

# The Origins of Political Order and the Anglo-Saxon State

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How do ordered political societies come about – and what can archaeology offer to the debate? New research by a team at the UCL Institute of Archaeology is investigating the origins of English governance by exploring the impact on landscape of legal structures, law and order, and places of political assembly. Far from being shadowy and elusive, we argue that there is much that landscape archaeology can provide to understand the ways in which pre-modern societies were governed.

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In his recent work, *The Origins of Political Order* (2011),<sup>1</sup> Francis Fukuyama outlines – through a comparative study of past societies – a general model of state formation. In it, he defines three mutually supporting developments leading from tribal- to state-level societies: the emergence of ‘a strong and capable state, the state’s subordination to a rule of law and government accountability to all citizens.’ Understanding developments in these three spheres is, he argues, fundamental to grappling with wider issues of global development in the past.

The shift embodied in this work, away from mono-causal dynamics in state development – such as warfare, economics, or geography – to focus more specifically on individual and collective action, the development of legal and political frameworks, and the role of religion and authority in society, provides an important model for re-assessing past states. Whilst the former may still play their part, it is the interweaving of the latter, complex and context-specific developments in social and political institutions, which lies at the heart of understand-

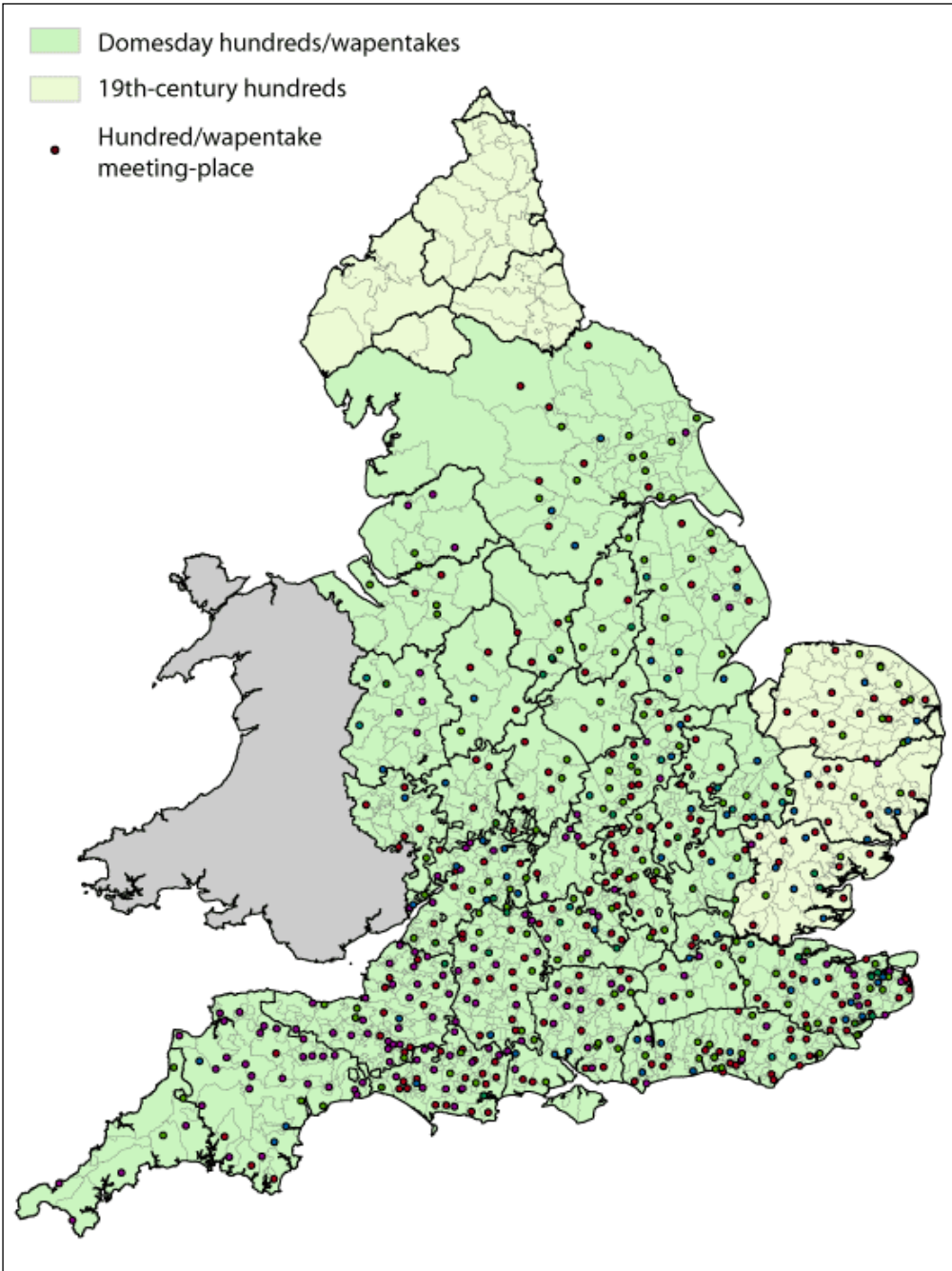
ing state formation and decay. From an archaeological perspective, this emphasis on law, governance and ‘state-ness’ in past societies has yet to feature prominently in the literature.

As for other times and places, Fukuyama’s thesis has far-reaching implications for assessing the development of states in medieval Europe. This remains one of the most commonly cited examples wherein tribal groups – the Germanic barbarians who occupied the area of the former Roman empire during the 4th and 5th centuries AD – gradually assumed Fukuyama’s three levels of modern political order. Amongst the various polities that emerged after Rome, political historians – including Fukuyama – have zeroed in on England as a special case. It was here in the 18th century that these three elements were united for the first time, but their roots can be traced much earlier.

A three-year project, ‘Landscapes of Governance’, funded by a major award from the Leverhulme Trust, seeks to examine the origins of political order in England AD 400–1066. It is a main contention of the project that key transitions in the formation of the state (e.g. territorial coherence, rule of law, state apparatus) were made during this period. Moreover, in early medieval England,

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**Fig. 1:** Map of England showing the arrangement of Domesday hundreds and wapentakes and the location of their meeting-places, as recorded in 1086.

a combination of archaeological and linguistic evidence provides a rich resource for the reconstruction of law, governance, state institutions and their physical traces in the

landscape. The project which is now at the halfway stage is directed by Professor Andrew Reynolds, at the UCL Institute of Archaeology, with Professor Barbara Yorke (University

of Winchester) and Dr Jayne Carroll (University of Nottingham) as co-investigators. The two full-time research fellows are Dr Stuart Brookes (based at the Institute of Archaeology) and Dr John Baker (based at Nottingham's Institute for Name Studies).

### **Looking for the roots of law, civil society and states in Anglo-Saxon England**

Mechanisms for settling disputes existed in all tribal-level societies, and those of post-Roman Europe from the 6th century onwards were no exception. Significantly, as they are recorded in contemporary sources, these groups were legally constituted not so much by territorial affiliation as by social association (e.g. the laws of the Salian, Riparian and Burgundian Franks which relate to peoples rather than to fixed territories). In common with this pattern, the earliest legal code produced in England at the court of the Kentish King Æthelberht (c.600) was aimed at mediating in-group conflict. Æthelberht's code outlines an elaborate series of payments, connected with the notion of *leodgeld* – or *wergild* (a man's price, or blood-price), through which kindred could be compensated by the initial wrongdoer for injuries resulting from robberies, brawls or fights. Evidently, many disputes appear to have been settled without the intervention of officials; the role of kings was simply to administer justice when necessary and to uphold and clarify points of custom.

Significantly, the first clause of Æthelberht's code also records how 'the peace of a meeting [is to be paid for] with a two-fold compensation' indicating that, from their earliest inception, legal disputes were settled at pre-determined locations. Many of these assembly-sites can be identified today by triangulating written, archaeological and toponymic sources. A crucial source in this regard is Domesday Book, the great survey of holdings and liable taxes of much of England and parts of Wales completed by the Normans in 1086. Amongst the information recorded by the Domesday survey is geographical data on the estates, manors and vills, and on the

administrative territories (hundreds and wapentakes)<sup>2</sup> to which they belonged (**Fig. 1**). These territories were in general named after their meeting-places, and toponymic analysis of these names can often identify – sometimes very precisely – the locations where the assemblies were held.

One of the most fascinating features of early medieval assembly-sites is their outdoor setting. Whereas towns were the central places of classical societies, representing the apogee of societal development throughout much of the Ancient World, early medieval societies – and not just those of the British Isles – were based on the concept of public assembly within a framework of non-urban social complexity. The location of assembly-places in the landscape is therefore of great significance to understanding how they were used, by whom, and for what purposes. Characteristically, open-air assembly-sites are almost always associated with routes of communication and movement, being usually located at the meeting-points of estate boundaries – and often incorporating prominent topographical features.

One explanation behind these aspects is that of ensuring the neutrality of places, the core function of which was one of mediation. The conduct of such business in the open air perhaps reflects a deep-seated concept in the early medieval mind of the necessity to remain unconstrained by structural space, which can likewise be observed not only in the setting of local courts, but also in elite contexts, such as major church councils and meetings between royalty and nobles. Whereas the boundaries of kingdoms and local judicial districts were often viewed as liminal places, the meeting-points of the boundaries of lesser local territories, within the limits of hundreds, represented places which lay in neither one local estate nor the next, but in a place deemed to be neutral.

The names of hundred meeting-places reveal a range of further important issues. In some cases the names of pre-Christian gods, including Woden and Thor, are to be found in district and assembly-site names,



**Fig. 2:** Locating Anglo-Saxon meeting-places: several meeting-places are located in close proximity to such distinctive hills as Silbury Hill, Wiltshire (top), Summerhouse Hill, Kent (centre), and Picked Hill, Wiltshire.

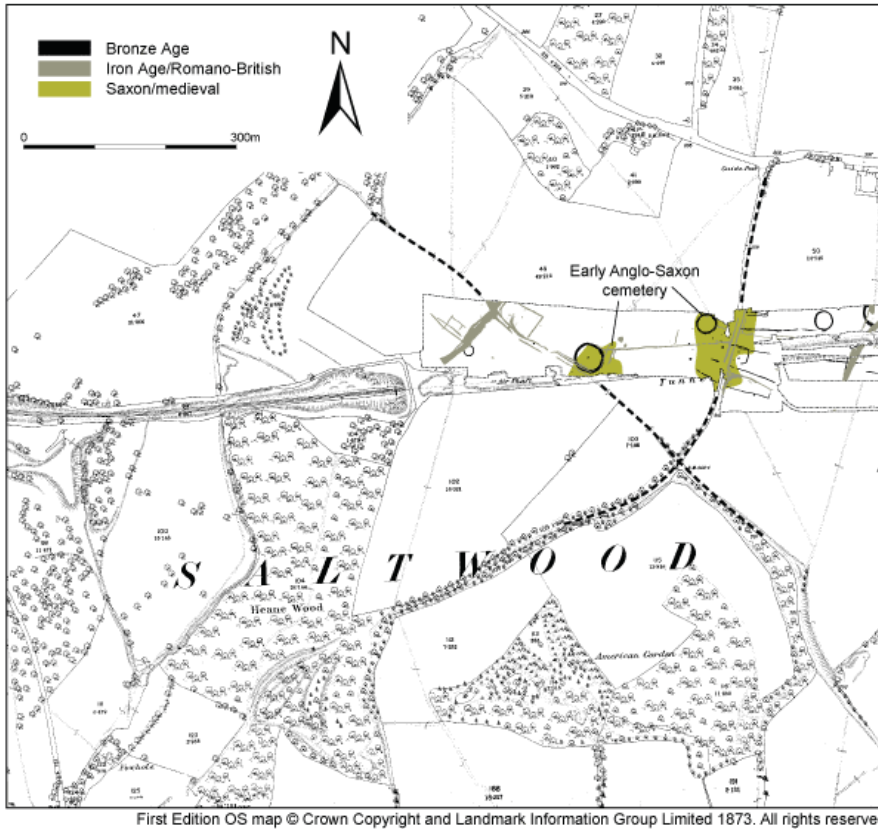
e.g. Thunderlow in Essex; other place-names include the elements *weoh*, *wih* 'idol' – as in Wye hundred, Kent – or 'shrine', and *hearg* 'heathen temple'. Physical associations with Roman temples or former pagan shrines further suggest possible continuities with earlier important symbolic and ritual central-places. In other cases meeting-places, specifically or tangentially, reference Christian symbolism, such as 'thorns' (mentioned in the names of

ten separate hundreds), 'crosses' (eight), and related terms such as *rōd*, *bēam* and *trēow*.

Other terms reveal something of the physical nature of the assembly-site itself. Thus Rowborough/Rowbury – a hundred name in Devon, Dorset and Wiltshire – refers to the 'rough (uncultivated) hill' where meetings took place. Similarly, Kinwardstone, Wiltshire, is a hundred which takes its name from Cynweard's Stone where the court met. In some cases, names correspond with ancient monuments still identifiable in the modern landscape, particularly burial mounds and standing stones, such as the Neolithic long barrow at Pimperne, Dorset, which was the meeting-place of *Langeburgh* hundred, and the Tibble Stone in Gloucestershire – a roughly cylindrical stone, on a busy intersection, which gave its name to the Domesday hundred. In other cases local topography may also have been significant (**Fig. 2**).

Further assemblies were held at seemingly mundane features such as crossroads, bridges and standing posts, where accessibility and prominence appear to have been primary concerns in co-ordinating meetings. Others appear to reflect the communal origin of assemblies with names such as 'manshead', 'mansbridge', and 'barrow of the freemen'. Indeed, the role of assembly-places in tribal organisation is further emphasised by the proximity of a number of sites with places of mortuary deposition, in particular cemeteries of the 5th and 6th centuries.

Evidence for just such an association is provided by excavations which took place in advance of the Channel Tunnel Rail Link at Saltwood, 8km west of Folkestone, Kent.<sup>3</sup> Here was revealed a late 5th- to 8th-century cemetery of c.219 individuals arranged in three plots, each focussed on a Bronze Age barrow, to either side of an Iron Age trackway (**Fig. 3**). Significantly, the site of the cemetery was recorded as being the meeting-place of the local Domesday hundred, Heane (Heane Wood Barn is still located less than 250m south-west of the western cemetery), consisting of the medieval parishes of Saltwood and Postling. It is most probable, therefore, that this coin-



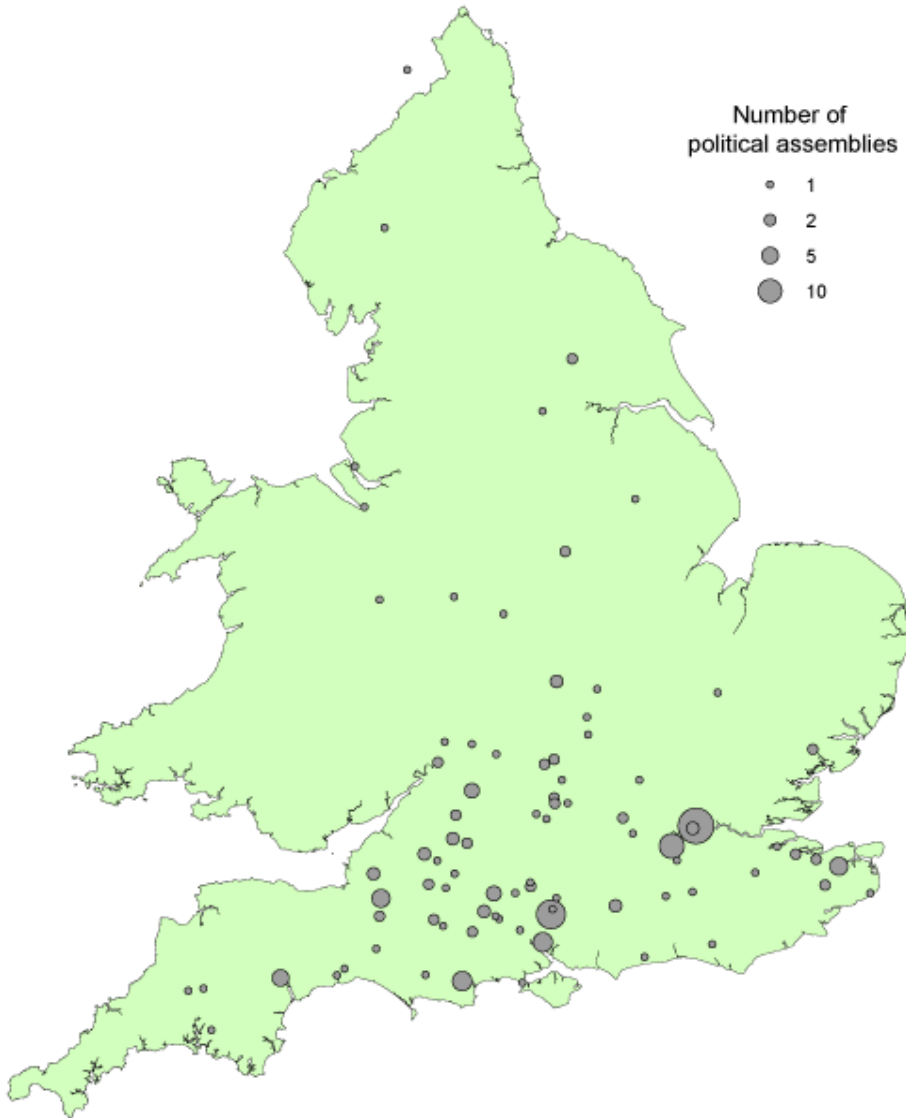
**Fig. 3:** Saltwood: a model of landscape continuity. Excavations have demonstrated the existence of a fossilised landscape: trackways in use in the 19th century have been revealed to date to the Iron Age, whereas three groups of Anglo-Saxon burials cluster on Bronze Age and early medieval barrows which, in turn, became the site of a medieval open-air assembly-place, remembered as ‘Heane Wood’.

cidence records the transition from a pagan-period folk cemetery to a hundred meeting-place, which was to continue as a centre of local administration until at least 1279.

### Tribal- to state-level transitions

The ability to regulate and prevent feud is viewed as a key means by which elites achieved dominance during the emergence of aristocracies and the institution of kingship over the course of the later first millennium AD.<sup>4</sup> Whether elites exploited existing *fora* for dispute settlement or created *de novo* institutions is, however, unclear. Comparison between types and locations of assembly-places may provide some clues. ‘Folk’ assemblies such as those of Saltwood

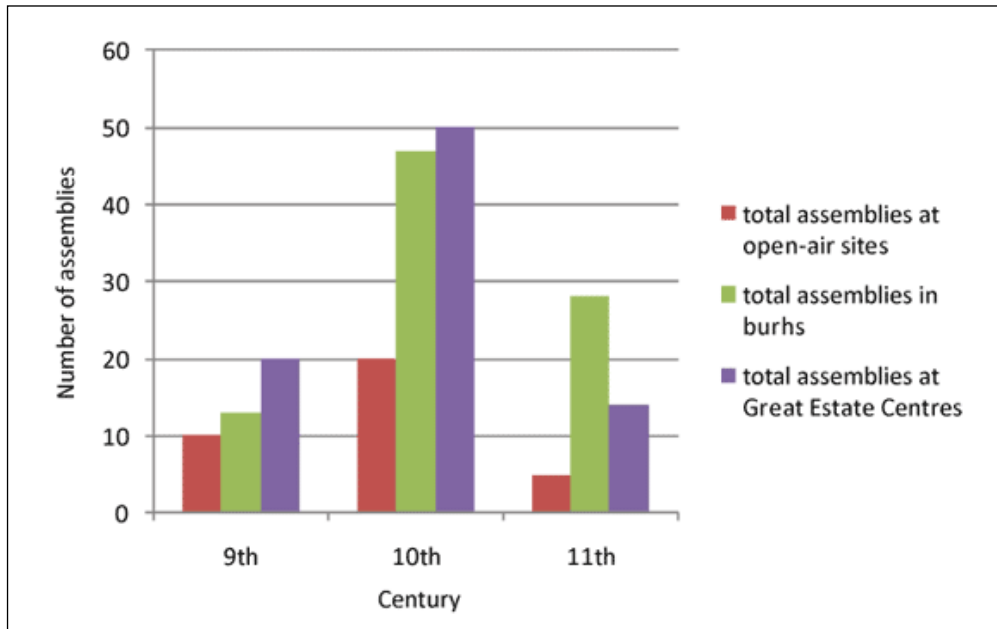
can be contrasted with royal gatherings – the *witenagemot* – which were precursors to the formal parliament of the later middle ages. Amongst the many roles of these assemblies was to act as a court of appeal to decisions made at local courts, to legislate (by promulgating new law codes) and to deliberate ecclesiastical questions.<sup>5</sup> These assemblies are documented in narrative sources and charters,<sup>6</sup> and can be mapped against the locations of hundredal meeting-places (Fig. 4). Over the course of the 9th, 10th and 11th centuries, these gatherings show an increasing preference for urban sites (*burhs*) over open-air sites, reflecting the emerging power of urban centres over traditional rural estate-centres and palaces (Fig. 5).



**Fig. 4:** The frequency of political assemblies – the *witangemot* – as recorded in later Anglo-Saxon written sources.

Further evidence for the shift from tribal- to state-level institutions can be gleaned from the shape of administrative territories themselves (**Fig. 1**). Judging by the form and regularity of the hundredal geography in some parts of England, it seems likely that some territories at least are the product of a phase of later Anglo-Saxon administrative reorganisation. For example, in

Northamptonshire and Surrey, it is likely that there was a deliberate policy during the 10th and 11th centuries to rationalise the layout of hundreds; in the Weald, on the other hand, it seems that some hundreds were yet to be defined at the time of Domesday Book. Retrogressive analysis of the hundredal geography can reveal startlingly systematic groupings of hundreds,



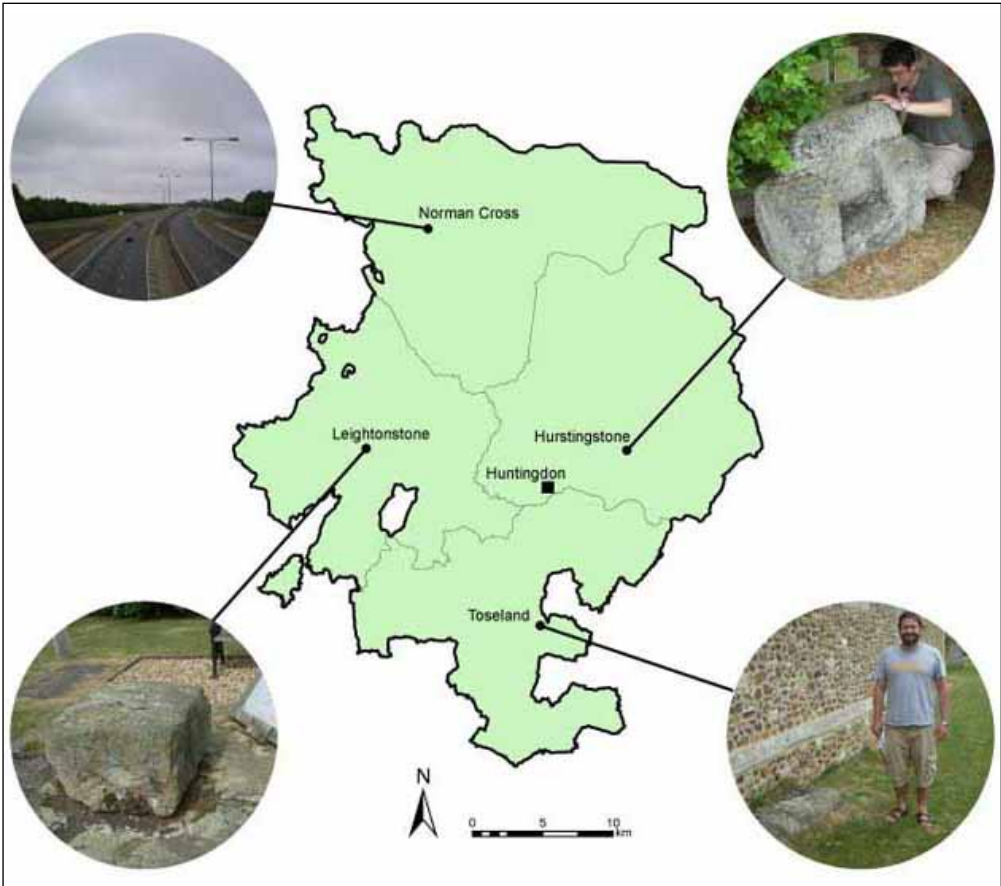
**Fig. 5:** The changing locations of the *witangemot* during the 9th, 10th and 11th centuries.

reflecting episodes of the top-down imposition of state-level administration. Huntingdonshire, for example, is subdivided into four equal parts arranged around the urban centre of Huntingdon, each with a cross or stone marking the meeting-place (**Fig. 6**), but whether this arrangement is the product of Viking or West Saxon authority remains to be determined.

It is likely that, in at least some of these cases, assembly-places were deliberately created to facilitate local administration. Excavations in 1977–78 of a mound now behind the public library in the centre of Milton Keynes revealed a flattened eminence c.25m diameter, encircled by a ditch c.1m across.<sup>7</sup> The mound had probably once stood at least 2m high, but there was no evidence found of it ever having been used to mark a grave. It was known to 18th-century antiquaries as the tumulus of Selly Hill and, in all probability, was the meeting-place of the Buckinghamshire hundred of Secklow, recorded in Domesday Book. The Secklow evidence suggests that some meeting mounds were artificially created, perhaps in the 10th or 11th centuries. Analyses of the territorial arrangement of many hundreds, particularly in

the Midlands, suggest that during this period West Saxon kings implemented a range of administrative reforms, often rationalising and simplifying the organisation of earlier, less regular groupings. The Secklow mound may be physical evidence of this development.

In other cases, the form of hundreds and shires can be related closely to older tribal units, and it is likely that in these areas the administrative organisation of the 11th century was superimposed onto earlier groupings. A good example of this phenomenon is provided by the three lathes (groupings of hundreds) of eastern Kent. Even though they are not recorded before the 10th century, these lathes may have originated as internal subdivisions of the kingdom of east Kent as early as the 6th (**Fig. 7**). The named central places of the three eastern lathes, of Sturry, Eastry and Lyminge, are central to regions (Thiessen or Voronoi polygons) roughly corresponding to their form in 1086, but they also lie central to dense clusters of early Anglo-Saxon burial. It is possible that such internal provinces, appearing in contemporary sources as the Latin *regiones*, or 'regions', may have originated as small-scale tribal areas or folk groups in their own right, or



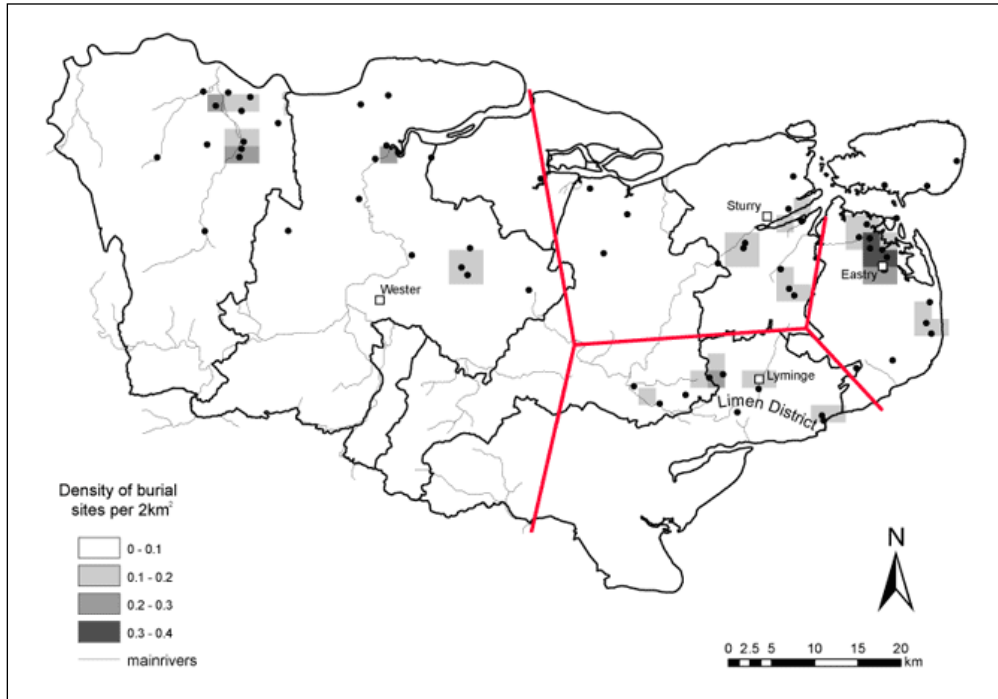
**Fig. 6:** The Domesday geography of Huntingdonshire shows a remarkably uniform pattern of hundreds arranged around the *burh* of Huntingdon, with each hundred being named after a distinctive stone or cross: Toseland (perhaps remembering a Danish earl, Toggles, who is mentioned in the *Anglo-Saxon Chronicle* as having died in the battle of Tempsford in 921); Leightonstone ('leek-enclosure/herb-garden stone'); Hurstingstone ('wooded-hill dweller's stone'); and Normancross.

as a supra-local system of regional administration pre-dating that of the hundred.

The workings of local courts must be reconstructed using a range of written evidence which increases in terms of both range and quality over time. By the 10th century, evidence for the promulgation of law becomes increasingly common in a range of legislative measures, such as the law codes of Alfred, Æthelred II and Cnut.<sup>8</sup> From writings of the period it is clear that earlier tribal affiliations (such as West Saxon, Mercian, or Kentish) had gone some way towards being replaced by a wider notion of *Angelcynn*, or 'The English', united beneath

a single monarch.<sup>9</sup> Furthermore, Domesday Book, as has been highlighted in detail by Robin Fleming,<sup>10</sup> also records a range of legal information documenting legal customs, legal or illegal activity, the existence of litigators, witnesses and jurors. From these various sources it is clear that the late Anglo-Saxon state had achieved a measure of impartial law – limiting the power of kings and commoners alike, as well as the framework for a universal court system wherein many of the administrative responsibilities of kings devolved away from royal courts to local representatives in the shire and hundred assemblies.





**Fig. 7:** The lathes of Kent, in 1086, with a density plot of early Anglo-Saxon burial sites in Kent and Thiessen polygons calculated around the *gē* settlements (lathe capitals) of eastern Kent.

This court system required apparatus, facilities, manpower and expertise. The record of a trial held not long after the Norman Conquest, in 1075 or 1076, at a shire court on Pinnenden (now Penenden) Heath, near Maidstone, makes this clear. To settle a dispute between Lanfranc and Odo, Bishop of Bayeux and Earl of Kent, the elderly Æthelric, formerly bishop of Selsey, was – by the king's command – brought to the trial to advise on the proceedings because he was well versed in the customary rights and practices of the law.<sup>11</sup> The use of an elderly cleric to provide impartial judgement and to apply the law demonstrates – amongst other things – how deeply Christianity had established itself by this time as a separate legal authority above that of political rulers.

The penetration of religious law into civil structures is recognised archaeologically in the location of many – particularly urban – assembly-sites. Often these are located in neutral ground lying between royal and eccle-

siastical vills, thereby echoing the tension between religious and political authority. At Gloucester, for example, the site of the Anglo-Saxon meeting-place of *Dudestan* hundred is likely to have been on the north side of the city, midway between the royal manor of Kingsholm and the ecclesiastical centre located within the Roman walls of Gloucester.

The success of states rested also on the implementation of the rule of law, a feature dramatically evidenced by the 30 or so known Anglo-Saxon execution sites which are located on the boundaries of hundreds – and also of kingdoms – from the later 7th century onwards.<sup>12</sup>

## Conclusions

The ending of Roman Britain during the early decades of the 5th century AD marked a social and cultural watershed. The disappearance of many of the features associated with complex societies – towns, trade, industry and public works – has led to a common

perception of the succeeding period, the early middle ages (5th–11th centuries) as a gradual 'recovery', prior to the emergence of later medieval – and ultimately modern – society. Such a view is partly the result of a lack of written evidence relating to social organisation during the first two centuries following the withdrawal of Roman imperial administration, but it can also be attributed to crude comparisons between classical and non-classical societies (e.g. of art and architecture, material culture, and the form and nature of settlements).

Fukuyama's model of political order argues that the legacy of Rome has been much overstated. An equally significant contribution to the emergence of modern European states is to be sought in the social and cultural complexity of early medieval societies and, in particular, in the historically-particularist development of the individual polities of north-western Europe. Apart from setting the agenda for state-formation research, Fukuyama's thesis encourages researchers to explore key issues in the emergence of political order, not least civil society, social formation, government and legal apparatus. These subjects have often been seen as the domain of the political historian, but as outlined here, they are also entirely suited to a landscape-based approach. Our project aims to revolutionise our view of social complexity during this formative period.

### Notes and References

- 1 Fukuyama, F. (2011), *The Origins of Political Order*, London: Profile.
- 2 Later Anglo-Saxon England was divided up into self-contained judicial districts called hundreds. Each hundred nominally contained 100 hides of land, the hide being a measure of land productivity rather than physical area: a single hide - at least in the time of the Venerable Bede (early 8th century AD) - was considered appropriate for the support of one family. Thus, each hundred contained many households and communities. In the areas of northern and eastern England that were conquered and settled by the Vikings in the later 9th and 10th centuries, the term wapentake was also used to describe local territories of an equivalent function to the hundred. The term is derived from Old Norse *vápnatak*, a word meaning 'to take weapons', i.e. to brandish them in assent of a motion at an assembly.
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