying land who were of any account over all England, no matter whose vassals they might be; and they all submitted to him and became his vassals, and swore oaths of allegiance to him, that they would be loyal to him against all other men.'[51] The event has long been seen as a crucial moment in the development of English government,

[46] Galbraith, *Domesday Book*, 18–19.
[47] Galbraith, *Making of Domesday Book*, 123–35. Galbraith is not at his most lucid in this passage.
[48] See e.g. Sawyer, 'Original Returns', 'Evesham A'.
[49] Harvey, 'Domesday Book and its Predecessors'.
[50] Hyams, ' "No Register of Title": The Domesday Inquest and Land Adjudication', 135–6.
[51] *ASC* 162.

when the king established the principle of liege lordship regardless of feudal bonds. But Holt further asks the pertinent question: what did they do homage for? The answer, he contends, is the lands recorded in Domesday Book and he concludes: 'Domesday Book seems to embody a hard-headed deal. William got a survey of his own and his tenants' resources; he was strengthened in the exercise of his feudal rights. His tenants got a record of their tenure, in effect a confirmation of their enfeoffment. In short, as regards the tenant-in-chief, Domesday Book was a vast land book which put a final seal on the Norman occupation.'[52] Domesday Book afforded secure title to what had been precariously held. It is almost as if it is a continuation of the Bayeux Tapestry by other means.

This view has recently been endorsed by Professor Robin Fleming in her study of the legal content of Domesday Book.[53] However, it has not met with universal acceptance. In parallel with the 'Norman order' school there has developed what can be termed a neo-fiscal view. Harvey has recognized that Domesday Book is about the transfer and possession of land, but asserts that its principal aim was to introduce a new fiscal rating to replace the geld. For her the reign of William was a period of increasing financial embarrassment for government as exemption from the geld compromised the king's ability to raise taxation. The immediate occasion of the Domesday inquest was the prospect of imminent invasion in 1085 and William's need to raise cash to pay mercenaries, and its aim was to record the resources and value of estates to the end of assessing ploughlands, a fiscal measure to replace the existing assessments in hides, carucates, and sulungs.

> A coherent assembly of the evidence accumulated suggests the following picture. In or following the military crisis of 1084–5, William started a reappraisal of fiscal liability in the south-west. It seems to have been unsuccessful. It was certainly short-lived: further abbreviations of DB by the Exchequer omitted it altogether and preserved the 1066 rating in them. William had in 1084 already extorted a huge geld of 6*s* on the hide which was not completely collected, so there was little possibility of increasing the levy on the existing rating. Moreover, on that rating many of the wealthiest lands lay untapped and exempt. It seems likely that the abortive attempt at reappraisal formed a motive for the searching enquiry into assets and possibilities (and by inference into exemptions and their validity) called Domesday Book, with the ploughland representing a completely new assessment . . .[54]

Domesday Book was primarily a tax book.[55]

This view in its turn has been rejected. Harvey has maintained that the routine fiscal documents of local government that were used in the making

52 Holt, '1086', 56.

53 Fleming, 'Oral Testimony and the Domesday Inquest', 101–22; Fleming, *Domesday Book and the Law*.

54 Harvey, 'Taxation and the Ploughland in Domesday Book', 103.

55 Ibid. 86–103; Harvey, 'Taxation and the Economy', 249–64.

of Domesday Book were already seigneurially arranged and implies that the seigneurial form of Domesday Book perpetuated this practice. Dr Nicholas Higham, however, has objected that Domesday Book is hardly an adequate record for the collection of taxation and avers that there is no sign of a reassessment after the inquest; the geld continued to be collected on the basis of the Domesday assessments into the twelfth century. Rather, he sees the process as a concession to the lesser baronage and the rear vassals. Again, the crisis of 1085 was the context. William's mercenaries had been billeted on the baronage, but the burden must have been distributed according to geld assessment and this would have favoured the king and greater barons to the detriment of the rest of feudal society.

> If [Domesday Book] was not directed at the distribution of geld, it follows that it was concerned with the billeting which had been imposed during 1085, in which case Domesday Book was a novel solution to a novel imposition. It created a register capable of a fairer allocation of this burden than had been possible using existing geld lists, by including the near geld-free *terra regis* and all those estates of the great vassals that enjoyed beneficial hidation. This was perhaps the only major concession which William could make, given his urgent need of renewed taxation and the necessity of billeting mercenaries over what must have seemed an indefinite period. By commissioning the Domesday Book, William was conceding an equality of misery to his baronage and agreeing to shoulder an equivalent share of that misery himself. The new system was demonstrably fairer than the geld lists as a basis for the quartering of troops.[56]

Domesday Book as quartermaster's manual.

The range of interpretation is considerable, and yet all, from Round's interpreter, Maitland, to Higham, share a common assumption that Domesday Book was the aim of the Domesday inquest and that the process was an executive and bureaucratic one. Holt's analysis, it is true, has the merit of introducing a communal element into the equation. He has rightly recognized that whatever the king wished to achieve, the inquiry could only command the co-operation of tenant-in-chief and peasant alike by recognizing their sensibilities and addressing their concerns. Fleming has gone further; for her the Domesday inquest was a drama in which the Norman settlement was re-enacted, and its conflicts resolved, in the theatre of the local courts by and on behalf of local communities.[57] Nevertheless, both Holt and Fleming still understand that the business of the inquiry, and of its record Domesday Book, was the confirmation of title by the king. None of the hypotheses has commended itself unreservedly to a wider audience.[58] The Norman-order school has failed convincingly to explain why it was felt necessary to initiate the inquest

[56] Higham, 'Domesday Survey', 17–18.
[57] Fleming, *Domesday Book and the Law*, 11–35.
[58] For the latest review, see Kapelle, 'Domesday Book: F. W. Maitland and his Successors', 620–40.

in 1085, some nineteen years after the Conquest, while the exponents of neo-fiscalism cannot point to any tangible change in the fiscal system. The Domesday data have consistently refused to be squeezed into the straitjacket of a single schema.

It is the contention of the present study that this failure is a function of the identification of the Domesday process with Domesday Book. A twelfth-century perception consequent to the development of the mystique around the work, the notion has encouraged the adoption of common law procedures to explain the processes of the inquest and its aftermath. The immediate focus of the enterprise was the inquest itself, and this was no executive process.