

2

**ALFRED THE KING:
WAR & LAW**

**Part One
WAR**

Today we are going to be hearing about Alfred as King, under which heading come aspects of ruling: in particular of war and law. To get the feel of the topics in half an hour and across time, back a thousand years, we are going to be using contemporary written accounts, interspersed with some poetry of the period, to give it all a feeling of immediacy. In the first half we shall be dealing with war. The prose pieces are from the Anglo-Saxon Chronicle. Monks working at different centres, notably Winchester, Canterbury and Peterborough, compiled this historical work. In the main the Anglo-Saxon Chronicle is a fairly dry chronological record, written in Old English, of events in England from the beginning of the Christian era to the middle of the twelfth century. However, it also contains some vivid passages, particularly of the struggle between the Saxons and the Danes in Alfred’s period, 893-897.

In between the prose I will read sections of some contemporary poems, to give an added dimension and sense of reality to the prose Chronicle. The poems, from *The Battle of Brunanburh* waged in 937 by king Aethelstan, and also from the poem *A Fight at Finnsburh*, and from the poem *The Battle of Maldon*, all fairly contemporary with Alfred, you should get the feeling of the hand to hand contests that were so central in the warfare of the time. You may also pick up a sense of confusion, which no doubt also echoes the reality of 9th and 10th century close combat warfare. The first name you will hear is Brunanburh: unfortunately identification of the place name has proved impossible, but we do know it was fought between the Norse from Ireland, and the West Saxons under Aethelstan and Eadmund. However I do appeal to you to relax on the historical accuracy and absorb the strength of the images, which vividly convey what would have been Alfred’s experience of war.

From the Battle of Brunanburh

*King Athelstan, the Lord of warriors, patron of heroes
and his brother too, Prince Edmund,
won themselves eternal glory in the battle
with the edges of their swords, round Brunanburh.
They broke the wall of shields.
The sons of Edward with their well-forged swords,
slashed at the linden-shields;
such was their nature from boyhood,*

*that in battle they had often fought
for their land,
its treasures and its homes
against all enemies.*

When we say ‘King’ we may tend to think of our own monarchy, which has titular power in the country and the Commonwealth, but is now a much-reduced power. Perhaps a better word would be influence. Alfred’s influence was significant but in the smaller geographical area of Wessex. The major threat to his power came from the Danes: a threat that had taxed Alfred’s father Aethelwulf when he was king; his brother, Aethelred when he was king; and then Alfred himself. Alfred’s kingship was a hands-on military affair, playing cat and mouse with the Danes. Alfred won some battles and he lost some. He won the battle at Ashdown in 865, but was defeated at Basing, after which Alfred fell back into the most inaccessible parts of Wessex. This we shall hear more about in Alfred’s Winchester, which is the penultimate talk of the series.

This next passage from **The Battle of Brunanburh** speaks of the losers of the battle, that is, the Norseman’s chief, and Constantius from the northern land:

*There the Norseman’s chief
Was put to flight, and driven by dire need
With a small retinue, to seek his ship.
The ship pressed out to sea, the king departed
Onto the yellow flood and saved his life.
Likewise old Constantius came,
The veteran, to his northern native land
By flight. He had no reason to exult
In that encounter; for he lost there, friends,
and was deprived of kinsmen in the strife
upon that battlefield, and left his son,
destroyed by wounds, on that grim place of slaughter.*

From The Saxon Chronicle in which the battles of Reading and Basing are described. “A.D.871. This year came the army to Reading in Wessex; King Aethelred and Alfred his brother led their main army to Reading, where they fought with the enemy; and there was much slaughter on either hand, Alderman Aethelwulf being among the slain, but the Danes kept possession of the field. And about four nights after this, King Aethelred and Alfred his brother fought with all the army on Ashdown, and the Danes were overcome. There were many thousands slain.”

Having written of the losers in **The Battle of Brunanburh**, we now hear of the victors in the battle:

*The brothers also both went home together,
The king and prince returned to their own country,
the land of Wessex, triumphant in the war.
They left behind them corpses for the dark
black-coated raven, horny-beaked, to enjoy:
and for the eagle, white-backed and dun-coated,
the greedy war-hawk, and that grey wild beast
the forest wolf. Nor has there on this island
Been ever yet a greater number slain before
This time, as books make known to us, and old
And learned scholars tell, then hither came
The Angles and the Saxons from the east,
Over the broad sea sought the land of Britain
Proud warmakers, victorious warriors,
Conquered the Welsh, and so obtained this land.*

From The Saxon Chronicle, AD 871:

Within a fortnight of the Danes being overcome, king Aethelred and Alfred his brother fought with the army at Basing; and there the Danes had the victory. About two months after this King Aethelred and Alfred his brother fought with the army at Marden. They were in two divisions; and they put them both to flight, enjoying the victory for some time during the day; and there was much slaughter on either hand. After the Easter of this year died King Aethelred. He reigned five years, and his body lies at Wimborne Minster. Then Alfred his brother, the son of Aethelwulf, took to the Kingdom of Wessex.

From ‘The Fight at Finnsburgh’

*Now starts war; the carrion-birds shall sing,
the grey-cloaked wolf shall yell, the spear resound,
shield answers shaft.
Now shines the wandering moon behind the clouds.
Now rise up deeds of woe,
which will bring suffering upon this people.
But wake yourselves my warriors, now take your shields,
and set your minds on gallant deeds.
Fight at the front and be noble of heart.
Then, many a treasure-laden thane arose
And then strapped on their shining swords.*

To conclude the poems, an excerpt from the 10th century poem *The Battle of Maldon*, slightly out of period but it conveys the confusion, the chaos, the sense of

hand-to-hand fighting, and the terrible carnage that these battles between Saxons and Vikings engendered.

*A warlike Viking soldier advanced.
His weapon raised, his shield in defence,
And strode towards the earl, who in return
Marched resolutely forth to meet the churl.
They each intended evil to the other.
The Viking hurled a javelin
So the leader of the troops was wounded
But thrust out with his shield so that the shaft
Was shattered and the spear sprang back again.
Enraged, the wounded Earl took up his spear and stabbed
The proud, rash Viking who had wounded him.
No novice was the earl, he made his spear
Pass through the young man's neck, guided his hand
So that he pierced the Viking, fatally.*

To conclude this section on war the final words come from F.M.Stenton, an early twentieth century historian, who contributed the volume ‘*The Anglo Saxons*’ to *The Oxford History of England*, published in 1947.

“Alfred’s place in history is not affected by the conclusions of his later wars. His early victories had saved the elements of English culture and learning from utter obliteration and the relations he maintained with Aethelred, Alderman of Mercia, had given a new unity of command to the forces available for their defence. He had created at least a rudimentary organisation for the protection of his people, and had made London, the greatest of English towns, an outpost against the national enemy. On my estimate, Alfred was the most effective ruler who had appeared in Western Europe since the death of Charlemagne.”

Musical Interlude: Alleluia

**PART TWO
LAW**

Alfred’s law code affords valuable evidence of those matters which the king considered to be of particular importance for ensuring social and political order: for example, he lays great stress on the keeping of oaths; he announces severe punishment for treachery to a lord, and especially for treachery to a king;

The fine for forcible entrance into the king’s residence is 120 shillings; the fine for the archbishop’s residence, ninety shillings; the fine for other bishops’ residences, or an alderman’s, sixty shillings.

But the law code was evidently intended to be more than a collection of announcements on matters of current concern to the king. The act of law making was a public display of the king’s royal power, and provided an opportunity for him to express his own political and ideological aspirations in legal form.

If anyone plots against the king’s life, by himself or by means of harbouring of fugitives or his men, he is to be liable for his life and all that he possesses.

The code is set in the context of biblical law. It begins with a series of quotations translated from the Book of Exodus, representing the law which Moses received from God on Mount Sinai, that is the Ten Commandments and the statutes which augmented them. Alfred then considers how the Old Testament legislation for the Jews was subsequently modified for application to Christian nations and augmented by successive councils of the Church. In this way Alfred places his own activity as a law-giver in what he regards as its proper context, a religious and biblical one.

Then I, King Alfred, gathered the laws together and ordered to be written down many of those that our forefathers observed. There were those that pleased me, and many there were that did not please me. The ones that did not please me I rejected. This was done with the advice of my councillors, who commanded them to be observed in a different way. Indeed, I dared not presume at all to set down in writing many of my own, since it was unknown to me what would please those who should come after me.

As a result of the work of many synods, there were fixed the compensations for many human misdeeds, and they wrote them in many synod books, here one law, there another. Alfred made many laws, which were pertinent to the situation of his time, and hearing those laws now helps us to imagine what life was like in the 9th century. Some are specific to that period; others have a familiar ring applicable through many generations. So, he made laws ...

On the owner’s liability for injury committed by his cattle;

On punishment for raping slave women;

On penalties for the murder of men of varying social status;

On the punishment for public slander;

On the penalty for raping a girl not of age;

On the liability of the maternal kinsman and associates of a man without paternal kinsman who kills another man;

On the distribution of the penalty due for killing a man without a kinsman;

On procedure when a man accuses another man of failing to carry out a promise made in God’s name;

On penalties for thefts of cows or mares and for driving off their young;

On the treatment of a priest who kills someone.

There were important features in Alfred’s laws, which were not derived from any known source and may be original. They included provisions for protecting the weaker members of society against oppression, and limiting the ancient custom of the blood-feud. A religious king, whose own life had once depended on the loyalty of his men, might have been expected to legislate in this spirit, and these provisions may be added to the evidence for Alfred’s character which is supplied by his writings.

Dealing with an enemy

If one aggrieved has enough power to surround his enemy and besiege him at home, he is to keep him therein for seven days and is not to fight against him if the enemy is content to remain inside; and then after seven days, if the enemy is willing to surrender and give up his weapons, he is to keep him unharmed for thirty days and send notice about him to his kinsmen and his friends.

If however the enemy reaches a church, it is then to be dealt with according to the privilege of the church.

*If however, he does not have enough power to besiege his enemy at home, he is to ride to the alderman and ask **him** for support; if the alderman is not willing to give him support, he is to ride to the king, before having recourse to fighting.*

Moreover we declare that a man may fight on behalf of his lord, if anyone is fighting against the lord, without incurring a feud; similarly, the lord may fight on behalf of his man.

In the same way, a man may fight on behalf of his born kinsman, if anyone attacks him wrongly, unless it is against his lord: that we do not allow.

King Alfred used to sit at judicial hearings for the benefit both of his nobles and of the common people, since they frequently disagreed violently among themselves at assemblies of aldermen and reeves (these are the king’s representatives in areas of the country), to the point where virtually none of them could agree that any judgement reached by the aldermen or reeves in question was just.

If judgements could not be made at this level because of disagreements, the separate parties could undertake to submit to the king’s judgement, a procedure, which both parties quickly hastened to implement. Alfred made laws

On penalties for assaulting women;

On penalties for burning and felling wood belonging to another man;

On accidental death caused by a falling tree;

On the father’s liability for the misdeeds of the deaf and dumb;

On a man’s liability in cases of crime committed with weapons lent to him by somebody else, and on the obligations of those who repair weapons or tools belonging to others.

It seemed to be in the King’s gift then, to order special calendar days to be set-aside as holy days, on which certain freedoms were allowed. It is interesting to note that they were tied into religious feasts and celebrations, except for the Ember days, which were four secular days when slaves could earn a small amount of personal wealth; Ember simply meaning the number four. Ironically, the Church later took over these days, and made them days of reflection on the Church’s ministry.

These days are to be given to all free men, but not to slaves and unfree labourers: twelve days at Christmas; and the day on which Christ overcame the devil [15 February]; and the anniversary of St Gregory [12 March]; and the seven days before Easter and the seven after; and one day at the feast of St Peter and St Paul [29 June]; and in harvest time the whole week before the feast of St Mary [15 August]; and one day at the feast of All Saints [1 November] . And the four Wednesdays in the four Ember weeks are to be given to all slaves, to sell to whomsoever they please anything of what anyone has given them in God’s name, or of what they can earn in any of their spare time.

The King was an extremely astute investigator in judicial matters as in everything else. He would look carefully into nearly all the judgements which were passed in his absence anywhere in his realm, to see whether they were just or unjust, and if he could identify any corruption in those judgements.

Accordingly, if the judges in question were to confess, after all, that they had indeed passed judgement in such a way because they had not known better in the circumstances; then the king, admonishing their inexperience and foolishness with discretion and restraint, would reply as follows:

‘I am astonished at this arrogance of yours, since through God’s authority and my own, you have enjoyed the office and status of wise men, yet you have neglected the

study and application of wisdom. For that reason, I command you either to relinquish immediately the offices of worldly power that you possess, or else to apply yourselves much more attentively to the pursuit of wisdom.'

We leave it there with rather harsh but timely words from Alfred, but no doubt wisdom needed strength to rule, and Alfred needed to maintain standards of conduct as well as order. He did all this through his faith and his insight into scripture, as well as with a deep knowledge of human nature; and the country remains in his debt to this day.

Music: Agnus Dei

In two weeks' time we are going to be looking at Alfred's Winchester. We shall be trying to see what Winchester meant for him and his time. We shall be hearing about the connection of the needlework of the nuns, and of the saintly Edburga, to the Nunnaminster prayer book. And we shall be touching on the battle of the historians over the burial and reburial of Alfred's mortal remains, all in Alfred's Winchester.

Music from *Christmas in Royal Anglo-Saxon Winchester: 10th-century Chant from the Winchester Troper*

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