

Viking & Anglo-Saxon Science, Knowledge & Belief

A series of five explorations with Max Adams

In the last session we'll be drawing together many of the strands from this course and exploring how Insular and Viking cultures promulgated and responded to law-making and charters. Viking law-givers did not write their laws down; no Pictish or Scottish Laws from this period have survived; how can we understand their legal frameworks? Contained here are the bones of medieval and modern laws on theft, a person's value, the nature of oaths and a basic idea of how the king's peace should be administered.

The Treaty Of Ælfred and Guðrum

This is the peace which King Ælfred and King Guðrum and the councillors of the all the English race [Angelcynn] and all the people which is in East Anglia have all agreed on and confirmed with oaths, for themselves and for their subjects, both for the living and for those yet unborn, who care to have God's grace or ours...

First concerning our boundaries: up the Thames, and then up the Lea, and along the Lea unto its source, then straight to Bedford, then up the Ouse to Watling Street...

This is next, if a man is slain, all of us estimate Englishmen and Dane at the same amount..

Laws of Hywel the Good (from a 13th century manuscript)

The origin of bees is from paradise and because of the sin of man they came thence; and God conferred his grace on them, and therefore the mass cannot be sung without the wax. A mother-hive of bees is twenty-four pence in value. A first swarm is sixteen pence in value. A second swarm is twelve pence in value. A third swarm is eight pence in value. A mother-hive, after the first swarm has gone out of it, is twenty pence in value.

Every cause according to its contract; it is not a contract without contract men; a contract is to be abjured like suretyship. No one is to make a contract for another without his permission; neither a father for his son; nor a son for his father; because a contract does not last except during the life of him who makes it. Although a contract be made in opposition to law, it must be observed. A contract annuls a custom. Stronger is contract than justice. If a person promise chattels to another in the presence of witnesses and be afterwards desirous of denying it, it is not possible, unless the other's witnesses fail him. If he promise with no one in the place, let him swear on his own oath if he will.

If a husband and wife separate before the end of the seven years, thus is the furniture divided between them. The husband has what bedclothes shall be between him and the floor, and the wife has the coverlid. The husband has the corn, and the wife has the made flour. The husband has the plaid and the winnowing sheet and the dormitory bolster and

the coulter and the fuel axe and the handaxe and all the sickles save one sickle. The wife has the broad axe and the share and the spade and the one sickle and the middle auger; and the husband has all the irons save those. The wife has the ox car and the yokes and all the milk vessels save one pail, and all the dishes save one dish which the husband has. The wife has all the butter save one vesselful which the husband has; and if there be lumps of butter, the husband has one. The wife has all the flesh which shall be on the floor, salted and unsalted, and all the cheese which shall be in brine and unsalted; and the husband has all the hung flesh and cheese. The wife is to be in her house waiting for her share of the chattels until the end of the ninth day. A wife who shall declare herself to be pregnant when her husband shall die, ought to remain in her house until it shall be known whether she be pregnant; and if she be not pregnant, let her pay three kine camlwrw to the king; and let her leave the house and the land to the heir.

Laws of Wihtrred of Kent (670-725)

1. The church [is to be] free from taxation...

1.1. And the king is to be prayed for...

28. If a man from a distance or a foreigner goes off the track, and he neither shouts nor blows a horn, he is to be assumed to be a thief, to be either killed or redeemed.

Constantin II: laws at Scone (Chronicle of the Kings of Alba)

906: King Constantine and Bishop Cellach met at the *Hill of Belief* near the royal city of Scone and pledged themselves that the laws and disciplines of the faith, and the laws of churches and gospels, should be kept *pariter cum Scottis*.

II Athelstan: the Grately Code of about 926

2. Concerning lordless men. And we pronounced about those lordless men, from whom no justice can be obtained, that one should order their kindred to fetch back such a person to justice and to find him a lord in a public place...

8. Concerning landless men. And we have pronounced, that if any landless man took service in another shire, and afterwards returns to his kinsmen [any kinsman] is to harbour him on condition that he brings him to justice if he commits any offences there...

Ælfred's translation of Boethius's *Consolation of Philosophy*. 890s

XVII ... You know of course that no-one can make known any skill, nor direct and guide any authority, without tools and resources... In the case of the king, the resources and tools with which to rule are that he have his land fully manned: he must have praying men, fighting men and working men. ... These then are their means of support: land to live on, gifts, weapons, food, ale, clothing and whatever is necessary for each of the three classes of men.