

Crime and Punishment: c1000–c1500

Church Influence



Learning Objective

To understand the role of the Medieval Church in crime and punishment.

Success Criteria

- To explore how criminals were tried by Church courts in Medieval England.
- To understand the power of the Church in English society in relation to the law.
- To analyse biblical text.

Alphabet Association



Examine the picture here and note down as many words as you can that are associated with it. You may only use words beginning with C, F and R.



Trial by Ordeal



As Themis discovered when visiting the past, trial by ordeal was a popular way of deciding whether an accused person was innocent or guilty of a crime.

The Church controlled these ordeals, in fact you couldn't go through an ordeal without a member of the **clergy** present.

On your **Trial by Ordeal Activity Sheet**, you will find four popularly-used trials. For each ordeal, give it a rating that shows how horrible it was, how easy the ordeal was to 'pass' and write an evaluation of which trial you think would be most preferable to go through and why.



Key Terms

Clergy – part of the Church authority;
Priests, Bishops etc.

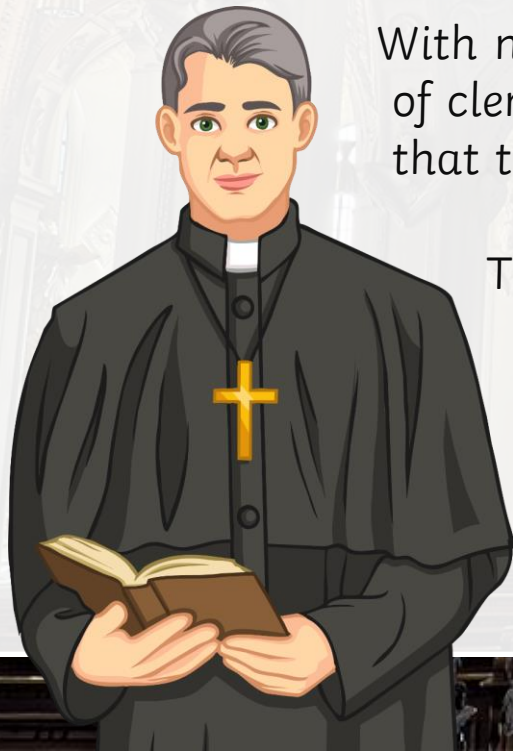


Trial by Ordeal



Now that you have rated the ordeals and explained which one you would rather go through, it may well be that trial by consecrated bread was your first choice of ordeal to go through.

Most people in Medieval England thought this too, but it was only available to the clergy. **Laypeople** had to use the other forms of ordeal, leading to many people pretending to be clergy even though they weren't!



With no photographic ID, fingerprinting or reliable register of clergy, it was relatively easy for criminals to pretend that they were members of the Church.

The Church recognised this however, and came up with a cunning plan...



Key Terms

Laypeople – 'normal' citizens that are not clergy.

Psalm 51



The Church decreed that, since the clergy were the only members of society that could read, they must prove their position by reading Psalm 51 from the Bible.

With a partner, read through Psalm 51 and annotate the text with five annotations. These annotations should show:

- what the accused person is admitting to;
- what the accused person is asking God for.

Pause for Thought

How do you think clever criminals could get around this test to see if they were clergy or not? Why do you think Psalm 51 became known as the 'neck verse'?



Benefit of Clergy



Psalm 51 was not only used by people to receive a kinder ordeal, being part of the clergy also came with other benefits.

The **Benefit of Clergy** was the right of clergy to be tried only in Church courts and not the king's court. This had many benefits; execution was quite a rare punishment in Church courts, preferred punishments included being sent on pilgrimage or giving a public apology.

This benefit meant that the clergy were almost untouchable by the king – he could not exert the authority he wished over them.



Use your **Church Influence Activity Sheet** and the information presented here to explain what the Benefit of Clergy was.

Sanctuary



Being part of the clergy was not the only way a person could escape the authority of the king. Any person accused of a crime could go to a church and seek sanctuary.

Many churches (but not all) allowed people to confess their crimes on holy ground. If they did so they were given 40 days to leave the country. The king's authority could not touch them unless the 40 days had elapsed.

Some criminals made sure they committed crimes close to a church in order to make sure they would have protection afterwards!



King vs Church



During the three periods we have studied, the Church was the absolute religious authority. Non-Christians were a minority and a persecuted part of English society, with Jews being entirely **banished** from England in 1290. This meant that the Church was a powerful influence in people's lives. The king may protect your land and body, but the Church protected your soul.

The Church took its authority from God and the Pope in Rome. There was tension between Church and state as successive kings decided they wanted to take power away from the Church to strengthen their own authority.

Late Medieval England saw a gradual erosion of Church powers over crime and punishment, but the Church remained strong from c1000–c1500.

Use your **Living Timeline Cards** and your **Activity Sheet** to create a living timeline that shows the respective power of these two authorities.

c1000 The Church is a major authority in England. Every village and town contains a church that overlooks all other buildings.	c1290 Jews are expelled from England making Christianity the sole religion.	1215 The Pope declares that trials by ordeal should not be organised by priests. This leads to the end of such trials.
1164 Henry II demands that clergy found guilty in Church courts should be punished in king's court at the Council of Clarendon.	1536 Henry VIII ends the rules of sanctuary, meaning that criminals could no longer be saved by the Church.	1215 Trial by jury is written into the Magna Carta, stating that people should be tried by their peers, rather than the Church.

Save Themis!



Themis has gone on another trip to Medieval England, this time with the intention of learning more about the way the Church interacts with the state.

Unfortunately, Themis seems to have got herself into some trouble on this journey. We received an urgent message from her in the form of a raven with a note and a copy of Psalm 51 held in its beak...

*Please help. Have been accused of lying.
Accidentally said potato was my favourite
vegetable. Potato not discovered yet.
What should I do?!*

With a partner, write a response to Themis giving her the best advice possible to escape from this situation.



Quick Quiz



With a partner, check your knowledge of crime and punishment c1000 to c1500 with this quick quiz. Record your answers on your activity sheet.

- 1) How were criminals caught in Anglo-Saxon England?
- 2) What were the Forest Laws?
- 3) What does the word 'deterrence' mean?
- 4) What was the punishment for speaking slander (lies)?
- 5) What did William I build in England to show his authority?
- 6) What does JP stand for?
- 7) What was trial by combat?
- 8) Give one example of a crime against authority.





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