

Trial by Ordeal (1000-1300)

"The word ordeal is Anglo-Saxon, meaning 'judgment'."

http://www.pinoylaw.com/trivia_a.htm



rior to the Inquisition, the Medieval people used Trials by Ordeal to prove the innocence or guilt of an accused. The different ordeals fell under three basic categories: trial by fire, water, and combat. There were some variations and combinations of these, but the purpose and principle remained constant. Regardless of the innocence or guilt of the accused, the ordeals were severely painful and often detrimental. However, they were not originally intended to kill the accused, and the “proven” innocent generally survived.

In the trial by fire the accused was burned in some way; after three days the burn was inspected. If the wound was infected the person was guilty, but if it was not, then the accused was innocent. Alternate forms of this trial included the trial by hot iron, the trial by boiling water, and the trial by hot coals.



Figure 1: A portrayal of Otto III's wife enduring trial by hot iron in order to protect his honor.

The trial by water had few variations. To perform the trial by water, the official would usually bind the accused and lower or throw him into a body of consecrated, “Holy,” water. If the person sank the Holy Water had “accepted” him, thus proving his innocence, and he was removed from the water before he drowned. However, if he floated the water “rejected” his evil and he was guilty. In some instances the officials would not bind up the accused.

Medieval Noble classmen used Ordeal by Combat to prove their innocence. The injured or accused party would fight the accuser, either one-on-one, or two-on-two. In order to perform this ordeal, the accused would refute the accusation while swearing on the Bible. Then, the accuser would reiterate his accusation; also swearing on the Bible. The duel would begin thereafter. When the fight was finished, the winner was believed to be supported by

God.

FORMULA FOR CONDUCTING THE ORDEAL OF BOILING WATER

“It was believed that people would only learn how to behave properly if they feared what would happen to them if they broke the law.”

<http://www.schoolhistory.co.uk/year7links/life/lawandorder.pdf>

The Ordeal of Boiling Water is a composite of Trial by Fire and Trial by Water; it was usually carried out by a priest. The person to be tried was taken to the church, where the ordeal would take place. A prayer was said over every action to be made and object to be used to ensure that the ruling would come about by the hand of God. After all of the preparations, including sprinkling holy water on and around the kettle to protect against the influences of the devil, the arm of the accused is plunged into the water and immediately removed then bandaged. Three days later the burn was inspected to determine if there was infection. Here is the full documented procedure:

Let the priest go to the church with the prosecutors and with him who is about to be tried. And while the rest wait in the vestibule of the church let the priest enter and put on the sacred garments except the chasuble and, taking the Gospel and the Chrismarium and the relics of the saints and the chalice, let him go to the altar and speak thus to all the people standing near: Behold, brethren, the offices of the Christian religion. Behold the law in which is hope and remission of sins, the holy oil of the chrisma, the consecration of the body and blood of our Lord. Look that ye be not deprived of the heritage of such great blessing and of participation in it by implicating yourselves in the crime of another, for it is written, not only are they worthy of death who do these things, but they that have pleasure in them that do them.

Then let him thus address the one who is to undertake the ordeal: I command thee, N., in the presence of all, by the Father, the Son, and the Holy Ghost, by the tremendous day of judgment, by the ministry of baptism, by thy veneration for the saints, that, if thou art guilty of this matter charged against thee, if thou hast done it, or consented to it, or hast knowingly seen the perpetrators of this crime, thou enter not into the church nor mingle in the company of Christians unless thou wilt confess and admit thy guilt before thou are examined in public judgment.

Then he shall designate a spot in the vestibule where the fire is to be made for the water, and shall first sprinkle the place with holy water, and shall also sprinkle the kettle when it is ready to be hung and the water in it, to guard against the illusions of the devil. Then, entering the church with the others, he shall celebrate the ordeal mass. After the celebration let the priest go with the people to the place of the ordeal, the Gospel in his left hand, the cross, censer and relics of the saints being carried ahead, and let him chant seven penitential psalms with a litany.

... “Thou didst liberate the three youths from the fiery furnace and didst free Susanna from the false charge, so, O Lord, bring forth his hand safe and unharmed from this water.” ...

Prayer over the boiling water: O God, just judge, firm and patient, who art the Author of peace, and judgest truly, determine what is right, O Lord, and make known Thy righteous judgment. O Omnipotent God, [...] this water being heated by fire. Thou that didst save the three youths, Sidrac, Misac, and Abednago, cast into the fiery furnace at the command of Nebuchadnezzar, and didst lead them forth unharmed by the hand of Thy angle, do Thou O clement and most holy Ruler, give aid if he shall plunge his hand into the boiling water, being innocent, and, as Thou didst liberate the three youths from the fiery furnace and didst free Susanna from the false charge, so, O Lord, bring forth his hand safe and unharmed from this water. But if he be guilty and presume to plunge in his hand, the devil hardening his heart, let Thy holy justice deign to declare it, that Thy virtue may be manifest in his body and his soul be saved by penitence and confession. And if the guilty man shall try to hide his sins by the use of herbs or any magic, let Thy right hand deign to bring it to no account. Through Thy only begotten Son, our Lord Jesus Christ, who dwelleth with Thee.

Benediction of the water: I bless thee, O creature of water, boiling above the



Figure 2: A portrayal of a Trial by Boiling Water.

fire, in the name of the Father, and of the Son, and of the Holy Ghost, from whom all things proceed; I adjure thee by Him who ordered thee to water the whole earth from the four rivers, and who summoned thee forth from the rock, and who changed thee into wine, that no wiles of the devil or magic of men be able to separate thee from thy virtues as a medium of judgment; but mayest thou punish the vile and the wicked, and purify the innocent.

Through Him whom hidden things do not escape and who sent thee in the flood over the whole earth to destroy the wicked and who will yet come to judge the quick and the dead and the world by fire. Amen.

Prayer: Omnipotent, Eternal God, we humbly beseech Thee in behalf of this investigation which we are about to undertake here amongst us that iniquity may not overcome justice but that falsehood may be subjected to truth. And if any one seek to hinder or obscure this examination by any magic or by herbs of the earth, deign to ring it to naught by Thy right hand, O upright judge.

Then let the man who is to be tried, as well as the kettle or pot in which is the boiling water, be fumed with the incense of myrrh, and let this prayer be spoken: O God, Thou who within this substance of water hast hidden Thy

most solemn sacraments, be graciously present with us who invoke Thee, and upon this element made ready by much purification pour down the virtue of Thy benediction that this creature, obedient to Thy mysteries, may be endued with Thy grace to detect diabolical and human fallacies, to confute their inventions and arguments, and to overcome their multiform arts. May all the wiles of the hidden enemy be brought to naught that we may clearly perceive the truth regarding those things which we with finite senses and simple hearts are seeking from Thy judgment through invocation of Thy holy name. Let not the innocent, we beseech Thee, be unjustly condemned, or the guilty be able to delude with safety those who seek the truth from Thee, who art the true Light, who seest in the shadowy darkness, and who makest our darkness light. O Thou who perceivest hidden things and knowest what is secret, show and declare this by Thy grace and make the knowledge of the truth manifest to us who believe in thee

Then let the hand that is to be placed in water be washed with soap and let it be carefully examined whether it be sound; and before it is thrust in let the priest say: I adjure thee, O vessel, by the Father and the Son and the Holy Ghost, and by the holy resurrection and by the tremendous day of judgement, and by the four evangelists, that is this man is guilty of this crime, either by deed or by consent, let the water boil violently, and do thou O vessel, tune and swing.

After this let the man who is to be tried plunge in his hand and afterwards let it be immediately sealed up. After the ordeal let him take a drink of holy water. Up to the time of the decision regarding the ordeal [a period of three days was allowed to elapse before the hand was examined] it is good thing to mix salt and holy water with all his food and drink

References

Primary Source

Medieval Sourcebook

<http://www.fordham.edu/halsall/source/water-ordeal.html>

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<http://www.schoolhistory.co.uk/year7links/life/lawandorder.pdf>

Trial Language

<http://www.tiersma.com/TRIAL/TRIAL.HTM>

History of the Medieval English Coroner System

<http://www.britannia.com/history/articles/coroner5.html>

Ways of Trials

http://www.pinoylaw.com/trivia_a.htm

More Information

Instruments of Torture Medieval to Modern

<http://groups.msn.com/InstrumentsofTortureMedievaltoModern/trialbyordeal1.msnw>

Inquisition

http://www.witchery.ca/witchcraft/inquisition_t.htm

http://orb.rhodes.edu/encyclo/culture/towns/florilegium/gvjust_i.html

Credits

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