J.R.R. Tolkien

“Laws & Customs Among the Eldar”

_Morgoth’s Ring_

v 12 of the History of Middle Earth

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pp207-253
consumed in spirit and body; and that after his birth she yearned for rest from the labour of living. And she said to Finwë: ‘Never again shall I bear a child; for strength that would have nourished the life of many has gone forth into Feänaro.’

Then Manwë granted the prayer of Miriel. And she went to Lorien, and laid her down to sleep upon a bed of flowers [beneath a silver tree]; and there her fair body remained unwithered in the keeping of the maidens of Estë. But her spirit passed to rest in the halls of Mandos.

Finwë’s grief was great, and he gave to his son all the love that he had for Miriel; for Feänaro was like his mother in voice and countenance. Yet Finwë was not content, and he desired to have more children. He spoke, therefore, [After some years, therefore, he spoke] to Manwë, saying: ‘Lord, behold! I am bereaved; and alone among the Eldar I am without a wife, and must hope for no sons save one, and no daughter. Whereas Ingwë and Olwë beget many children in the bliss of Aman. Must I remain ever so? For I deem that Miriel will not return again ever from the house of Vairë.’

Then Manwë considered the words of Finwë; and after a time he summoned all the counsellors of the Eldar, and in their hearing Mandos spoke this doom: ‘This is the law of Ilúvatar for you [This is the way of life that Ilúvatar hath ordained for you], your children, as you know well: the First-born shall take one spouse only and have no other in this life, while Arda endureth. But this law takes no account [But herein no account is taken] of Death. This doom is therefore now made, by the right of lawgiving that Ilúvatar committed to Manwë: that if the spirit of a spouse, husband or wife, forsaking the body, shall for any cause pass into the keeping of Mandos, then the living shall be permitted to take another spouse. But this can only be, if the former union be dissolved for ever. Therefore the one that is in the keeping of Mandos must there remain until the end of Arda, and shall not awake again or take bodily form. For none among the Quendi shall have two spouses at one time alive and awake. But since it is not to be thought that the living shall, by his or her will alone, confine the spirit of the other to Mandos, this disunion shall come to pass only by the consent of both. And after the giving of the consent ten years of the Valar shall pass ere Mandos confirms it. Within that time either party may revoke this consent; but when Mandos has confirmed it, and the living spouse has wedded another, it shall be irrevocable until the end of Arda. This is the doom of Nâmo in this matter.’

It is said that Miriel answered Mandos saying: ‘I came hither to escape from the body, and I do not desire ever to return to it,’ and after ten years the doom of disunion was spoken. [Added: And Miriel has dwelt ever since in the house of Vairë, and it is her part to record there the histories of the kin of Finwë and all the deeds of the Noldor.] And in the years following [But when three years more had passed] Finwë took as second spouse Indis of the Vanyar, of the kin [sister] of Ingwë; and she bore five fair children of whom her two sons are most renowned in the histories of the Noldor. But her eldest child was a daughter, Findis, and she bore also two other daughters: Írime and Faniel [Faniel and Írime].

The wedding of the father was not pleasing to Feänaro; and though the love between them was not lessened, Feänaro had no great love for Indis or her children, and as soon as he might he lived apart from them, being busy from early childhood upon the lore and craft in which he delighted, and he laboured at many tasks, being in all pursuits eager and swift.

There is a direction here to return to LQ (at the beginning of §46b, p. 185) with the words ‘For he grew swiftly…’

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LAWS AND CUSTOMS AMONG THE ELDAR

As I have explained (p. 199), I have found that the best method of presenting the material is to give at this point the long essay concerning the nature and customs of the Eldar, although of course it cannot be said to be a part of the Quenta Silmarillion.

This work is extant in two versions, a completed manuscript (‘A’) and a revision of this in a typescript (‘B’) made by my father that was abandoned when somewhat less than halfway through. The two texts bear different titles, and since both are long I shall use an abbreviated form, Laws and Customs among the Eldar (in references later, simply Laws and Customs). From the existence of the two versions arises a difficulty of presentation frequently encountered in my father’s work. The typescript B, so far as it goes, follows the manuscript A pretty closely for the most part – too closely to justify printing them both in full, even if space allowed. On the other hand there are many points in
which B differs significantly from A. The options are therefore to give A in full with important divergences in B in textual notes, or to give B as far as it goes with A's divergences in notes, and then the remainder from A. Since B is a clearer and improved text I have decided on the latter course.

It is not easy to say from what fictional perspective *Laws and Customs among the Eldar* was composed. There is a reference to the Elves who linger in Middle-earth 'in these after-days' (p. 223); on the other hand the writer speaks as if the customs of the Noldor were present and observable ('Among the Noldor it may be seen that the making of bread is done mostly by women', p. 214) — though this cannot be pressed. It is clear in any case that it is presented as the work, not of one of the Eldar, but of a Man: the observation about the variety of the names borne by the Eldar, 'which ... may to us seem bewildering' (p. 216; found in both texts, in different words) is decisive. Ælfwine is indeed associated with the work, but in an extremely puzzling way. He does not appear at all in A as that was originally written; but among various corrections and alterations made in red ball-point pen (doubtless as a preliminary to the making of the typescript) my father wrote 'Ælfwine's Preamble' in the margin against the opening of the text — without however marking where this 'preamble' ended. In B the first two paragraphs are marked 'Ælfwine's Preamble' and placed within ornate brackets, and this very clearly belongs with the making of the typescript, although it is by no means obvious why the opening should be thus set apart; while later in B (p. 224) there is a long observation, set within similar brackets, that ends with the words 'So spoke Ælfwine' — but this passage is absent in any form from A.

There are no initial drafts or rough writings extant, and if none existed the manuscript text is remarkably clear and orderly, without much correction at the time of composition, though a good deal changed subsequently. It may be that it had been substantially composed, the product of long thought, before it was first written down; at the same time, my impression is that my father had not fully planned its structure when he began. This is suggested by the curious way in which the judgement of Mandos in the case of Finwë and Míriel precedes the actual story of what led to the judgement (pp. 225–6, 236–9); while after the account of Finwë's marriage to Indis there follows the Debate of the Valar, although that was held before 'the Statute of Finwë and Míriel' was promulgated. It is hard to believe that my father can have intended this rather confusing structure, and the view that the work evolved as he wrote seems borne out by the title in A:

Of the marriage laws and customs of the Eldar, their children, and other matters touching thereon

At the same time as the words 'Ælfwine's Preamble' and other corrections in red ball-point pen were made to the manuscript (see above) he wrote in bold letters beneath the title: 'The Statute of Finwë and Míriel' — almost as if this was to be the new title of the work as a whole, although the original one was not struck out.

The typescript B has the long title given at the beginning of the text below; the text in this version ends before the story of Finwë and Míriel and the Debate of the Valar is reached. Why my father abandoned it I cannot say; perhaps he was merely interrupted by some external cause, perhaps he was dissatisfied by its form.

But all these questions are very secondary to the import of the work itself: a comprehensive (if sometimes obscure, and tantalising in its obscurity) declaration of his thought at that time on fundamental aspects of the nature of the Quendi, distinguishing them from Men: the power of the incarnate *féa* (spirit) in relation to the body; the 'consuming' of the body by the *féa*; the destiny of Elvish spirits, ordained by Eru, 'to dwell in Arda for all the life of Arda'; the meaning of death for such beings, and of existence after death; the nature of Elvish re-birth; and the consequences of the Marving of Arda by Melkor.

There follows now the typescript version B so far as it goes. At the end of the text (pp. 228 ff.) are notes largely limited to the textual relations of the two versions; these are necessarily very selective, and do not record the very many changes of wording in B that modify or improve the expression without altering the sense of the original text in any important way. B itself was scarcely changed after it had been typed; but a pencilled note on the first page reads 'For brondo read *brōa*'; and this change was carried out in the greater part of the text. The word used in A for the body was *krôn*, which became *brondo* in the course of the writing of the manuscript.

**OF THE LAWS AND CUSTOMS AMONG THE ELDAR PERTAINING TO MARRIAGE AND OTHER MATTERS RELATED THERETO: TOGETHER WITH THE STATUTE OF FINWË AND MÍRIEL AND THE DEBATE OF THE VALAR AT ITS MAKING**

Ælfwine's Preamble

[The Eldar grew in bodily form slower than Men, but in mind more swiftly. They learned to speak before they were one year old; and in the same time they learned to walk and to dance, for their wills came soon to the mastery of their bodies. Nonetheless there was less difference between the two Kindreds, Elves and Men, in early youth; and a man who watched elf-children at
play might well have believed that they were the children of Men, of some fair and happy people. For in their early days elf-children delighted still in the world about them, and the fire of their spirit had not consumed them, and the burden of memory was still light upon them.\(^1\)

This same watcher might indeed have wondered at the small limbs and stature of these children, judging their age by their skill in words and grace in motion. For at the end of the third year mortal children began to outstrip the Elves, hastening on to a full stature while the Elves lingered in the first spring of childhood. Children of Men might reach their full height while Eldar of the same age were still in body like to mortals of no more than seven years.\(^2\) Not until the fiftieth year did the Eldar attain the stature and shape in which their lives would afterwards endure, and for some a hundred years would pass before they were full-grown.\(^\) 

The Eldar wedded for the most part in their youth and soon after their fiftieth year. They had few children, but these were very dear to them. Their families, or houses, were held together by love and a deep feeling for kinship in mind and body; and the children needed little governing or teaching.\(^3\) There were seldom more than four children in any house, and the number grew less as ages passed; but even in days of old, while the Eldar were still few and eager to increase their kind, Fëanor was renowned as the father of seven sons, and the histories record none that surpassed him.\(^4\)

The Eldar wedded once only in life, and for love or at the least by free will upon either part. Even when in after days, as the histories reveal, many of the Eldar in Middle-earth became corrupted, and their hearts darkened by the shadow that lies upon Arda, seldom is any tale told of deeds of lust among them.\(^5\)

Marriage, save for rare ill chances or strange fates, was the natural course of life for all the Eldar. It took place in this way. Those who would afterwards become wedded might choose one another early in youth, even as children (and indeed this happened often in days of peace); but unless they desired soon to be married and were of fitting age, the betrothal awaited the judgement of the parents of either party.

In due time the betrothal was announced at a meeting of the two houses concerned,\(^6\) and the betrothed gave silver rings one to another. According to the laws of the Eldar this betrothal was bound then to stand for one year at least, and it often stood for longer. During this time it could be revoked by a public return of the rings, the rings then being molten and not again used for a betrothal. Such was the law; but the right of revoking was seldom used, for the Eldar do not err lightly in such choice. They are not easily deceived by their own kind; and their spirits being masters of their bodies, they are seldom swayed by the desires of the body only, but are by nature continent and steadfast.

Nonetheless among the Eldar, even in Aman, the desire for marriage was not always fulfilled. Love was not always returned; and more than one might desire one other for spouse. Concerning this, the only cause by which sorrow entered the bliss of Aman, the Valar were in doubt. Some held that it came from the marring of Arda, and from the Shadow under which the Eldar awoke; for thence only (they said) comes grief or disorder. Some held that it came of love itself, and of the freedom of each féa, and was a mystery of the nature of the Children of Eru.

After the betrothal it was the part of the betrothed to appoint the time of their wedding, when at least one year had passed. Then at a feast, again\(^7\) shared by the two houses, the marriage was celebrated. At the end of the feast the betrothed stood forth, and the mother of the bride and the father of the bridegroom joined the hands of the pair and blessed them. For this blessing there was a solemn form, but no mortal has heard it; though the Eldar say that Varda was named in witness by the mother and Manwë by the father; and moreover that the name of Eru was spoken (as was seldom done at any other time). The betrothed then received back one from the other their silver rings (and treasured them); but they gave in exchange slender rings of gold, which were worn upon the index of the right hand.

Among the Noldor also it was a custom that the bride’s mother should give to the bridegroom a jewel upon a chain or collar; and the bridegroom’s father should give a like gift to the bride. These gifts were sometimes given before the feast. (Thus the gift of Galadriel to Aragorn, since she was in place of Arwen’s mother, was in part a bridal gift and earnest of the wedding that was later accomplished.) But these ceremonies were not rites necessary to marriage; they were only a gracious mode by which the love of the parents
was manifested, and the union was recognized which would join not only the betrothed but their two houses together. It was the act of bodily union that achieved marriage, and after which the indissoluble bond was complete. In happy days and times of peace it was held ungracious and contemptuous of kin to forgo the ceremonies, but it was at all times lawful for any of the Eldar, both being unwed, to marry thus of free consent one to another without ceremony or witness (save blessings exchanged and the naming of the Name); and the union so joined was alike indissoluble. In days of old, in times of trouble, in flight and exile and wandering, such marriages were often made.

As for the begetting and bearing of children: a year passes between the begetting and the birth of an elf-child, so that the days of both are the same or nearly so, and it is the day of begetting that is remembered year by year. For the most part these days come in the Spring. It might be thought that, since the Eldar do not (as Men deem) grow old in body, they may bring forth children at any time in the ages of their lives. But this is not so. For the Eldar do indeed grow older, even if slowly: the limit of their lives is the life of Arda, which though long beyond the reckoning of Men is endless, and ages also. Moreover their body and spirit are not separated but coherent. As the weight of the years, with all their changes of desire and thought, gathers upon the spirit of the Eldar, so do the impulses and moods of their bodies change. This the Eldar mean when they speak of their spirits consuming them; and they say that ere Arda ends all the Eldalië on earth will have become as spirits invisible to mortal eyes, unless they will to be seen by some among Men into whose minds they may enter directly.

Also the Eldar say that in the begetting, and still more in the bearing of children, greater share and strength of their being, in mind and in body, goes forth than in the making of mortal children. For these reasons it came to pass that the Eldar brought forth few children; and also that their time of generation was in their youth or earlier life, unless strange and hard fates befell them. But at whatever age they married, their children were born within a short space of years after their wedding. For with regard to generation the power and the will

are not among the Eldar distinguishable. Doubtless they would retain for many ages the power of generation, if the will and desire were not satisfied; but with the exercise of the power the desire soon ceases, and the mind turns to other things. The union of love is indeed to them great delight and joy, and the days of the children, as they call them, remain in their memory as the most merry in life; but they have many other powers of body and of mind which their nature urges them to fulfil.

Thus, although the wedded remain so for ever, they do not necessarily dwell or house together at all times; for without considering the chances and separations of evil days, wife and husband, albeit united, remain persons individual having each gifts of mind and body that differ. Yet it would seem to any of the Eldar a grievous thing if a wedded pair were sundered during the bearing of a child, or while the first years of its childhood lasted. For which reason the Eldar would beget children only in days of happiness and peace if they could.

In all such things, not concerned with the bringing forth of children, the neri and nissi (that is, the men and women) of the Eldar are equal – unless it be in this (as they themselves say) that for the nissi the making of things new is for the most part shown in the forming of their children, so that invention and change is otherwise mostly brought about by the neri. There are, however, no matters which among the Eldar only a nér can think or do, or others with which only a nís is concerned. There are indeed some differences between the natural inclinations of neri and nissi, and other differences that have been established by custom (varying in place and in time, and in the several races of the Eldar). For instance, the arts of healing, and all that touches on the care of the body, are among all the Eldar most practised by the nissi; whereas it was the elven-men who bore arms at need. And the Eldar deemed that the dealing of death, even when lawful or under necessity, diminished the power of healing, and that the virtue of the nissi in this matter was due rather to their abstaining from hunting or war than to any special power that went with their womanhood. Indeed in dire straits or desperate defence, the nissi fought valiantly, and there was less difference in strength and speed between elven-men and elven-women that had not borne child than is seen among mortals. On the other hand many elven-men were great healers and skilled in the lore of living bodies, though such men

* Short as the Eldar reckoned time. In mortal count there was often a long interval between the wedding and the first child-birth, and even longer between child and child.
abstained from hunting, and went not to war until the last need.

As for other matters, we may speak of the customs of the Noldor (of whom most is known in Middle-earth). Among the Noldor it may be seen that the making of bread is done mostly by women; and the making of the lembas is by ancient law reserved to them. Yet the cooking and preparing of other food is generally a task and pleasure of men. The nisi are more often skilled in the tending of fields and gardens, in playing upon instruments of music, and in the spinning, weaving, fashioning, and adornment of all threads and cloths; and in matters of lore they love most the histories of the Eldar and of the houses of the Noldor; and all matters of kinship and descent are held by them in memory. But the neri are more skilled as smiths and wrights, as carvers of wood and stone, and as jewellers. It is they for the most part who compose musics and make the instruments, or devise new ones; they are the chief poets and students of languages and inventors of words. Many of them delight in forestry and in the lore of the wild, seeking the friendship of all things that grow or live there in freedom. But all these things, and other matters of labour and play, or of deeper knowledge concerning being and the life of the World, may at different times be pursued by any among the Noldor, be they neri or nisi.

OF NAMING

This is the manner in which the naming of children was achieved among the Noldor. Soon after birth the child was named. It was the right of the father to devise this first name, and he it was that announced it to the child’s kindred upon either side. It was called, therefore, the father-name, and it stood first, if other names were afterwards added. It remained unaltered, for it lay not in the choice of the child.

But every child among the Noldor (in which point, maybe, they differed from the other Eldar) had also the right to name himself or herself. Now the first ceremony, the announcement of the father-name, was called the Essecarmë or ‘Namemaking’. Later there was another ceremony called the Essecilmë or ‘Name-choosing’. This took place at no fixed date after the

* Save for such changes as might befall its spoken form in the passing of the long years; for (as is elsewhere told) even the tongues of the Eldar were subject to change.
remained part of the ‘full title’ of any Noldor: that is the sequence of all the names that had been acquired in the course of life.\textsuperscript{17}

These deliberate changes of chosen name were not frequent. There was another source of the variety of names borne by any one of the Eldar, which in the reading of their histories may to us seem bewildering. This was found in the Anessi: the given (or added) names. Of these the most important were the so-called ‘mother-names’.\textsuperscript{18} Mothers often gave to their children special names of their own choosing. The most notable of these were the ‘names of insight’, essi tercenyē, or of ‘foresight’, apacenyē. In the hour of birth, or on some other occasion of moment, the mother might give a name to her child, indicating some dominant feature of its nature as perceived by her, or some foresight of its special fate.\textsuperscript{19} These names had authority, and were regarded as true names when solemnly given, and were public not private if placed (as was sometimes done) immediately after the father-name.

All other ‘given names’ were not true names, and indeed might not be recognized by the person to whom they were applied, unless they were actually adopted or self-given. Names, or nicknames, of this kind might be given by anyone, not necessarily by members of the same house or kin, in memory of some deed, or event, or in token of some marked feature of body or mind. They were seldom included in the ‘full title’, but when they were, because of their wide use and fame, they were set at the end in some form such as this: ‘by some called Telcontar’ (that is Strider); or ‘sometimes known as Mormacil’ (that is Blackswift).

enjoy all the varied talents of their kind, whether of skill or of lore, though in different order and in different degrees. With such changes of ‘mind-mood’ or invuisti their lāmatyāver might also change. But such changes or progressions were in fact seen most among the neri, for the nissi, even as they came sooner to maturity, remained then more steadfast and were less desirous of change. [According to the Eldar, the only ‘character’ of any person that was not subject to change was the difference of sex. For this they held to belong not only to the body (brondo) [\textgreater{} hrōā] but also to the mind (inno) [\textgreater{} indo] equally: that is, to the person as a whole. This person or individual they often called essē (that is ‘name’), but it was also called erdē, or ‘singularity’. Those who returned from Mandos, therefore, after the death of their first body, returned always to the same name and to the same sex as formerly.\textsuperscript{23}

The amilessi tercenyē, or mother-names of insight, had a high position, and in general use sometimes replaced, both within the family and without, the father-name and chosen name, though the father-name (and the chosen among those of the Eldar that had the custom of the essecinē) remained ever the true or primary name, and a necessary part of any ‘full title’. The ‘names of insight’ were more often given in the early days of the Eldar, and in that time they came more readily into public use, because it was then still the custom for the father-name of a son to be a modification of the father’s name (as Finwē / Curufinwē) or a patronymic (as Finwion ‘son of Finwē’). The father-name of a daughter would likewise often be derived from the name of the mother.

Renowned examples of these things are found in the early histories. Thus Finwē, first lord of the Noldor, first named his eldest son Finwion;\textsuperscript{20} but later when his talent was revealed this was modified to Curufinwē.\textsuperscript{21} But the name of insight which his mother Mīriel gave to him in the hour of birth was Féanáro ‘Spirit of Fire’;\textsuperscript{*} and by this name he became known to all, and he is so called in all the histories. (It is said that he also took this name as his chosen name, in honour of his mother, whom he never saw.)\textsuperscript{22} Elwē, lord of the Teleri, became widely known by the anessē or given name Sindicollo ‘Greycloak’, and hence later, in the changed form of the Sindarin tongue, he was called Elu Thingol. Thingol indeed was the name most used for him by others, though Elu or Elu-thingol remained his right title in his own realm.

OF DEATH AND THE SEVERANCE OF FĒA AND HRONDO [\textgreater{} HRŌA]\textsuperscript{23}

It must be understood that what has yet been said concerning Eldarin marriage refers to its right course and nature in a world unmarred, or to the manners of those uncorrupted by the Shadow and to days of peace and order. But nothing, as has been said, utterly avoids the Shadow upon Arda or is wholly unmarred, so as to proceed unhindered upon its right courses. In the Eldar Days, and in the ages before the Dominion of Men, there were times of great trouble and many griefs and evil

*Though the form Féanor which it took later in the speech of Beleriand is more often used. [\textgreater{} (later) Though the form Féanor, which is more often used, was a blend of Quenya Fëanáro and Sindarin Faenor.]
chances; and Death afflict all the Eldar, as it did all other living things in Arda save the Valar only: for the visible form of the Valar proceeds from their own will and with regard to their true being is to be likened rather to the chosen raiment of Elves and Men than to their bodies.

Now the Eldar are immortal within Arda according to their right nature. But if a fëa (or spirit) indwells in and coheres with a brondo (> hrôa) (or bodily form) that is not of its own choice but ordained, and is made of the flesh or substance of Arda itself, then the fortune of this union must be vulnerable by the evils that do hurt to Arda, even if that union be by nature and purpose permanent. For in spite of this union, which is of such a kind that according to unmarred nature no living person incarnate may be without a fëa, nor without a brondo (> hrôa), yet fëa and brondo (> hrôa) are not the same things; and though the fëa cannot be broken or disintegrated by any violence from without, the brondo (> hrôa) can be hurt and may be utterly destroyed.

If then the brondo (> hrôa) be destroyed, or so hurt that it ceases to have health, sooner or later it 'dies'. That is: it becomes painful for the fëa to dwell in it, being neither a help to life and will nor a delight to use, so that the fëa departs from it, and its function being at an end its coherence is unloosed, and it returns again to the general hrôn (> orma) of Arda. Then the fëa is, as it were, houseless, and it becomes invisible to bodily eyes (though clearly perceptible by direct awareness to other fëar).

This destruction of the brondo (> hrôa), causing death or the unhousing of the fëa, was soon experienced by the immortal Eldar, when they awoke in the marred and overshadowed realm of Arda. Indeed in their earlier days death came more readily: for their bodies were then less different from the bodies of Men, and the command of their spirits over their bodies less complete.

This command was, nonetheless, at all times greater than it has ever been among Men. From their beginnings the chief difference between Elves and Men lay in the fate and nature of their spirits. The fëar of the Elves were destined to dwell in Arda for all the life of Arda, and the death of the flesh did not abrogate that destiny. Their fëar were tenacious therefore of life 'in the raiment of Arda', and far excelled the spirits of Men in power over that 'raiment', even from the first days protecting their bodies from many ills and assaults (such as disease), and healing them swiftly of injuries, so that they recovered from wounds that would have proved fatal to Men.

As ages passed the dominance of their fëar ever increased, 'consuming' their bodies (as has been noted). The end of this process is their 'fading', as Men have called it; for the body becomes at last, as it were, a mere memory held by the fëa; and that end has already been achieved in many regions of Middle-earth, so that the Elves are indeed deathless and may not be destroyed or changed. Thus it is that the further we go back in the histories, the more often do we read of the death of the Elves of old; and in the days when the minds of the Eldalië were young and not yet fully awake death among them seemed to differ little from the death of Men.

What then happened to the houseless fëa? The answer to this question the Elves did not know by nature. In their beginning (so they report) they believed, or guessed, that they 'entered into Nothing', and ended like other living things that they knew, even as a tree that was felled and burned. Others guessed more darkly that they passed into 'the Realm of Night' and into the power of the 'Lord of Night'. These opinions were plainly derived from the Shadow under which they awoke; and it was to deliver them from this shadow upon their minds, more even than from the dangers of Arda marred, that the Valar desired to bring them to the light of Aman.

It was in Aman that they learned of Manwë that each fëa was imperishable within the life of Arda, and that its fate was to inhabit Arda to its end. Those fëar, therefore, that in the marling of Arda suffered unnaturally a divorce from their brondor (> hrôar) remained still in Arda and in Time. But in this state they were open to the direct instruction and command of the Valar. As soon as they were disembodied they were summoned to leave the places of their life and death and go to the 'Halls of Waiting': Mandos, in the realm of the Valar.

If they obeyed this summons different opportunities lay before them. The length of time that they dwelt in Waiting was partly at the will of Námo the Judge, lord of Mandos, partly at their own will. The happiest fortune, they deemed, was after the Waiting to be re-born, for so the evil and grief that they had suffered in the curtailment of their natural course might be redressed.
OF RE-BIRTH AND OTHER DOOMS OF THOSE
THAT GO TO MANDOS

Now the Eldar hold that to each elf-child a new fëa is given, not akin to the fëar of the parents (save in belonging to the same order and nature); and this fëa either did not exist before birth, or is the fëa of one that is re-born.

The new fëa, and therefore in their beginning all fëar, they believe to come direct from Eru and from beyond Eä. Therefore many of them hold that it cannot be asserted that the fate of the Elves is to be confined within Arda for ever and with it to cease. This last opinion they draw from their own thought, for the Valar, having had no part in the devising of the Children of Eru, do not know fully the purposes of Eru concerning them, nor the final ends that he prepares for them.

But they did not reach these opinions at once or without dissent. In their youth, while their knowledge and experience were small and they had not yet received the instruction of the Valar (or had not yet fully understood it), many still held that in the creation of their kind Eru had committed this power to them: to beget children in all ways like to themselves, body and indwelling spirit; and that therefore the fëa of a child came from its parents as did its brondo.

Yet always some dissented, saying: ‘Indeed a living person may resemble the parents and be perceived as a blending, in various degrees, of these two; but this resemblance is most reasonably related to the brondo. It is strongest and clearest in early youth, while the body is dominant and most like the bodies of its parents.’ (This is true of all elf-children.) Where-as in all children, though in some it may be more marked and sooner apparent, there is a part of character not to be understood from parentage, to which it may indeed be quite contrary. This difference is most reasonably attributed to the fëa, new and not akin to the parents; for it becomes clearer and stronger as life proceeds and the fëa increases in mastery.

Later when the Elves became aware of re-birth this argument was added: ‘If the fëar of children were normally derived from the parents and akin to them, then re-birth would be unnatural and unjust. For it would deprive the second parents, without consent, of one half of their parentage, intruding into their kin a child half alien.’

Nonetheless, the older opinion was not wholly void. For all the Eldar, being aware of it in themselves, spoke of the passing of much strength, both of mind and of body, into their children, in bearing and begetting. Therefore they hold that the fëa, though unbegotten, draws nourishment from the parents before the birth of the child: directly from the fëa of the mother while she bears and nourishes the brondo, and mediately but equally from the father, whose fëa is bound in union with the mother’s and supports it.

It was for this reason that all parents desired to dwell together during the year of bearing, and regarded separation at that time as a grief and injury, depriving the child of some part of its fathering. ‘For,’ said they, ‘though the union of the fëar of the wedded is not broken by distance of place, yet in creatures that live as spirits embodied fëa communes with fëa in full only when the bodies dwell together.’

A houseless fëa that chose or was permitted to return to life re-entered the incarnate world through child-birth. Only thus could it return.* For it is plain that the provision of a bodily house for a fëa, and the union of fëa with brondo, was committed by Eru to the Children, to be achieved in the act of begetting.

As for this re-birth, it was not an opinion, but known and certain. For the fëa re-born became a child indeed, enjoying once more all the wonder and newness of childhood; but slowly, and only after it had acquired a knowledge of the world and mastery of itself, its memory would awake; until, when the re-born elf was full-grown, it recalled all its former life, and then the old life, and the ‘waiting’, and the new life became one ordered history and identity. This memory would thus hold a double joy of childhood, and also an experience and knowledge greater than the years of its body. In this way the violence or grief that the re-born had suffered was redressed and its being...
was enriched. For the Re-born are twice nourished, and twice
parented,* and have two memories of the joy of awaking and
discovering the world of living and the splendour of Arda. Their
life is, therefore, as if a year had two springs and though an
untimely frost followed after the first, the second spring and all
the summer after were fairer and more blessed.

The Eldar say that more than one re-birth is seldom recorded.
But the reasons for this they do not fully know. Maybe, it is so
ordered by the will of Eru; while the Re-born (they say) are
stronger, having greater mastery of their bodies and being more
patient of griefs. But many, doubtless, that have twice died do
not wish to return.36

Re-birth is not the only fate of the houseless "fear. The Shadow
upon Arda caused not only misfortune and injury to the body. It
could corrupt the mind; and those among the Eldar who were
darkened in spirit did unnatural deeds, and were capable of
hatred and malice. Not all who died suffered innocently.
Moreover, some fear in grief or weariness gave up hope, and
turning away from life relinquished their bodies, even though
these might have been healed or were indeed unhurt.† Few of
these latter desired to be re-born, not at least until they had been
long in ‘waiting’; some never returned. Of the others, the
wrong-doers, many were held long in ‘waiting’, and some were
not permitted to take up their lives again.

For there was, for all the fear of the Dead, a time of Waiting,
in which, howsoever they had died, they were corrected,
instucted, strengthened, or comforted, according to their needs
or deserts. If they would consent to this. But the fear in its
nakedness is odbarute, and remains long in the bondage of
its memory and old purposes (especially if these were evil).

Those who were healed could be re-born, if they desired it:

* In some cases a fear re-born might have the same parents again. For
instance, if its first body had died in early youth. But this did not often
happen; neither did a fear necessarily re-enter its own former kin, for
often a great length of time passed before it wished or was permitted
to return.

† Though the griefs might be great and wholly unmerited, and death
(or rather the abandonment of life) might be, therefore, understandable
and innocent, it was held that the refusal to return to life, after
repose in Mandos, was a fault, showing a weakness or lack of courage
in the fear.

none are re-born or sent back into life unwilling. The others
remained, by desire or command, fear unbodyed, and they could
only observe the unfolding of the Tale of Arda from afar, having
no effect therein. For it was a doom of Mandos that only those
who took up life again might operate in Arda, or commune with
the fear of the Living, even with those that had once been dear
to them.38

Concerning the fate of other elves, especially of the Dark-
eves who refused the summons to Aman, the Eldar know little.
The Re-born report that in Mandos there are many elves, and
among them many of the Alamyary,39 but that there is in the
Halls of Waiting little mingling or communing of kind with
kind, or indeed of any one fear with another. For the houseless
feá is solitary by nature, and turns only towards those with
whom, maybe, it formed strong bonds of love in life.

The fear is single, and in the last impregnable. It cannot be
brought to Mandos. It is summoned; and the summons pro-
ceds from just authority, and is imperative; yet it may be
refused. Among those who refused the summons (or rather
invitation) of the Valar to Aman in the first years of the Elves,
refusal of the summons to Mandos and the Halls of Waiting is,
the Eldar say, frequent. It was less frequent, however, in ancient
days, while Morgoth was in Arda, or his servant Sauron after
him; for then the fear unbodyed would flee in terror of the
Shadow to any refuge—unless it were already committed to the
Darkness and passed then into its dominion. In like manner
even of the Eldar some who had become corrupted refused the
summons, and then had little power to resist the counter-
summons of Morgoth.

But it would seem that in these after-days more and more of
the Elves, be they of the Eldalië in origin or be they of other
kinds, who linger in Middle-earth now refuse the summons of
Mandos, and wander houseless in the world,* unwilling to
leave it40 and unable to inhabit it, haunting trees or springs or
hidden places that once they knew. Not all of these are kindly or

* For only those who willingly go to Mandos may be re-born.
Re-birth is a grace, and comes of the power that Eru committed to
the Valar for the ruling of Arda and the redress of its marring. It does not
lie in the power of any fear in itself. Only those return whom, after
Mandos has spoken the doom of release, Manwë and Varda bless.
unstained by the Shadow. Indeed the refusal of the summons is in itself a sign of taint.

It is therefore a foolish and perilous thing, besides being a wrong deed forbidden justly by the appointed Rulers of Arda, if the Living seek to commune with the Unbodied, though the Houseless may desire it, especially the most unworthy among them. For the Unbodied, wandering in the world, are those who at the least have refused the door of life and remain in regret and self-pity. Some are filled with bitterness, grievance, and envy. Some were enslaved by the Dark Lord and do his work still, though he himself is gone. They will not speak truth or wisdom. To call on them is folly. To attempt to master them and to make them servants of one own’s will is wickedness. Such practices are of Morgoth; and the necromancers are of the host of Sauron his servant.

Some say that the Houseless desire bodies, though they are not willing to seek them lawfully by submission to the judgement of Mandos. The wicked among them will take bodies, if they can, unlawfully. The peril of communing with them is, therefore, not only the peril of being deluded by fantasies or lies: there is peril also of destruction. For one of the hungry Houseless, if it is admitted to the friendship of the Living, may seek to eject the fea from its body; and in the contest for mastery the body may be gravely injured, even if it be not wrested from its rightful inhabitant. Or the Houseless may plead for shelter, and if it is admitted, then it will seek to enslave its host and use both his will and his body for its own purposes. It is said that Sauron did these things, and taught his followers how to achieve them.

[Thus it may be seen that those who in latter days hold that the Elves are dangerous to Men and that it is folly or wickedness to seek converse with them do not speak without reason. For how, it may be asked, shall a mortal distinguish the kinds? On the one hand, the Houseless, rebels at least against the Rulers, and maybe even deeper under the Shadow; on the other, the Lingerers, whose bodily forms may no longer be seen by us mortals, or seen only dimly and fitfully. Yet the answer is not in truth difficult. Evil is not one thing among Elves and another among Men. Those who give evil counsel, or speak against the Rulers (or if they dare, against the One), are evil, and should be shunned whether bodied or unbodied. Moreover, the Lingerers are not houseless, though they may seem to be. They do not desire bodies, neither do they seek shelter, nor strive for mastery over body or mind. Indeed they do not seek converse with Men at all, save maybe rarely, either for the doing of some good, or because they perceive in a Man’s spirit some love of things ancient and fair. Then they may reveal to him their forms (through his mind working outwardly, maybe), and he will behold them in their beauty. Of such he may have no fear, though he may feel awe of them. For the Houseless have no forms to reveal, and even if it were within their power (as some Men say) to counterfeit elvish forms, deluding the minds of Men with fantasies, such visions would be marred by the evil of their intent. For the hearts of true Men uprise in joy to behold the true likenesses of the First-born, their elder kindred; and this joy nothing evil can counterfeit. So spoke Adwine.]41

**OF THE SEVERANCE OF MARRIAGE**

Much has now been said concerning death and re-birth among the Elves. It may be asked: of what effect were these upon their marriage?

Since death and the sundering of spirit and body was one of the griefs of Arda Marred, it came inevitably to pass that death at times came between two that were wedded. Then the Eldar were in doubt, since this was an evil unnatural. Permanent marriage was in accordance with elvish nature, and they never had need of any law to teach this or to enforce it; but if a ‘permanent’ marriage was in fact broken, as when one of the partners was slain, then they did not know what should be done or thought.

In this matter they turned to Manwë for counsel, and, as is recorded in the case of Finwë, Lord of the Noldor, Manwë delivered his ruling through the mouth of Námo Mandos, the Judge.

‘Marriage of the Eldar,’ he said, ‘is by and for the Living, and for the duration of life. Since the Elves are by nature permanent in life within Arda, so also is their unmarried marriage. But if their life is interrupted or ended, then their marriage must be likewise. Now marriage is chiefly of the body, but it is nonetheless not of the body only but of the spirit and body together, for it begins and endures in the will of the fea. Therefore when one of the partners of a marriage dies the marriage is not yet ended,
but is in abeyance. For those that were joined are now sundered; but their union remains still a union of will.

'How then can a marriage be ended and the union be dissolved? For unless this be done, there can be no second marriage. By the law of the nature of the Elves, the *neri* and the *nissi* being equal, there can be union only of one with one.\(^{42}\) Plainly an end can be made only by the ending of the will; and this must proceed from the Dead, or be by doom. By the ending of the will, when the Dead are not willing ever to return to life in the body; by doom, when they are not permitted to return. For a union that is for the life of Arda is ended, if it cannot be resumed within the life of Arda.

'We say that the ending of will must proceed from the Dead, for the Living may not for their own purposes compel the Dead to remain thus, nor deny to them re-birth, if they desire it. And it must be clearly understood that this will of the Dead not to return, when it has been solemnly declared and is ratified by Mandos, shall then become a doom: the Dead will not be permitted ever to return to the life of the body.'

The Eldar then asked: 'How shall the will or doom be known?' It was answered: 'Only by recourse to Manwë and by the pronouncement of Námo. In this matter it shall not be lawful for any of the Eldar to judge his own case. For who among the Living can discern the thoughts of the Dead, or presume the dooms of Mandos?'

Upon this pronouncement of Mandos, which is called the 'Doom of Finwë and Míriel',\(^{43}\) for reasons to be told, there are many commentaries that record the explanation of points arising from its consideration, some given by the Valar, some later reasoned by the Eldar. Of these the more important are here added.

1. It was asked: 'What is meant by the saying that marriage is chiefly of the body, and yet is both of spirit and body?'

It was answered: 'Marriage is chiefly of the body, for it is achieved by bodily union, and its first operation is the begetting of the bodies of children, even though it endures beyond this and has other operations. And the union of bodies in marriage is unique, and no other union resembles it. Whereas the union of *fēar* in marriage differs from other unions of love and friendship not so much in kind as in its closeness and permanence, which are derived partly from the bodies in their union and in their dwelling together.

'Nonetheless marriage concerns also the *fēar*. For the *fēar* of the Elves are of their nature male and female, and not their *brondor*\(^{44}\) only. And the beginning of marriage is in the affinity of the *fēar*, and in the love arising therefrom. And this love includes in it, from its first awakening, the desire for marriage, and is therefore like to but not in all ways the same as other motions of love and friendship, even those between Elves of male and female nature who do not have this inclination. It is therefore true to say that, though achieved by and in the body, marriage proceeds from the *fēa* and resides ultimately in its will. For which reason it cannot be ended, as has been declared, while that will remains.'

2. It was asked: 'If the Dead return to the Living, are the sundered spouses still wedded? And how may that be, if marriage is chiefly of the body, whereas the body of one part of the union is destroyed? Must the sundered be again married, if they wish? Or whether they wish it or no?'

It was answered: 'It has been said that marriage resides ultimately in the will of the *fēar*. Also the identity of person resides wholly in the *fēa*, and the re-born is the same person as the one who died. It is the purpose of the grace of re-birth that the unnatural breach in the continuity of life should be re-dressed; and none of the Dead will be permitted to be re-born until and unless they desire to take up their former life and continue it. Indeed they cannot escape it, for the re-born soon recover full memory of all their past.

'If then marriage is not ended while the Dead are in the Halls of Waiting, in hope or purpose to return, but is only in abeyance, how then shall it be ended, when the *fēa* is again in the land of the living?'

'But herein there is indeed a difficulty, that reveals to us that death is a thing unnatural. It may be amended, but it cannot, while Arda lasts, be wholly undone or made as if it had not been. What shall come to pass as the Eldar grow older cannot be wholly foreseen. But perceiving their nature, as we now do, we hold that the love of the

Here the typescript version B breaks off, with much of the content of the essay as declared in the title unfulfilled (see p. 209). The text ends at the foot of a page, but I think it virtually certain that this was where my father abandoned it.
NOTES

1 In A the opening paragraph ended: ‘the fire of their spirit had not consumed them, nor their minds turned inwards’, subsequently changed to the text of B.

2 Added here later in A: ‘Yet the Elf-child would have more knowledge and skill.’ This was not taken up in B.

3 A: ‘They had few children, but these were dear to them beyond all else that they possessed. (Though no Elf would speak of possessing children; he would say: “three children have been added unto me”, or “are with me”, or “are in my house”; for their families were held together…” (the brackets being closed at the words ‘or teaching’).

4 A: ‘…while the Eldar were still few, and eager to increase their kind, before the weight of years lay on them, there is no record of any number more than seven’, with ‘seldom’ written later above ‘no’.

5 For this paragraph A has:

The Eldar wedded once for all. Many, as the histories reveal, could become estranged from good, for nothing can wholly escape from the evil shadow that lies upon Arda. Some fell into pride, and self-will, and could be guilty of deeds of malice, enmity, greed and jealousy. But among all these evils there is no record of any among the Elves that took another’s spouse by force; for this was wholly against their nature, and one so forced would have rejected bodily life and passed to Mandos. Guile or trickery in this matter was scarcely possible (even if it could be thought that any Elf would purpose to use it); for the Eldar can read at once in the eyes and voice of another whether they be wed or unwed.

6 The original reading in A was ‘at a [feast >] repast shared by the two “houses” concerned’, changed later to ‘at a meeting’ as in B. See note 7.

7 The word ‘again’ in ‘again shared by the two houses’ depends on the original reading in A given in note 6.

8 A: ‘and were only a gracious recognition of the change of state’.

9 Added here in A, probably very much later: ‘[Thus Beren and Tinuviel could lawfully have wedded, but for Beren’s oath to Thingol.]’

10 This paragraph ends in A: ‘This the Eldar mean when they speak of their spirits consuming them; and they say that ere Arda ends all the Elf-folk will have become spirits no less than those in Mandos, invisible to mortal eyes, unless they will to be seen.’ The words ‘no less than those in Mandos’ stood in B as typed, but were heavily struck out.

11 For the passage in B ‘For with regard to generation …’ A has: ‘For, whether the Eldar retain their power of generation (as is likely if we speak of days of old when all the Eldalië were young) or in time lose it (as some say those that remain on Earth have now lost it), at all times they lose the desire and will with the exercise of that power.’

12 For neri and missi in B (see the Etymologies in Vol.V, entries NER, NIS) A has quendor and quender, changed later to quendur and quendir. For the singulars nér and nís occurring subsequently A has quendo and quende, changed to quendu and quendi. The substance of this passage concerning the difference in characteristic activity among men and women of the Eldar is essentially the same in A, but no reference is made to the Noldor.

13 It is said in A that it was the right of the father, not to ‘devise’ the first name, but to ‘announce’ it, and this is followed by a note: ‘Though the name was often the mother’s choice. But it was held to be the right of the father to devise the name of [the first son >] his sons, if he would, and of the mother to devise the name of [the first daughter >] her daughters. But in any case the father proclaimed the name.’ To the words ‘This name was thus called the “father-name” or first name’ was added later in A: ‘It always had a meaning and was made of known words.’

14 At this point there is a footnote in B (deriving closely from A) which was later struck through:

It will be observed in the histories how seldom the same name recurs for different persons. This is because, both in Essecearmë and in Esselcîmë, there was usually an attempt to mark individuality; and names were regarded as the property of those who first bore them.

15 The footnote here reads thus in A:

This feeling had nothing to do with ‘magic’ or taboo. The Eldar did indeed believe in a special relation between a name of a person and his life and individuality; but this concerned both first and second name (alone or together), which they might conceal from enemies.

16 The latter part of the footnote here, which I have enclosed in square brackets, is found typed on a separate page belonging with the B typescript, but with no direction for its insertion (see note 37). It is found however in closely similar words in the A version of the footnote, following ‘their lámattyávé might also change’ (A does not have the conclusion of the note in B, ‘But such changes or progressions …’).

In the A version of the note the Elvish word of which ‘mind-mood’ is a translation was first written ingil- [ingil, very uncertain], changed to invaldi, and later to inuisti, as in B. In A the Elvish word for the body is rhôn (changed later to brondo, the
word used in B), and for the mind in, indo (the latter changed later to inno, whereas B has inno > indo).

17 A has a different account here: "They might then devise a new "Chosen Name", but this replaced the former, and became the Second Name. Identity was preserved for all formal and legal purposes of the First Name or father's name.'

18 A has: "this was the Anessi, the given names, or "nick-names" (with reference to the original meaning of nick-name, changed from (an) eke-name, meaning an additional or added name).

19 The passage following this in A reads thus:

Later, when the character and gifts of the child were revealed, as it grew, she might also give a similar name to it (or modify its father-name). But this latter branch of 'mother-names' differed in authority only rather than in kind from original given or nick-names. These were given to persons by anyone (not necessarily even members of their 'house' or kin), in memory of some deed, or event, or some striking peculiarity. Though these names had no authority and were not 'true names', they often became widely known and used, and were sometimes recognized by the persons themselves and their families.

The 'mother-names of insight' had an intermediate position. They had parental authority and the authority of maternal terken [added: insight], and were often used instead of either father-name or chosen name, or might replace them both - replaced them, that is, in actual usage. The 'true' or primary Essë of any person remained the father-name. The 'names of insight', though at no time frequent, were more frequent in the early days of the Eldar ..."

20 In A it is said that 'Finwë originally named his eldest son Finwë.'

21 Curuvfinwë: the name has been met in the rejected addition to AAm where appear my father's first thoughts on the story of Fëanor's birth (when his mother was named Indis): see p. 87 note 3.

22 A has here a passage that was omitted in B:

Finwë then named his second son (by another mother, Indis) also Finwë, modifying it later to Nolofinwë. But the mother-name which Indis gave to him was Ingoldo, signifying that he was partly of both the Ingar (people of Ingwë), her own kin, and of the Noldor. By this name he also became generally known; though after the rule of the Noldor was committed to him by Manwë (in the place of his elder brother and his father) he took the name of Finwë, and was in fact usually called Ingoldo-finwë. Similarly the third son was Arafinwë and also Ingalaure (because he had the golden hair of his mother's kin). As in the name Noldor throughout the later texts, Nolofinwë is written with a tilde over the N. - On this passage see further p. 265 note 10.

23 In A there is no subtitle here, but before 'It must be understood ...' there stands the following:

In what has been said concerning names it will be noted that for Finwë, first lord of the Noldor, two wives are named: Miriel and Indis; though it was said that the marriage of the Eldar is permanent and indissoluble.

24 After 'and Death' there followed in B 'in its Elvish mode', derived from A; but this was rejected as soon as typed.

25 A: 'and is made also as it were of the brôn (or flesh and substance) of Arda'; cf. rhôn 'body', note 16. The word brôn was left unchanged in A here (see note 26); subsequently where B has brondo (> brôa) A has brôn, brôn, and hrôn (> hrondo), until later in the text hrondo appears in A as first written (note 34).

26 The words 'and it returns again to the general brôn of Arda' were added to the A-text at the same time as other occurrences of brôn were changed to hrondo (note 25); thus hrôn here in B (subsequently > orma) represents a distinction between brôn (of the 'body' of Arda) and hrondo. At a later point in the A manuscript there is the following hastily pencilled note, which was struck through:

\[\sqrt{s}.ron 'flesh, substance, matter'. Q. hrôn, hrôm 'matter', the substance of Arda, hence hrondo 'physical body, "the flesh"'.\]

27 B as typed had 'little different', as does A, but 'little' was at once changed to 'less'.

28 Where B has 'even from the first days' A has 'even at first'.

29 'as has been noted' (not said in A): the previous references are on pp. 210 ("Elfwine's Preamble") and 212.

30 In A the first part of this paragraph reads:

As ages passed their spirits became more dominant, and 'consumed' their bodies - the end of this process (now achieved), they said, was that the body should become as it were a mere memory of the spirit - though it never became changeable like raiment.

31 A: 'Others guessed that they passed into the realm of Dark and the power of the Dark Lord (as they called him).'

32 A: 'The fear of the Eldar, with rare exceptions, at once obeyed that summons. After that different opportunities lay before them.'

33 There is no subtitle here in A.

34 Here and subsequently hrondo (not hrôn) appears in the A-text as written (see notes 25 and 44). Purely coincidentally, as it seems, here and subsequently hrondo was not changed to hrôa in B.

35 This bracketed statement derives from an addition made to A:
'This is true of all Elf-children, whatever may be the case with Men, in whom the body is ever more dominant.'

36 This paragraph is absent from A.

37 This footnote is not in the B-text, but is found typed separately on the same page as the passage referred to in note 16, and like that passage without direction for its insertion. It derives fairly closely from a footnote found at this point in A; this however ends: '... was held a fault or weakness, needing correction or cure if that could be achieved.'

38 From 'The others remained' to the end of the paragraph the A-text as first written read thus:

Others, freed from desire of life and of doing, yet not from operations of the mind in observing or reflection, might remain as spirits, fëar unbound, and yet be permitted to go forth from Mandos, and to return thither or not, as they would. As ages passed, the numbers of these increased, the Eldar say. With the minds of the Living they can commune, if the Living remember them or open their minds to receive them. This the Eldar call communing with the fëar (or the Unliving), and in the latter days it has become easier and more frequent. But they could only observe what passed or was done as the Tale of Arda unfolded. They could

The passage was struck out when this point was reached and replaced by the text that stands here in B. Cf. the subsequent passage (p. 224), found both in A and in B: 'It is therefore a foolish and perilous thing, besides being a wrong deed forbidden justly by the appointed Rulers of Arda, if the Living seek to commune with the Unbodied . . .'

39 On Alamanyar see pp. 170–1.

40 A sets the opening of this paragraph in the past tense: 'But in after days more and more of the Elves that lingered in Middle-earth refused the summons of Mandos, and wandered houseless in the world, unwilling to leave it . . .'

41 This paragraph, attributed to Tolkien and bracketed in the same way as is the opening 'Preamble', is absent from A, which continues on from 'These things it is said that Sauron did, and taught his chief followers how to achieve them' as follows:

In this account the lives and customs of the Eldar have been considered mainly in their natural courses in days untroubled, and in accordance with their true nature unmarred. But, as has been said, the Eldar did not escape the Shadow upon Arda, that caused both misfortunes and misdeeds to afflict them.

This was replaced by the sentence beginning 'Now much has been said concerning death and rebirth among the Eldar . . .' as in B, but without the subtitle 'Of the Severance of Marriage'.

42 This sentence is absent from A, and so there appear here no equivalents of the words neri and nissi in B (see note 12).

43 A has the "Statute of Finwë and Míriel", as in the title of the B-text.

44 A had here bróni, changed to brondor; see note 34.

45 From here to the point where it breaks off B diverges altogether from A, and I take up the presentation of the A-text in full from the beginning of this second response.

★

I give now the remainder of the work from the original manuscript A, taking it up shortly before the point where the typescript B breaks off (see note 45 above). Alterations and additions are mostly noted as such.

In A the actual tale of Finwë, Míriel, and Indis reappears (pp. 236–9); it is easily shown that this version followed FM I (the rider to LQ chapter 6, Of the Silmarils and the Darkening of Valinor, pp. 205–7), but I think at no long interval: the manuscript style of the two texts is notably similar.

It was answered: It has been said that marriage resides ultimately in the will of the fëa. Also the identity of person resides in the fëa; and the Dead that return [struck out: will] in time recover full memory of the past; what is more, though the body is more than raiment and the change of body [will not be of no effect >] will certainly have effect upon the reborn, the fëa is the master, and the reborn will come to resemble their former self so closely that all who knew them before Death will recognize them, soonest and most readily the former spouse. Nonetheless, since marriage is also of the body and one body has perished, they must be married again, if they will. For they will have returned, as it were, to that state in their former life when by the motions of their fëar they desired to be married. There will be no question of desiring this or not desiring it. For by the steadfastness of the fëar of the Eldar uncorrupted they will desire it; and none of the Dead will be permitted by Mandos to be reborn, until and unless they desire to take up life again in continuity with their past. For it is the purpose of the time in Waiting in Mandos that the unnatural breach in the continuity of the life of the Eldar should be healed, though it cannot be undone or made of no effect in Arda. It follows, therefore, also that the Dead will be reborn in such place and time that the meeting and recognition of the sundered shall surely come to pass, and there shall be no hindrance to their marriage.
Upon this the Eldar comment: 'By this is meant that the Reborn Spouse will not appear among the close kindred of the Living Spouse, and in fact the Reborn appear as a rule amongst their own former kin, unless in the chances of Arda things have so changed that the meeting of the sundered would thus be unlikely. [Added: For the first purpose of the fea that seeks rebirth is to find its spouse, and children, if it had these in life.] The Reborn that were unwedded always return to their own kin.' For the marriages of the Eldar do not take place between 'close kin'. This again is a matter in which they needed no law or instruction, but acted by nature, though they gave reasons for it later, declaring that it was due to the nature of bodies and the processes of generation; but also to the nature of fear. 'For,' they said, 'fear are also akin, and the motions of love between them, as say between a brother and sister, are not of the same kind as those that make the beginning of marriage.' By 'close kin' for this purpose was meant members of one 'house', especially sisters and brothers. None of the Eldar married those in direct line of descent, nor children of the same parents, nor the sister or brother of either of their parents; nor did they wed 'half-sisters' or 'half-brothers'. Since as has been shown only in the rarest events did the Eldar have second spouses, half-sister or half-brother had for them a special meaning: they used these terms when both of the parents of one child were related to both of the parents of another, as when two brothers married two sisters of another family, or a sister and a brother of one house married a brother and sister of another: things which often occurred. Otherwise 'first cousins', as we should say, might marry, but seldom did so, or desired to do so, unless one of the parents of each were far-sundered in kin.

Hardly otherwise shall it be when both spouses are slain or die: they will marry again in due time after rebirth, unless they desire to remain together in Mandos.

It was asked: Why must the Dead remain in Mandos for ever, if the fea consents to the ending of its marriage? And what is this Doom of which Mandos speaks?

It was answered: The reasons are to be found in what has been said already. Marriage is for life, and cannot, therefore, be ended, save by the interruption of death without return. While there is hope or purpose of return it is not ended, and the Living cannot therefore marry again. If the Living is permitted to marry again, then by doom Mandos will not permit the Dead to return. For, as has been declared, one reborn is the same person as before death and returns to take up and continue his or her former life. But if the former spouse were re-married, this would not be possible, and great grief and doubt would afflict all three partics. To speak of the dooms of Mandos: these are of three kinds. He utters the decisions of Manwë, or of the Valar in conclave, which become binding upon all, even the Valar, when they are so declared: for which reason a time passes between the decision and the doom. In similar manner he utters the decisions and purposes of others who are under his jurisdiction, who are the Dead, in grave matters that affect justice and the right order of Arda; and when so spoken these decisions become 'laws' also, though pertaining only to particular persons or cases, and Mandos will not permit them to be revoked or broken: for which reason again a time must pass between decision and doom.* And lastly there are the dooms of Mandos that proceed from Mandos himself, as judge in matters that belong to his office as ordained from the beginning. He is the judge of right and of wrong, and of innocence or guilt (and all the degrees and mingling of these) in the mischances and misdeeds that come to pass in Arda. All those who come to Mandos are judged with regard to innocence or guilt, in the matter of their death and in all other deeds and purposes of their lives in the body; and Mandos appoints to each the manner and the length of their time of Waiting according to this judgement. But his dooms in such matters are not uttered in haste; and even the most guilty are long tested, whether they may be healed or corrected, before any final doom is given (such as never to return again among the Living). Therefore it was said: 'Who among the Living can presume the dooms of Mandos?'

Upon this the Eldar comment: 'Innocence or guilt in the matter of death is spoken of, because to be in any way culpable in incurring this evil (whether by forcing others to slay one in their defence against unjust violence, or by foolhardiness or the making good of rash vaunts, or by slaying oneself or wilfully withdrawing the fea from the body) is held a fault. Or at the least, the withdrawal from life is held a good reason, unless the will of the fea be changed, for the fea to remain among the Dead and not to return. As for guilt in other matters little is known of the dealings of Mandos with the Dead. For several reasons: Because those who have done great evil (who are few) do not return. Because those who have been under the correction of Mandos will not speak of it, and indeed, being healed, remember little of it; for they have returned to their natural courses,

* In the case of a decision never to return to life by a fea of the Dead, the least time of interval appointed by Mandos was ten Valian years. During this period the decision could be revoked.
and the unnatural and perverted is no longer in the continuity of their lives. Because also, as has been said, though all that die are summoned to Mandos, it is within the power of the fear of the Elves to refuse the summons, and doubtless many of the most unhappy, or most corrupted spirits (especially those of the Dark-elves) do refuse, and so come to worse evil, or at best wander unhoused and unhealed, without hope of return. Not so do they escape judgement for ever; for Eru abideth and is over all.

This judgement is known as the ‘Statute of Finwë and Miriel’, for theirs was the first case, and it was on behalf of Finwë that Manwë’s counsel was sought in this matter. Now Finwë, first Lord of the Noldor, had to wife Miriel who was called the Serindë, because of her surpassing skill in weaving and sewing, and their love was great for one another. But in the bearing of her first son Miriel was consumed in spirit and body, so that wellnigh all strength seemed to have passed from her. This son was Curufinwë, most renowned of all the Noldor as Feänáro (or Feänor),¹ Spirit-of-fire, the name which Miriel gave to him at birth; he was mighty in body and in all the skills of the body, and supreme among the Eldar in eagarness and strength and subtlety of mind. But Miriel said to Finwë: ‘Never again shall I bear child; for strength that would have nourished the life of many has gone forth into Feänáro.’

Then Finwë was greatly grieved, for the Noldor were in the youth of their days and dwelt in the bliss of the Noontide of Aman, but were still few in number, and he desired to bring forth many children into that bliss. He said, therefore: ‘Surely there is healing in Aman? Here all weariness can find rest.’

Therefore Finwë sought the counsel of Manwë, and Manwë delivered Miriel to the care of Irmo in Lorien.² At their parting (for a little while as he deemed) Finwë was sad, for it seemed a thing unhappy that the mother should depart and miss the beginning at least of the childhood days of her son. ‘Unhappy it is indeed,’ said Miriel, ‘and I would weep if I were not so weary. But hold me blameless in this, and in aught that may come after. Rest now I must. Farewell, dear lord.’ No clearer than this did she speak, but in her heart she yearned not only for sleep and rest, but for release from the labour of living. She went then to Lorien and laid her down to sleep beneath a silver tree, but though she seemed to sleep indeed her spirit departed from her body and passed in silence to the halls of Mandos; and the

maidens of Estë tended her fair body so that it remained unwithered, yet she did not return.

Finwë’s grief was great, and he went often to the gardens of Lorien and sitting beneath the silver willows beside the body of his wife he called her by her names. But it was of no avail, and he alone in all the Blessed Realm was bereaved and sorrowful. After a while he went to Lorien no more, for it did but increase his grief. All his love he gave to his son; for Fëanáro was like his mother in voice and countenance, and Finwë was to him both father and mother, and there was a double bond of love upon their hearts. Yet Finwë was not content, being young and eager, and desiring to have more children to bring mirth into his house. [He spoke, therefore, to Manwë >] When, therefore, ten years had passed, he spoke to Manwë, saying: ‘Lord, behold! I am bereaved and solitary. Alone among the Eldar I have no wife, and must hope for no sons save one, and no daughter. Must I remain ever thus? [For I believe not that Miriel will return again >] For my heart warns me that Miriel will not return again from the house of Vairë while Arda lasts. Is there not healing of grief in Aman?’

Then Manwë took pity upon Finwë, and he considered his plea, and when Mandos had spoken his doom as has been recorded,³ Manwë called Finwë to him, and said: ‘Thou hast heard the doom that has been declared. If Miriel, thy wife, will not return and releases thee, your union⁴ is dissolved, and thou hast leave to take another wife.’

It is said that Miriel answered Mandos, saying: ‘I came hither to escape from the body, and I do not desire ever to return to it. My life is gone out into Feänáro, my son. This gift I have given to him whom I loved, and I can give no more. Beyond Arda this may be healed, but not within it.’

Then Mandos adjudged her innocent, deeming that she had died under a necessity too great for her to withstand. Therefore her choice was permitted, and she was left in peace; and after ten years the doom of disunion was spoken. [In the year following >] And after three years more Finwë took as second spouse Indis the fair; and she was in all ways unlike Miriel. She was not of the Noldor, but of the Vanyar, [of the kin >] sister of Ingwë; and she was golden-haired, and tall, and exceedingly swift of foot. She laboured not with her hands, but sang and made music, and there was ever light and mirth about her while
the bliss of Aman endured. She loved Finwë dearly, for her heart had turned to him long before, while the people of Ingwë dwelt still with the Noldor in Túna.\textsuperscript{3} In those days she had looked upon the Lord of the Noldor, dark-haired and white-browed, eager of face and thoughtful-eyed, and he seemed to her fairest and noblest among the Eldar, and his voice and mastery of words delighted her. Therefore she remained unwedded, when her people departed to Valinor, and she walked often alone in the fields and friths of the Valar, [turning her thought to things that grow untended >] filling them with music. But it came to pass that Ingwë, hearing of the strange grief of Finwë, and desiring to lift up his heart and withdraw him from vain mourning in Lorien, sent messages bidding him to leave Túna for a while and the reminders of his loss, and to come and dwell in the light of the Trees. This message Finwë did not answer, until after the doom of Mandos was spoken; but then deeming that he must seek to build his life anew and that the bidding of Ingwë was wise, he arose and went to the house of Ingwë upon the west of Mount Oiolossë. His coming was unlooked for, but welcome; and when Indis saw Finwë climbing the paths of the mountain (and the light of Laurelin was behind him as a glory) without forethought she sang suddenly in great joy, and her voice went up as the song of a *liru lin* in the sky.\textsuperscript{6} And when Finwë heard that song falling from above he looked up and saw Indis in the golden light, and he knew in that moment that she loved him and had long done so. Then his heart turned at last to her, and he believed that this chance, as it seemed, had been granted for the comfort of them both. ‘Behold!’ he said. ‘There is indeed healing of grief in Aman!’

In this way came to pass ere long the wedding of Finwë and Indis, sister of Ingwë. In Indis was proved true indeed the saying that ‘the loss of one may be the gain of another.’ But this also she found true: ‘the house remembers the builder, though others may dwell in it after.’ For Finwë loved her well, and was glad, and she bore him children in whom he rejoiced,\textsuperscript{67} yet the shadow of Míriel did not depart from his heart, and Feanárë had the chief share of his thought. The wedding of his father was not pleasing to Feanárë, and though it did not lessen his

\* Five children she bore, three daughters and two sons, in this order: Findis, Nolofinwë, Faniel, Arafíniwë, and Irímë. Concerning the naming of the sons we have spoken above.
reference to Arda Unmarred it was unnatural and fraught with Death. The liberty that it gave was a lower road that, if it led not still downwards, could not again ascend. But Healing must retain the thought of Arda Unmarred, and if it cannot ascend, must abide in patience. This is Hope which, I deem, is before all else the virtue most fair in the Children of Eru, [but cannot be commanded to come when needed: patience must often long await it].}

Then Aulë, friend of the Noldor [added: and lover of Fëanor], spake. ‘But did this matter indeed arise out of Arda Marred?’ he asked. ‘For it seemed to me that it arose from the bearing of Feanáro. Now Finwë and all the Noldor that followed him were never in heart or thought swayed by [Morgoth >] Melkor, the Marring, how then did this strange thing come to pass, even in Aman the Unshadowed? That the bearing of a child should lay such a weariness upon the mother that she desired life no longer. This child is the greatest in gifts that hath arisen or shall arise among the Eldar. But the Eldar are the first Children of Eru, and belong to him directly. Therefore the greatness of the child must proceed from his will directly, and be intended for the good of the Eldar and of all Arda. What then of the cost of the birth? Must it not be thought that the greatness and the cost not from Arda, Marred or Unmarred, but from beyond Arda? For this we know to be true, and as the ages pass it shall often be manifest (in small matters and in great) that all the Tale of Arda was not in the Great Theme, and that things shall come to pass in that Tale which cannot be foreseen, for they are new and not begotten by the past that preceded them.’

[Added: Thus Aulë spake being unwilling to believe that any taint of the Shadow lay upon Fëanor, or upon any of the Noldor. He had been the most eager to summon them to Valinor.]

But Ulmo answered: ‘Nonetheless Mëriel died. [And is not death for the Eldar an evil, that is a thing unnatural in Arda Unmarred, which must proceed therefore from the marring? Or if the death of Mëriel had not so, but cometh from beyond Arda, how shall death that is unnatural and evil be known from that which is a new thing and hath no reason in the past, unless the latter cause neither sorrow nor doubt? But the death of Mëriel has brought both into Aman. This passage was later replaced as follows:] And death is for the Eldar an evil, that is a thing unnatural in Arda Unmarred, which must proceed therefore from the marring. For if the death of Mëriel was otherwise,
are both strong and without might. Mandos you hold to be the strongest of all that are in Arda, being the least moved, and therefore you have dared to commit even the Marrer himself to his keeping. Yet I say to you that each fëa of the Children is as strong as he; for it hath the strength of its singleness impregnable (which cometh to it from Eru as to us): in its nakedness it is obdurate beyond all power that ye have to move it if it will not. Yet the Children are not mighty: in life they are little, and can effect little; and they are young, and they know Time only. Their minds are as the hands of their babes, little in grasp, and even that grasp is yet unfilled. How shall they perceive the [end] of deeds, or forgo the desires which arise from their very nature, the indwelling of the spirit in [the] body which is their right condition? Have ye known the weariness of Miriel, or felt the bereavement of Finwë?

‘Míriel, I deem, died by necessity of body, in suffering [for] which she was blameless or indeed to be praised, and yet was not given power to resist it: the cost of so great a child-bearing. And herein I think that Aulë perceived a part of the truth. The severance of the fëa was in Míriel a thing special. Death is indeed death and within the Great Theme cometh from the Marrer and is grievous; but Eru in this death had a purpose of immediate good, and it need not have borne any bitter fruit; whereas Death that comes from the Marrer only is intended for evil, and its healing must await in Hope only, even until the End. But Finwë not understanding death (as how should he?) called Míriel, and she did not return, and he was bereaved, and his natural life and expectation was impaired. Justly he cried: “Is there not healing in Aman?” That cry could not be unheeded, and what could be done we have done. Wherefore should this be grudged?’

But Ulmo answered her saying: ‘Nay! Though I do not condemn, yet still I will judge. Herein I perceive not only the direct will of Eru, but fault in his creatures. Not guilt, yet a failing from the highest which is the Hope of which the King hath spoken. And I doubt not that the taking of the higher road, an ascent that though hard was not impossible, was part of that purpose of immediate good of which Niënna speaketh. For the fëa of Míriel may have departed by necessity, but it departed in the will not to return. Therein was her fault, for this will was not under compulsion irresistible; it was a failure in hope by the fëa, acceptance of the weariness and weakness of the body, as a thing beyond healing, and which therefore was not healed. But this resolve entailed not only abandoning her own life, but also the desertion of her spouse, and the marring of his. The justification which she urged is insufficient; for by the gift of a child however great, nor indeed by the gift of many children, the union of marriage is not ended, having further purpose. For one thing, Feanáro will be deprived of the mother’s part in his nurture. Moreover, if she would return she need bear no more, unless by the renewal of rebirth her weariness were healed.

‘Thus Finwë was aggrieved and claimed justice. But when he called her and she did not return, in only a few years he fell into despair. Herein lay his fault, and failing in Hope. But also he founded his claim mainly upon his desire for children, considering his own self and his loss more than the griefs that had befallen his wife: that was a failing in full love.

‘The fëa of the Eldar, as Niënna hath said, cannot be broken or forced,* and the motion of their will cannot therefore be predicted with certainty. Yet it seemeth to me that there was hope still that after repose in Mandos the fëa of Míriel should return of itself to its nature, which is to desire to inhabit a body. This strange event should issue, rather than in dissolving their union, in the use by Finwë of the patience of full love, and the learning of Hope; and in the return of Míriel, wiser in mind, and renewed in body. Thus together they might foster their great son with joined love, and his right nurture be assured. But the fëa of Míriel hath not been left in peace, and by importuning its will hath been hardened; and in that resolve it must remain without change while Arda lasteth, if the Statute is declared. Thus the impatience of Finwë will close the door of life upon the fëa of his spouse. This is the greater fault. For it is more unnatural that one of the Eldar should remain for ever as fëa without body than that one should remain alive wedded but bereaved. A trial was imposed upon Finwë (not by Míriel only), and he hath asked for justice, and relief.’

*By this is meant primarily the fëa naked and unhoused. Living, the fëa can be deluded; and they can be dominated by fear (of one of great power such as Melkor) and so enslaved. But these things are wicked and tyrannous and are done by Melkor alone among the Valar. They beget only hatred and loathing in the enslaved (which is the sign of inmost and ultimate dissent). To no good purpose can such means be used, for they render all purposes evil.
'Nay!' said Vairë suddenly. 'The fea of Míriel is with me. I know it well, for it is small. But it is strong; proud and obdurate. It is of that sort who having said: this I will do, make their words a doom irrevocable unto themselves. She will not return to life, or to Finwë, even if he waiteth until the aegeing of the world. Of this he is aware, I deem, as his words show. For he did not found his claim on his desire for children only, but he said to the King: my heart warns me that Míriel will not return while Arda lasts. Of what sort the knowledge or belief may be that he would thus express, and whence it came to him, I know not. But fea perceiveth fea and knoweth the disposition of the other, in marriage especially, in ways that we cannot fully understand. We cannot probe all the mystery of the nature of the Children. But if we are to speak of Justice, then Finwë's belief must be taken into account; and if, as I judge, it is well-founded, not a fantasy of his own inconstancy, but against his will and desire, we must otherwise assess the faults of these two. When one of the Queens of the Valar, Varda or Yavanna, or even I, departeth for ever from Arda, and leaveth her spouse, will he or nill he, then let that spouse judge Finwë, if he will, remembering that Finwë cannot follow Míriel without doing wrong to his nature, nor without forsaking the duty and bond of his fatherhood.'

When Vairë had spoken, the Valar sat long in silence, until at length Manwë spoke again. 'There is reason and wisdom in all that has been said. Truly, in the matter of the Children we approach mysteries, and the key to their full understanding was not given to us. In part the Children are indeed one, or maybe the chief, of those “new things” of which Aulë hath spoken.* Yet they came into Arda Marred, and were destined to do so, and to endure the Marring, even though they came in their beginning from beyond Eä. For those “new things”, manifesting the finger of Ilúvatar, as we say: they may have no past in Arda and be unpredictable before they appear, yet they have thereafter future operations which may be predicted, according to wisdom and knowledge, since they become at once part of Eä, and part of the past of all that followeth. We may say, therefore, that the Elves are destined to know “death” in their mode, being sent into a world which contains “death”, and having a form for which “death” is possible. For though by their prime nature, unmarried, they rightly dwell as spirit and body coherent, yet these are two things, not the same, and their severance (which is “death”) is a possibility inherent in their union.

'Aulë and Niëna err, I deem; for what each saith in different words meaneth this much: that Death which cometh from the Marrer may be one thing, and Death as an instrument of Eru be another thing and discernible: the one being of malice, and therefore only evil and inevitably grievous; the other, being of benevolence, intending particular and immediate good, and therefore not evil, and either not grievous or easily and swiftly to be healed. For the evil and the grief of death are in the mere severed and breach of nature, which is alike in both (or death is not their name); and both occur only in Arda Marred, and accord with its processes.

'Therefore I deem that Ulmo is to be followed rather, holding that Eru need not and would not desire as a special instrument of his benevolence a thing that is evil. Wherefore, indeed, should he intrude death as a “new thing” into a world that suffereth it already? Nonetheless, Eru is Lord of All, and will use as instruments of his final purposes, which are good, whatsoever any of his creatures, great or small, do or devise, in his despire or in his service. But we must hold that it is his will that those of the Eldar who serve him should not be cast down by griefs or evils that they encounter in Arda Marred; but should ascend to a strength and wisdom that they would not otherwise have achieved: that the Children of Eru should grow to be daughters and sons.

'For Arda Unmarried hath two aspects or senses. The first is the Unmarried that they discern in the Marred, if their eyes are not dimmed, and yearn for, as we yearn for the Will of Eru: this is the ground upon which Hope is built. The second is the Unmarried that shall be: that is, to speak according to Time in which they have their being, the Arda Healed, which shall be greater and more fair than the first, because of the Marring: this is the Hope that sustaineth. It cometh not only from the yearning for the Will of Ilúvatar the Begetter (which by itself may lead those within Time to no more than regret), but also from trust in Eru the Lord everlasting, that he is good, and that his works shall all end in good. This the Marrer hath denied, and in this denial is the root of evil, and its end is in despair.

'Therefore, notwithstanding the words of Vairë, I abide by

* Meaning that though they appeared in the Great Theme, they were introduced by Eru himself, not mediated by any of the Ainur; and even so they were not fully revealed to the Ainur.
that which I said first. For though she speaketh not without knowledge, she uttereth opinion and not certainty. The Valar have not and must not presume certainty with regard to the wills of the Children. Nor, even were they certain in this one case concerning the fea of Míriel, would that unmake the union of love that once was between her and her spouse, or render void the judgement that constancy to it would in Finwê be a better and fairer course, more in accord with Arda Unmarred, or with the will of Eru in permitting this thing to befall him. The Statute openeth the liberty of a lower road, and accepting death, countenanceth death, and cannot heal it. If that liberty is used, the evil of the death of Míriel will continue to have power, and will bear fruit in sorrow.

‘But this matter I now commit to Námo the Judge. Let him speak last!’

Then Námo Mandos spoke, saying: ‘All that I have heard I have considered again; though naught pertinent to judgement hath been brought forward that was not already considered in the making of the Statute. Let the Statute stand, for it is just.

‘It is our part to rule Arda, and to counsel the Children, or to command them in things committed to our authority. Therefore it is our task to deal with Arda Marred, and to declare what is just within it. We may indeed in counsel point to the higher road, but we cannot compel any free creature to walk upon it. That leadeth to tyranny, which disfigureth good and maketh it seem hateful.

‘Healing by final Hope, as Manwë hath spoken of it, is a law which one can give to oneself only; of others justice alone can be demanded. A ruler who discerning justice refuseth to it the sanction of law, demanding abnegation of rights and self-sacrifice, will not drive his subjects to these virtues, virtuous only if free, but by unnaturally making justice unlawful, will drive them rather to rebellion against all law. Not by such means will Arda be healed.

‘It is right, therefore, that this just Statute should be proclaimed, and those that use it shall be blameless, whatsoever followeth after. Thus shall the Tale of the Eldar, within the Tale of Arda, be fashioned.

‘Hearken now, O Valar! To me foretelling* is granted no less

than doom, and I will proclaim now to you things both near and far. Behold! Indis the fair shall be made glad and fruitful, who might else have been solitary. For not in death only hath the Shadow entered into Aman with the coming of the Children destined to suffer; there are other sorrows, even if they be less. Long she hath loved Finwê, in patience and without bitterness. Aulë nameth Fëanor the greatest of the Eldar, and in potency that is true. But I say unto you that the children of Indis shall also be great, and the Tale of Arda more glorious because of their coming. And from them shall spring things so fair that no tears shall dim their beauty; in whose being the Valar, and the Kindreds both of Elves and of Men that are to come shall all have part, and in whose deeds they shall rejoice. So that, long hence when all that here is, and seemeth yet fair and impregnable, shall nonetheless have faded and passed away, the Light of Aman shall not wholly cease among the free peoples of Arda until the End.

‘When he that shall be called Eärendil setteth foot upon the shores of Aman, ye shall remember my words. In that hour ye will not say that the Statute of Justice hath borne fruit only in death; and the griefs that shall come ye shall weigh in the balance, and they shall not seem too heavy compared with the rising of the light when Valinor groweth dim.’

‘So be it!’ said Manwë.15

Therefore the Statute was proclaimed, and the meeting of Indis and Finwê took place, as has been told.

But after a while Niëenna came to Manwê, and she said: ‘Lord of Aman, it is now made clear that the death of Míriel was an evil of Arda Marred, for with the coming hither of the Eldar the Shadow hath found an entrance even into Aman. Nonetheless Aman remaineth the Realm of the Valar, wherein thy will is paramount. Though the death of severance may find out the Eldar in thy realm, yet one thing cometh not to it, and shall not:* and that is deforming and decay. Behold then! The body of Míriel lieth unmarred, even as a fair house that awaiteth its mistress, who hath gone upon a journey. In this at least, Theme, could discover or swiftly perceive. Only rarely and in great matters was Mandos moved to prophecy.

* Yet after the slaying of the Trees it did so while Melkor remained there; and the body of Finwê, slain by Melkor, was withered and passed into dust, even as the Trees themselves had withered.
therefore, her death differeth from death in Middle-earth: that for the houseless fea a fair body is still ready, and rebirth is not the only gate by which it may return to life, if thou wilt grant her leave and give her thy blessing. Moreover the body has lain long now in repose in the peace of Lorien; and must not the rulers of Arda have respect even to bodies and all fair forms? Why should it lie idle and untenant, when doubtless it would not now afflict the fea with weariness, but rejoice it with hope of doing?"

But this Mandos forbade. ‘Nay,’ said he, ‘if Miriel were rehoused, she would be again among the Living, and Finwë would have two spouses alive in Aman. Thus would the Statute be contravened, and my Doom set at naught. And injury would be done also to Indis, who used the liberty of the Statute, but would now by its breach be deprived, for Finwë would desire to return to his former spouse.’

But Niéenna said to Mandos: ‘Nay! Let Miriel have the joy of her body and of the use of its skills in which she delighted, and dwell not for ever remembering only her brief life before, and its ending in weariness! Can she not be removed from the Halls of Waiting, and taken into the service of Vairë? If she cometh never thence, nor seeketh to walk among the Living, why shouldst thou hold the Doom set at naught, or fear for griefs that might arise? Pity must have a part in Justice.’

But Mandos was unmoved. And the body of Miriel lay at rest in Lorien, until the escape of Melkor the Marrer and the Darkening of Valinor. In that evil time Finwë was slain by the Marrer himself, and his body was burned as by lightning stroke and was destroyed. Then Miriel and Finwë met again in Mandos, and lo! Miriel was glad of the meeting, and her sadness was lightened; and the will in which she had been set was released.

And when she learned of Finwë all that had befallen since her departure (for she had given no heed to it, nor asked tidings, until then) she was greatly moved; and she said to Finwë in her thought: ‘I erred in leaving thee and our son, or at the least in not soon returning after brief repose; for had I done so he might have grown wiser. But the children of Indis shall redress his errors and therefore I am glad that they should have being, and Indis hath my love. How should I bear grudge against one who received what I rejected and cherished what I abandoned. Would that I might set all the Tale of our people and of thee and thy children in a tapestry of many colours, as a memorial brighter than memory! For though I am cut off now from the world, and I accept that Doom as just, I would still watch and record all that befalls those dear to me, and their offspring also. [Added: I feel again the call of my body and its skills.]’

And Finwë said to Vairë: ‘Dost thou hear the prayer and desire of Miriel? Why will Mandos refuse this redress of her griefs, that her being may not be void and without avail? Behold! I instead will abide with Mandos for ever, and so make amends. For surely, if I remain unhoused, and forgo life in Arda, then his Doom will be inviolate.’

‘So thou may deem,’ answered Vairë; ‘yet Mandos is stern, and he will not readily permit a vow to be revoked. Also he will consider not only Miriel and thee, but Indis and thy children, whom thou seemest to forget, pitying now Miriel only.’

‘Thou art unjust to me in thy thought,’ said Finwë. ‘It is unlawful to have two wives, but one may love two women, each differently, and without diminishing one love by another. Love of Indis did not drive out love of Miriel; so now pity for Miriel doth not lessen my heart’s care for Indis. But Indis parted from me without death. I had not seen her for many years, and when the Marrer smote me I was alone. She hath dear children to comfort her, and her love, I deem, is now most for Ingoldo. His father she may miss; but not the father of Fëanáró! But above all her heart now yearns for the halls of Ingwë and the peace of the Vanyar, far from the strife of the Noldor. Little comfort should I bring her, if I returned; and the lordship of the Noldor hath passed to my sons.’

But when Mandos was approached he said to Finwë: ‘It is well that thou desirdest not to return, for this I should have forbidden, until the present griefs are long passed. But it is better still that thou hast made this offer, to deprive thyself, of thy free will, and out of pity for another. This is a counsel of healing, out of which good may grow.’

Therefore when Niéenna came to him and renewed her prayer for Miriel, he consented, accepting the abnegation of Finwë as her ransom. Then the fea of Miriel was released and came before Manwë and received his blessing; and she went then to Lorien and re-entered her body, and awoke again, as one that cometh out of a deep sleep; and she arose and her body was refreshed. But after she had stood in the twilight of Lorien a long while in thought, remembering her former life, and all the
tidings that she had learned, her heart was still sad, and she had no desire to return to her own people. Therefore she went to the doors of the House of Vairë and prayed to be admitted; and this prayer was granted, although in that House none of the Living dwelt nor have others ever entered it in the body. But Míriel was accepted by Vairë and became her chief handmaid; and all tidings of the Noldor down the years from their beginning were brought to her, and she wove them in webs historial, so fair and skilled that they seemed to live, imperishable, shining with a light of many hues fairer than are known in Middle-earth. This labour Finwë is at times permitted to look upon. And still she is at work, though her name has been changed. For now she is named *Firiel,* which to the Eldar signifies 'She that died,' and also 'She that sighed.' As fair as the webs of *Firiel* is praise that is given seldom even to works of the Eldar.

* For before the passing of Míriel the Eldar of Valinor had no word for 'dying' in this manner, though they had words for being destroyed (in body) or being slain. But *fìrë* meant to 'expire', as of one sighing or releasing a deep breath; and at the passing of Míriel she had sighed a great sigh, and then lay still; and those who stood by said *fìrë,* 'she hath breathed forth.' This word the Eldar afterwards used of the death of Men. But though this sigh they take to be a symbol of release, and the ceasing of the body's life, the Eldar do not confound the breath of the body with the spirit. This they call, as hath been seen, *fëa* or *fàire,* of which the ancient significance seems to be rather 'radiance.' For though the *fëa* in itself is not visible to bodily eyes, it is in light that the Eldar find the most fitting symbol in bodily terms of the indwelling spirit, 'the light of the house' or *cóacalina* as they also name it. And those in whom the *fëa* is strong and untainted, they say, appear even to mortal eyes to shine at times translucent (albeit faintly), as though a lamp burned within.

At the end of the manuscript of *Laws and Customs among the Eldar* are several pages of roughly written 'Notes', and I append here a portion of this material.

(i)

This debate of the Valar not wholly feigned. For the Eldar were permitted to attend all conclaves, and many did so (especially those that so deeply concerned them, their fate, and their place in Arda, as did this matter). Reference is made to things that had not at that time happened (is it .. prophecy?), but that is partly due to later commentators. For the 'Statute of Finwë and Míriel' was among the documents of lore most deeply studied and pondered. And as has been seen many questions and answers arising were appended.

'[Thus] questions were also asked concerning the fate and death of Men. All [read Also] concerning other 'speaking', and therefore 'reasonable', kinds: Ents, Dwarves, Trolls, Orcs — and the speaking of beasts such as Huan, or the Great Eagles.'

Later my father commented against the beginning of this note that the Eldar would not be present at this debate ('certainly not Finwë!'), and that the Valar would have informed the loremasters of the Eldar concerning it.

(ii)

['Fate of Men'] was also later discussed by the Eldar, when they had met Men and knew them. But they had little evidence, and therefore did not know or assert, but 'supposed' or 'guessed'. One such supposition was that Elves and Men will become one people. Another is that some Men, if they desire it, will be permitted to join the Elves in New Arda, or to visit them there — though it will not be the *home* of Men. The most widely held supposition is that the fate of Men is wholly different, and that they will not be concerned with Arda at all.

At the end of this note my father wrote subsequently: 'But see full treatment of this later in *Athrabeth Finrod ah Andureth.*' This work constitutes Part Four in this book.

(iii)

Fate of 'Immortal' Elves: ? to inhabit New Arda (or Arda Healed). Probably not, in a physical sense. Since what is meant by 'The Tale of Arda' seems to be this. The World and its Time appears to begin and end simply because it is bounded, neither infinite nor eternal. Its finite 'story' when complete will be, like a work of art, beautiful and good (as a whole), and from outside, sc. not in Time or its Time, it can be contemplated with wonder and delight — especially by those who have taken part in its 'Tale'. Only in that sense will Elves (or Men) inhabit Arda Complete. But New Arda or Arda Unmarried (Healed) would imply a continuance, beyond the End (or Completion). Of that nothing can be surmised. Unless it be this. Since the Elves (and Men) were made for Arda, the satisfaction of their nature will
require Arda (without the malice of the Mârâr): therefore before the Ending the Marîng will be wholly undone or healed (or absorbed into good, beauty, and joy). In that region of Time and Place the Elves will dwell as their home, but not be confined to it. But no blessed spirits from what is still to us the future can intrude into our own periods of Time. For to contemplate the Tale of Arda the Blessed must (in spirit or whole being) leave the Time of Arda. But others use another analogy, saying that there will indeed be a New Arda, rebuilt from the beginning without Malice, and that the Elves will take part in this from the beginning. It will be in Ej, say they — for they hold that all Creation of any sort must be in Ej, proceeding from Eru in the same way, and therefore being of the same Order. They do not believe in contemporaneous non-contiguous worlds except as an amusing fantasy of the mind. They are (say they) either altogether unknowable, even as to whether they are or are not, or else if there are any intersections (however rare) they are only provinces of one Ej.

At the head of the page on which this note stands my father wrote: 'But see Athrâbeth': see (ii) above.

NOTES

[These notes refer to the part of the text of Laws and Customs among the Eldar given from the manuscript A, pp. 233 ff.]

1 The spelling Feyánaro is found also in the first text of the tale, FM 1 (see p. 206, footnote). The name is variously written subsequently in A (Feíanaro, Fëianaro, Feianaro).

2 For the form Lorien with short vowel see p. 56 note 2 and p. 148, §3.

3 For the doom of Mandos (the 'Statute of Finwë and Míriel') in this work see pp. 225–6. In FM 1 the doom, in its earliest expression, is given at this point in the story (pp. 206–7).

4 your union: your is plural, and not inconsistent with thy, thee, thou in the same sentence.


6 My father first wrote 'an aimenel' (> aimenal), but changed it immediately to 'a lirulin', writing 'lark' in the margin.

7 The reference in the footnote here is to the passage in A (omitted in B) which is given in note 22 on p. 230. As in that passage the name Nolofinwë is written with a tilde over the N. The order of the names of the daughters of Finwë and Indis are as in the

emended text of FM 1, p. 207. See further p. 262 and note 10.

8 The brackets are in the original.

9 Cf. the Aënilindilë §13 (p. 11): 'Yet some things there are that [the Ainur] cannot see ...; for none but himself has Iluvatar revealed all that he has in store, and in every age there come forth things that are new and have no foretelling, for they do not spring from the past.'

10 It is not told elsewhere that Aulë was the most eager among the Valar that the Elves should be summoned to Valinor. Cf. what is said earlier in Laws and Customs (p. 219, found in both texts, but not elsewhere) concerning the motive of the Valar in bringing the Elves to Aman.

11 As with the reference to Aulë mentioned in note 10, it is not told elsewhere that Ulmo dissented from the decision of the Valar to bring Melkor to Mandos. Cf. the passage in the first text of the Valaquenta, lost in the final form: '[Ulmo's] counsels grew ever away from the mind of Manwë' (p. 202).

12 At this point there originally followed: 'Then when others had spoken Manwë answered: 'There is reason in all that hath been said ...' Manwë's speech was apparently abandoned after a few lines, and the speeches of Nienna, Ulmo, and Vairë introduced; after which Manwë's speech reappears (p. 244).

13 This sentence ('And I doubt not ...') was subsequently placed in brackets.

14 nil is the old negative verb 'will not': thus 'will he or nil he' means 'whether he wills it or wills it not' (surviving as willy-nilly).

15 The text stops here, not at the foot of a page. It takes up again on a new sheet, in a rougher script that continues to the end of the work; but my father paginated this further text continuously with the preceding.

16 Ingoldo: the mother-name of Fingolfin (p. 230 note 22).

17 In the account of the marriage of Finwë and Indis in the present work (p. 238) there is no mention of this estrangement, or at least separation. In the final work on Chapter 6 of the Quenta Silmarillion, however, it is implied that Indis did not depart with Finwë to Formenos, because it is told that Fëanor's wife Nerdanel would not go with him into banishment and 'asked leave to abide with Indis' (p. 279, §33d).

18 On Míriel's entry into the House of Vairë see p. 263 note 9.

19 Firiel: see the Etymologies in Vol. V, p. 381, stem PHIR.