

Name: \_\_\_\_\_ Date: \_\_\_\_\_



Imagine you are a judge at an Anglo-Saxon trial. Read the details of the cases and decide whether the person is innocent or guilty. If they're guilty, decide on a punishment. Use Information Sheet A to help you.

### Case 1

Aethelbert has been brought to court by his fellow tithingmen who accuse him of attacking the head tithingman's son, Wulfric, and breaking his right arm.

Wulfric gives evidence, saying that Aethelbert had been drinking and had accused Wulfric of stealing some money. He then attacked Wulfric with a bit of wood and broke his arm.

Aethelbert says that Wulfric fell over after drinking and broke his arm, and he had nothing to do with it.

Wulfric's father then brings further witnesses in to swear they saw Aethelbert but not Wulfric drinking that night and accuse Wulfric of stealing money. Aethelbert cannot bring any witnesses forward.

Is Aethelbert guilty or innocent?

If he is guilty, what should his punishment be?

### Case 2

A woman, Kineburh, has been accused of stealing some clothes. She was the washerwoman for another family who say she stole their clothes. Kineburh says someone else stole them from her house.

The family cannot produce any witnesses, and neither can Kineburh.

Is Kineburh guilty or innocent?

If she is guilty, what should her punishment be?

### Case 3

Hob has been found guilty of stealing money and food from his neighbours several times before. He has been ordered to pay wergild in compensation but has never paid it.

The tithingmen in his village have brought him to court for the latest crimes. They produce 12 witnesses who all swear to seeing Hob taking things or having what they know are stolen goods in his house.

Is Hob guilty or innocent?

If he is guilty, what should his punishment be?

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Imagine you are a judge at an Anglo-Saxon trial. Read the details of the cases and decide whether the person is innocent or guilty. If they're guilty, decide on a punishment. Use Information Sheet B to help you.

## Case 1

Baldric, who is 13 years old, has been brought to court by his fellow tithingmen to answer for breaking the nose of his friend, Dunn.

Baldric confesses to breaking his friend's nose in a wrestling match.

Is Baldric guilty or innocent?

If he is guilty, what should his punishment be?

## Case 2

Godan has been brought to court because she is accused of saying that Jesus was not the son of God and did not come back to life.

Godan cannot give a straight answer and does not seem to know what's happening to her.

Her accuser, a woman called Leofe, says she heard Godan say these things in church during a sermon. She brings several witnesses to confirm what she reports.

The tithingmen of Godan's village have organised several oath-takers who can swear that Godan doesn't know or mean what she's saying and is taken care of by the people of the village because she cannot look after herself.

Is Godan guilty or innocent?

If she is guilty, what should her punishment be?

## Case 3

Ceorl is accused of murdering the nobleman Athelric. He has fled justice and cannot be found. Athelric's wife and son appear as witnesses to say they saw Ceorl, who was one of their villeins, running out of their house covered in blood just before they found Athelric's body.

Other witnesses come forward to describe how Ceorl had sworn to kill Athelric after he had been whipped for stealing. Ceorl's wife appears as a witness to affirm that her husband was very angry at Athelric and to ask for the court to help her now her husband has deserted her.

Is Ceorl guilty or innocent?

If he is guilty, what should his punishment be?

What can the court do for Ceorl's wife?

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Can you answer these questions about crime and punishment in Anglo-Saxon and Viking Britain?

What was the most common form of crime and how was it punished?

Name three officials who were associated with keeping the peace:

Explain what trial by ordeal was and when it was used:

What was weregild and how was it used?

In what cases could a person be put to death as a punishment?

What is your opinion of the Anglo-Saxon and Viking justice system and why?

## Anglo-Saxon and Viking Crime and Punishment



### What crimes were there?

- Theft was 74% of all crime
- Murder was about 18%
- Arson, counterfeiting coins, treason and all others: 8%

### How were crimes detected?

The king appointed a shire-reeve (sheriff), who appointed a hundredman, who then appointed a tithingman. All these men had the responsibility of keeping the peace and bringing criminals to justice. They also all held criminal courts.

### What happened at a trial?

At a Saxon trial there were no lawyers and a jury would decide guilt or innocence. Witnesses could be brought forward to decide whether a person was guilty or innocent. Trial by ordeal happened when no witnesses could be found. Trial by fire could include having to walk over red-hot ploughshares. Trial by water was to get a stone from a boiling pot. In all these trials, if the accused was unharmed, God had performed a miracle and they were innocent.



### What punishments were there?

Different amounts of compensation could be paid to the victim or victim's family for the loss of a person, an injury or theft. In Kent in AD 603, the following wergild applied:

- Broken tooth – 1 shilling
- Broken nose – 6 shillings
- Lost finger – 10 shillings
- Lost thumb – 20 shillings
- Lost foot – 50 shillings



If the crime was very serious a person could be outlawed. This meant they could be killed without any punishment. Punishment by death was very rare, but did happen for treason and murder.

## Anglo-Saxon and Viking Crime and Punishment



### What crimes were there?

The most common crime was theft, of money, food or belongings. Here is a breakdown of all the reported crime in Anglo-Saxon and Viking England.

- Theft: 74% of all offences
- Murder: 18%
- Receiving stolen goods: 6%
- Arson, counterfeiting coins, treason and all others: 2%

### How were crimes detected?

In the early Anglo-Saxon period (from AD 500-1000), criminals were caught and brought to justice by local people. In the 11<sup>th</sup> century under the later Anglo-Saxon and Viking kings, this was made more official. The king appointed a shire-reeve (sheriff), he appointed a hundredman, who then appointed a fithingman. All these men had the responsibility of keeping the peace and bringing criminals to justice. They also all held courts.

### What happened at a trial?

At a Saxon trial there were no lawyers and a jury would decide guilt or innocence. The accused could swear an oath and if he could produce 12 men to swear they believed him, he would be declared innocent. Alternatively, witnesses could be brought forward to decide whether a person was guilty or innocent.

Trial by ordeal happened when no witnesses could be found. Trial by fire could include having to walk over red-hot ploughshares. Trial by water was to get a stone from a boiling pot. In all these trials, if the accused was unharmed or had minimal injuries from which they quickly recovered, God had performed a miracle and saved them to prove their innocence. In another trial decided by God, the accused would consume the Eucharist (bread and wine believed to be the blood and body of Jesus) and would choke if guilty.



### What punishments were there?



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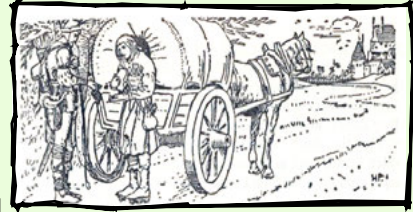
If the crime was very serious, such as persistent and significant theft or murder, a person could be outlawed. This meant they were cast out of society and were not protected by the law. They were to be treated like a wild animal and could be killed without any punishment. A nobleman would be exiled instead which meant that he was sent to a different country.

Punishment by death was very rare but did happen for treason and murder and gradually became more common. Boys as young as 12 had to swear an oath to keep the peace and could be treated as adults if they committed a crime. Around AD 930, King Athelstan of Wessex raised the age of criminal responsibility to 16.



## A Guest of Robin Hood

Robin Hood was in his forest lair in Barnsdale with his Merry Men. He was bored. He said to the men, "I will not dine until we have a guest here to share our food with." He sent out Little John, Much the miller's son and Will Scarlett to fetch an interesting guest to liven up the feast.



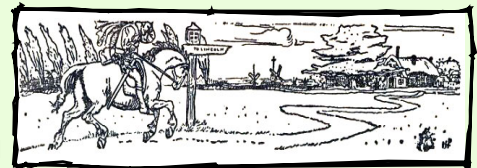
They found a knight, Sir Richard at the Lee, who rode in simple clothes. There never was a worse dressed man to ride on a summer's day. They convinced him to go and dine with them in the forest. It was a lavish meal and Sir Richard enjoyed it very much. At the end of the meal, Robin asked him to pay for the food he had just eaten.



Sir Richard was very poor and couldn't pay a thing. "I have nothing in my coffers," said the knight, "that I would not be ashamed to offer." They worked out that he only owned 10 shillings in the whole world because he had sold all his goods and mortgaged his house and land to the Abbot of St Mary's for £400 to bail his son, who had committed a murder. Robin agreed to lend him the money to pay back the abbot, and Sir Richard swore to pay him back.

Little John took part in an archery contest, using the name of Reynold Greenleaf, put on by the Sheriff of Nottingham. He won and the sheriff asked him to join his household. Little John promised the sheriff some good hunting and lured him into the lair of Robin Hood. The sheriff didn't like sleeping under the greenwood tree like an outlaw and swore to Robin Hood that he'd be a good friend to him if only he'd let him go, which he did.

Sir Richard, in the meantime, arrived at St Mary's to pay back the abbot but pretended at first to be as poor as he was before he met Robin Hood. The abbot revelled in Sir Richard's inability to pay back his debt and refused to give him any more time to find the money. Eventually, Sir Richard went over to a table and emptied a bag of £400 on it. The abbot was stunned and annoyed. Sir Richard travelled home to find £400 to repay the generous outlaw.



Meanwhile back in Barnsdale, Robin was bored again. He got his men to bring him another guest. This time it was a monk from St Mary's. Robin praised God that he had sent this monk to repay the money they lent to the knight. The monk denied all knowledge of the money, but when his bags were searched Robin actually finds £800! God saw fit to repay them double! They send the monk on his way. Sir Richard then arrived to pay back the £400, but instead Robin refused the money and gave him the extra £400 they got from the monk.

The Sheriff of Nottingham put on another archery contest, which Robin Hood and all his men took part in, in disguise. Robin won but the Sheriff knew it was them and raised the hue and cry against them. He got a posse to chase them but they escaped to Sir Richard's castle and holed up there. The sheriff laid siege to the castle with no luck. Eventually the sheriff went to London to ask the king to intercede with Sir Richard. In the meantime, Robin Hood and his men escaped to the forest again.

The king is very angry and comes to Nottingham. He found he couldn't take Sir Richard's lands away because no-one would have them in case Robin Hood attacked them. So the king dressed up as an abbot and went into the forest to meet him. They were found by Robin's men and taken for a feast. After the feast Robin's men had an archery contest and Robin buffeted his men round the head if they missed. In the end, the king (disguised as the abbot) buffeted Robin round the head because he missed. The abbot is surprisingly strong and was revealed as the king, at which point Robin Hood and his men all submitted to his will. He pardoned them all and took them into his service.



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Can you answer these questions about crime and punishment in Anglo-Saxon and Viking Britain?

What was the most common form of crime and how was it punished?

**Theft. This was usually punished by paying compensation (weregild). In cases of persistent theft, the criminal could be outlawed.**

Name three officials who were associated with keeping the peace:

**Shire-reeve (sheriff), hundredman and tithingman.**

Explain what trial by ordeal was and when it was used:

**Trial by ordeal happened when no witnesses could be found to decide whether the person was innocent or guilty. It involved challenging the person to do something dangerous, e.g. walking over hot coals. If they weren't injured, it was a sign that God was proving their innocence. If they were injured, they were declared guilty.**

What was weregild and how was it used?

**Weregild was compensation that was paid to the victim of a crime. The amount of weregild paid depended on the crime.**

In what cases could a person be put to death as a punishment?

**Outlaws (persistent or dangerous criminals) could be put to death. You could also be put to death for treason and murder.**

What is your opinion of the Anglo-Saxon and Viking justice system and why?