***Lex Salica* (Law of the Salian Franks)**

The *Lex Salica* is the first Germanic law code. The original edition of the code was commissioned by the first king of all the Franks, Clovis I (c. 466–511) and was written sometime between 507 and 511. Clovis appointed four commissioners to research the ancient usages and legal practices of the Salian Franks – until the publication of the *Salic Law*, these laws and procedures had been recorded only in the minds of designated elders, who would meet in council (the general assembly or “Thing”) when their knowledge was required. Transmission of the law had been entirely oral before Clovis commissioned the code to facilitate governing his new kingdom. The name of the code, *Lex Salica* or law of the Salian Franks, comes from the fact that Clovis ruled only the Salian Franks before unifying Francia (modern France) in 509.

Note that the punishments listed in the *Lex Salica* are a series of fines for various infractions like theft, arson, rape, murder, etc. These fines (also known as *wergeld*, blood money, or compounding money) were designed to compensate the victim or the victim’s family for the injuries they had suffered and to prevent the start of a bloodfeud between families, in which members of the injured family were bound to protect their honor by enacting revenge upon the perpetrator of the crime or his family members. While most crimes were considered crimes against individuals or families, and fines were paid to the victim or their family, some crimes were considered crimes against the king and the fines were paid to him.

Not only is the *Lex Salica* the earliest Germanic law code, it is also one of the earliest surviving documents produced by a Germanic tribe. The Germanic tribes were pre-literate before their contact with Rome and left us no written sources about themselves until the 6th century. All of the earliest sources we have about the Germanic tribes were produced by Roman authors such as Tacitus. Are there any claims Tacitus makes in the *Germani*a that you can confirm or refute using the evidence in the *Lex Salica*?

**Title I. Concerning Summonses.**

1. If any one is summoned before the "Thing" (general assembly) by the king's law, and does not come he shall be sentenced to 600 denars (Roman denari), which make 15 shillings (Roman solidi).

2. But he who summons another, and does not come himself, shall, if a lawful impediment has not delayed him, be sentenced to 15 shillings, to be paid to him whom he summoned.

3. And he who summons another shall walk with witnesses to the home of that man, and, if he is not at home, he shall bid the wife or any one of the family to make known to him that he has been summoned to court.

4. But if he [the person to be summoned] is occupied in the king's service he cannot summon him.

5. But if he [the person to be summoned] shall be inside the hundred seeing about his own affairs, he can summon him in the manner explained above.

**Title XIII. Concerning Rape committed by Freemen.**

1. If three men carry off [an abduction was usually for the purpose of a clandestine marriage to which the girl has agreed but her parents have refused permission] a free born girl, they shall be compelled to pay 30 shillings.

2. If there are more than three men, each one shall pay 5 shillings.

3. Those who shall have been present with boats shall be sentenced to three shillings.

4. But those who commit rape shall be compelled to pay 2500 denars, which make 63 shillings. [note that rape is different from abduction]

5. But if they have carried off that girl from behind lock and key, or from the spinning room, they shall be sentenced to the above price and penalty [63 shillings].

6. But if the girl who is carried off is under the king's protection, then the "frith" (peace-money) shall be 2500 denars, which make 63 shillings.

7. But if a bondsman of the king, or a leet, should carry off a free woman, he shall be sentenced to death.

8. But if a free woman follows [runs off with or marries] a slave of her own will, she shall lose her freedom.

9. If a freeborn man shall have taken an alien bondswoman [as wife], he shall suffer similarly.

10. If anybody takes an alien spouse and joins her to himself in matrimony, he shall be sentenced to 2500 denars, which make 63 shillings.

**Title XIV. Concerning Assault and Robbery.**

1. If any one has assaulted and plundered a free man, and it has been proved on him, he shall be sentenced to 2500 denars, which make 63 shillings.

2. If a Roman has plundered a Salian Frank, the above law shall be observed.

3. But if a Frank has plundered a Roman, he shall be sentenced to 35 shillings. [note that Franks get preferential treatment and pay less for plundering a Roman than a Roman must pay for plundering a Frank]

4. If any man should wish to migrate, and has permission from the king, and shall have shown this in the public "Thing;" whoever, contrary to the decree of the king, shall presume to oppose him, shall be sentenced to 8000 denars, which make 200 shillings.

**Title XV. Concerning Arson.**

1. If any one sets fire to a house in which men were sleeping, as many freemen as were in it can make complaint before the "Thing;" and if any one was burned in it, the arsonist shall be sentenced to 2500 denars, which make 63 shillings.

**Title XVII. Concerning Wounds.**

1. If any one has wished to kill another person, and the blow has missed, he on whom it was proved shall be sentenced to 2500 denars, which make 63 shillings.

2. If any person has wished to strike another with a poisoned arrow, and the arrow has glanced aside, and it shall be proved on him; he shall be sentenced to 2500 denars, which make 63 shillings.

3. If any person strikes another on the head so that the brain appears and the three bones which lie above the brain project, he shall be sentenced to 1200 denars, which make 30 shillings.

4. But if the blow landed between between the ribs or in the stomach, so that the wound appears and reaches to the entrails, he shall be sentenced to 1200 denars, which make 30 shillings-besides five shillings for the physician's pay.

5. If any one has struck a man so that blood falls to the floor, and it is proved on him, he shall be sentenced to 600 denars, which make 15 shillings.

6. But if a freeman strikes a freeman with his fist so that blood does not flow, he shall be sentenced for each blow-up to 3 blows-to 120 denars, which make 3 shillings.

**Title XVIII. Concerning him who, before the King, accuses an innocent Man.**

If any one, before the king, accuses an innocent man who is absent, he shall be sentenced to 2500 denars, which make 63 shillings.

**Title XXIV. Concerning the Killing of little children and women.**

1. If any one has slain a boy under 10 years-up to the end of the tenth year-and it is proved on him, he shall be sentenced to 24000 denars, which make 600 shillings.

3. If any one has hit a free woman who is pregnant and she dies, he shall be sentenced to 28000 denars, which make 700 shillings.

6. If any one has killed a free woman after she has begun bearing children, he shall be sentenced to 24000 denars, which make 600 shillings.

7. After she can have no more children, he who kills her shall be sentenced to 8000 denars, which make 200 shillings. [note that the fine for killing a free women woman past her child bearing years is equal to that for killing a freeman in Title XLI.1]

**Title XXX. Concerning Insults.**

3. If any one, man or woman, has called a woman harlot [*meretrix* or prostitute], and has not been able to prove it, he shall be sentenced to 1800 denars, which make 45 shillings.

4. If any person has called another "fox," he shall be sentenced to 3 shillings.

5. If any man has called another "hare," he shall be sentenced to 3 shillings.

6. If any man has brought it up against another that he has thrown away his shield, and has not been able to prove it, he shall be sentenced to 120 denars, which make 3 shillings.

7. If any man has called another "spy" or "perjurer," and has not been able to prove it, he shall be sentenced to 600 denars, which make 15 shillings.

**Title XLI. Concerning the Murder of Free Men.**

1. If any one has killed a free Frank, or a barbarian living under the Salic law, and it has been proved on him, he shall be sentenced to 8000 denars [200 shillings].

2. But if he has thrown him [the victim] into a well or into the water, or has covered him with branches or anything else to conceal him, he shall be sentenced to 24000 denars, which make 600 shillings.

3. But if any one has slain a man who is in the service of the king, he shall be sentenced to 24000 denars, which make 600 shillings.

4. But if he has put him in the water or in a well, and covered him with anything to conceal him, he shall be sentenced to 72000 denars, which make 1800 shillings.

5. If any one has slain a Roman who eats in the king's palace, and it has been proved on him, he shall be sentenced to 12000 denars, which make 300 shillings.

6. But if the Roman was not a property owner and a table companion of the king, he who killed him shall be sentenced to 4000 denars, which make 100 shillings.

7. But if he has killed a Roman who was obliged to pay tribute, he shall be sentenced to shillings.

9. If any one has thrown a free man into a well, and he has escaped alive, he [the criminal] shall be sentenced to 4000 denars, which make 100 shillings.

**Title LIX. Concerning Private Property.**

1. If any man dies and leaves no sons, if the father and mother survive, they shall inherit.

2. If the father and mother do not survive, and he leaves brothers or sisters, they shall inherit.

3. But if there are none, the sisters of the father shall inherit.

4. But if there are no sisters of the father, the sisters of the mother shall claim that inheritance.

5. If there are none of these, the nearest relatives on the father's side shall succeed to that inheritance.

6. But of Salic land [ancestral land as opposed to land that was acquired by purchase, gift, conquest, or some other manner] no portion of the inheritance shall come to a woman: but the whole inheritance of the land shall come to the male sex. [A capitulary of King Chilperic dated around 575 expands this and allows daughters to inherit Salic lands in the absence of sons.]

**Title LXII. Concerning Wergeld.**

1. If any one's father has been killed, the sons shall have half the compounding money (wergeld); and the other half the nearest relatives, on the mother's side as well as on the father's side, shall divide among themselves.

2. But if there are no relatives, paternal or maternal that portion shall go to the fisc [the king’s treasury].