

Medieval crime


Laws help to maintain order in society. They let us know what sorts of behaviour will get us in trouble. We know we need to obey these rules if we want to stay out of trouble. Just like today, there were laws during the Middle Ages. These laws were made by the Catholic Church or the monarch (king or queen).

Common crimes during the Middle Ages were theft, vagrancy, treason and heresy.

- **Theft** made up almost three-quarters of all crime. It was very common because most people were poor, and they struggled to survive from one day to the next. They often stole food for themselves and their families just to stay alive. One of the most common types of theft was poaching. **Poaching** is trespassing onto another person's land to hunt or steal their livestock.
- It was also illegal to be homeless. A homeless person was called a **vagrant** and homelessness was called **vagrancy**.
- **Treason** was any act of rebellion or betrayal against the monarch or the Church. Treason was considered an extremely serious offence because it weakened a country's power.
- **Heresy** was when a person held an opinion that did not agree with the teachings of the Church, or when a person said things that went against the beliefs and rules of the Church. A **heretic** was a person who didn't agree with the Church. Heresy was not only considered a crime, it was also seen as a sin against God.

Lawmakers believed that the way to make sure people obeyed laws was to make punishments as frightening as possible. Even people who committed petty (less serious) crimes, such as stealing small amounts of food, were treated harshly.

Guilty or not guilty?

 **1** Read the Resource sheet 'Medieval crime'. Have each of the following medieval citizens committed a crime? Circle the correct answers.

- a)** This person has / has not committed a crime. If so, what is the name of the crime? _____



I took a cabbage from the farmer's garden without paying for it. I only took it because my family is starving. Besides, the farmer would never even notice.

I went hunting on my neighbour's land and caught a rabbit. My neighbour gave me permission.



- b)** This person has / has not committed a crime. If so, what is the name of the crime? _____

- c)** This person has / has not committed a crime. If so, what is the name of the crime? _____



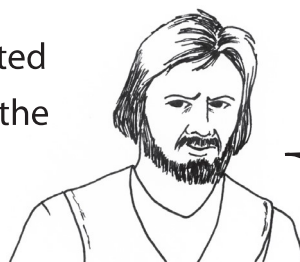
I am very poor and have nowhere to live. I wander from one village to the next and sleep on the road. It is cold and I am often sick, but I have no choice.

I think the king is cruel and unfit to lead. I've invited the townsfolk to a meeting at my house tonight. I want to discuss ways we can get rid of the king.



- d)** This person has / has not committed a crime. If so, what is the name of the crime? _____

- e)** This person has / has not committed a crime. If so, what is the name of the crime? _____



I think the Catholic Church is full of nonsense. I often attend church services just so I can heckle the priest giving the sermon.

Medieval courts

There were three types of law courts in Europe during the Middle Ages.

Church courts

Church courts were used to judge members of the clergy, such as monks and nuns. Church courts were more forgiving than other courts, and they could not sentence anyone to death.

Manorial courts

Manorial courts heard matters to do with manors (the fiefs owned by lords). They also dealt with crimes such as assault, drunkenness and theft of small items. Everyone in the village had to attend a manorial court. The villagers would elect a **jury** of twelve men. Witnesses would give **evidence** and then the jury would decide whether a person was guilty or not guilty. A trial in the manorial court was known as a '**trial by jury**'.

Royal courts

Royal courts were the highest courts. They heard cases of murder, treason and any theft of royal property. Guilt or innocence was decided in a '**trial by ordeal**'. There were three types of ordeal:

- Ordeal by fire – The **accused** held a hot iron bar and walked four paces. If the wound healed, they were judged as innocent, but if it didn't they were guilty.
- Ordeal by water – The hands and feet of the accused were tied together and the person was thrown into a river or lake. If they drowned, they were judged as innocent, but if they floated they were guilty.
- Ordeal by combat – The accused would fight his accuser, sometimes to the death. If the accused won, he or she would be declared innocent.



A nun accused of a crime was tried in a church court.

Medieval law and order

 Read the Resource sheet 'Medieval courts'. Answer the following questions.

1 Trial by jury took place in which court?

2 Cases involving nuns or priests were heard in which court?

3 What ordeal would you have been put through if your hands were burned?

4 In an ordeal by water, how would a person be found innocent?

5 Of the three medieval courts, which court do you think would be the most fair? Why?

6 Which court do you think would have been the least fair? Why?

During the Middle Ages, there were no police officers to enforce the law. The responsibility for maintaining law and order fell to ordinary citizens. Every member of a medieval community had to play their part in keeping the peace.

7 Write down two ways that we maintain law and order in our society today.

Medieval punishments

Lawmakers in the Middle Ages believed that the best way to maintain order was through fear. They believed that if punishments were harsh enough, people would avoid committing crimes in the first place. As a result, medieval punishments could be quite severe, even for crimes that were not very serious.

There was no **police force** in Medieval Europe, and there was only a limited number of small jails in built-up areas. Both these facts meant that lawmakers had to find ways to quickly determine guilt or innocence and even faster ways of punishing people. The idea was to speed up the legal process as much as possible and to scare people enough that they did not dare break the law.

The most common punishments included being **fined** and being put in the **stocks**. It was also common for guilty people to have a part of their body (such as a hand or an ear) cut off as punishment.

The most extreme form of punishment was, of course, being sentenced to death. This is called **capital punishment**. The most confronting things about medieval capital punishment was the various ways people could be killed. They could be strangled, hanged, drowned or set alight, or they could be **hanged, drawn and quartered**. This final method was especially brutal. The guilty person was first hanged until they were almost – but not quite – dead. Then the person was ‘drawn’ – which meant disembowelled – while they were still alive. Finally, they were quartered, which meant they were beheaded and then cut into four pieces.

 **1** How do medieval punishments compare to modern-day punishments?

2 Fear of punishment is one way of getting people to do the right thing. What is another way?
