



Crime and Punishment in Medieval Times: The Life, Trial, and Execution of Joan of Arc

A lesson on historical perspective and the evolution of legal
systems and government

Teacher Introduction

This lesson may assist teachers with Social Studies – 7th Century to 1750 – Grade 8 curriculum and understanding the evolution of legal and political systems. Studying how societies have dealt with crime and punishment over time is one very graphic demonstration of how social, political, and legal systems have historically developed.

While it is tempting to focus on the brutality and seeming arbitrariness of medieval justice and use that as a straight forward demonstration of “how far we have come,” a more valuable and potentially more interesting lesson would approach the topic as an opportunity to learn about historical perspective. Teaching historical perspective means instead of asking a question like “how would it feel to be a victim of medieval justice” we would ask students to imagine what people were thinking at the time. In this way, we take them beyond “presentism” or assuming people have always been like us. It is an important lesson and one that can greatly enhance the “understanding” based on Social Studies inquiry processes and skills.

The lesson studies the life, trial, and execution of Joan of Arc, and examines their relation to current legal processes, demonstrating changing notions of law and how legal categories of right and wrong (as well as broader public perceptions) change over time. The lesson is intended to give students a deeper understanding of why historical events unfolded as they did.

Some of the elements of the evolution of legal systems and government that are taken up in the lesson include:

- The changing role of religion and the emergence of the separation of church and state;
- The concepts of due process, justice and fairness;
- The notion of equality under the law (in terms of class and gender);
- Changing notions of punishment;
- The relationship of democracy to fairness in law.

Student-directed learning and inquiry

Educators and governments are increasingly recognizing the benefits of student-directed learning and inquiry. Students are encouraged to explore big ideas and investigate problems, to apply critical thinking processes, to take action, and to engage in communitarianism. The teacher’s role is to facilitate students’ learning, rather than to convey information.

New BC curriculum connections

This resource has direct application to the learning standards of the BC Ministry of Education’s Social Studies – 7th Century to 1750 Grade 8 curriculum. In particular, it focuses on the Content areas of:

- Social, political, and economic systems and structures, including those of at least one indigenous civilization
- Philosophical and cultural shifts.

Working with this resource will help students develop the following Curricular Competencies:

- Use Social Studies inquiry processes and skills to ask questions; gather, interpret, and analyze ideas; and communicate findings and decisions
- Assess the significance of people, places, events, or developments, at particular times and places (significance)
- Determine which causes most influenced particular decisions, actions, or events, and assess their short-and long-term consequences (cause and consequence)
- Explain different perspectives on past or present people, places, issues, or events, and compare the values, worldviews, and beliefs of human cultures and societies in different times and places (perspective)
- Make ethical judgments about past events, decisions, or actions, and assess the limitations of drawing direct lessons from the past (ethical judgment)

Notes on the process

Students can be divided into five “expert” groups and each group provided with one of the following set of readings:

1. The Life of Joan of Arc
2. The Role of Women in Medieval Europe
3. Heresy and witchcraft in Medieval Europe
4. The Hundred Years War and conflict between England and France
5. The Trial and Execution of Joan of Arc

Each of the readings has several focus questions. Students should be instructed to use these questions to prepare a report on their topic. Students should discuss each question within their expert group and decide on the best responses to the questions. All students within each expert group should record the responses to the questions written in complete sentences. When the groups have completed the focus questions they should then decide as a group on three or four key points they are going to report to the class. (Emphasize that each point should be brief, no more than two or three sentences.) Each student within a group should record these points. The points should be transcribed onto chart paper or a power point and posted with their topic clearly written on the chart or power point.

The group should then decide on how they are going to complete the “concluding statement.” All students within each group should record the statement. The concluding statement should also be transcribed to the chart paper or power point.

Once all the expert groups have answered their questions, posted their key points and concluding statements that will be reported to the class, the students should be instructed to look at the charts or power point displays of the other expert groups and all students should record the key points and concluding statement of each expert group.

The last step is for the class, either within their expert groups, or as a whole class with the teacher facilitating, to address the question, “to what extent does the evidence show that Joan of Arc was burned at the stake mainly because she was a female?”

Each of the topic readings has a brief primary source document attached. The lesson can be successfully completed without reference to these documents but they do provide an opportunity for students to analyze primary source documents and use them as evidence in reaching their conclusions.

There are two supplementary lessons that provide extension on the evolution of legal systems theme.

Note: Students will likely focus on the witchcraft charge and the fact that women formed the vast majority of those burned at the stake for that “crime.” However, there are other points that should be considered related to Joan of Arc’s role and status as a young woman at the time.

Specifically:

1. Her success as a military leader made her stand out at a time when few if any women had such a role;
2. She lived in a time when women were considered unequal to men (evidence such as access to education, limited opportunities, “chattel” status);
3. The Catholic Church frequently depicted women as a source of evil and church law at the time was more powerful than civil or common law and so was very influential;
4. The fact that she was a young woman and a real inspiration to the French made her dangerous as far as the English were concerned. A young male leader would not have been considered so unusual and not as likely to be accused of getting his power from the devil;
5. Being defeated by a young woman likely made the English men more anxious for revenge;
6. The charge of witchcraft was almost exclusively made against women;
7. At Joan of Arc’s trial the main proof that she was a witch had to do with her wearing men’s clothes. Obviously, a charge that could only be made against a woman;
8. Joan’s execution was brought about through a trick that took advantage of the fact that she was female.

Background Information for Students

The story of Joan of Arc

Joan of Arc is one of western history's most remarkable women. At the age of 17, in the year 1428, she led the army of the French king, Charles VII, in a successful campaign against the armies of England which were occupying large parts of what is now modern-day France. At the time people were of two views of Joan. To many of the French she was a true hero and to this day remains one of most honoured people in all of French history. The popular view in England on the other hand was that she was a dangerous and mysterious enemy and, as was common at the time, it was believed that what seemed to be her supernatural power could only come from the devil. In the eyes of many English people that made her a witch and the typical punishment for being a witch was to be burned at the stake.

These days Joan of Arc can still be a topic for discussion because what happened to her raises a question that is still controversial: Why was she burned at the stake?

Your task in this assignment is to use historical evidence to decide why Joan of Arc was burned at the stake. Was it because she was a dangerous enemy or did it have more to do with the fact that she was a woman?

Expert groups:

In order to gather and review the historical evidence on Joan of Arc, you are assigned to work in an "expert group". This means you will be focusing on one part of her story. Once you have completed your research you will be exchanging your information with the other groups and then, with all the information at hand, you will "take a stand": what do you believe is the most likely reason for the execution of Joan of Arc.

Each expert group will study one of the following historical elements:

1. The life of Joan of Arc
2. The role and place of women in medieval Europe
3. Heresy and witchcraft in medieval Europe
4. The Hundred Years War (1337-1437) and conflict between France and England
5. The trial and execution of Joan of Arc

Each group also has a set of focus questions that should be used to prepare a short report on their topic. The focus questions are intended to help the group report the main points on its topic. Each expert group section also has an incomplete concluding statement. Students should agree on a completion to the sentence and use this as their conclusion.

Handout: Expert Group 1 – The Life of Joan of Arc



Figure 1 - Joan of Arc, artist unknown, painted between 1450 and 1500

Joan of Arc was born in 1412 in what is today the northern part of France. Her family were peasant farmers and she had no formal schooling. As a result, she could not read or write. She was described as a charming, well behaved girl who was well liked in her village. She was a devout Catholic (as were most people in Europe at that time) and was dedicated to living her life according to the beliefs and customs of her church.

When she was in her early teens she began having what she described as visions in which Saint Michael and other important saints of the Catholic Church urged her to come to the rescue of France which was coming under control of England. At the time, England and France had been involved in a series of conflicts or battles which have come to be known as the Hundred Years War. By the time of Joan's birth this war had been going on for over seventy years. During her short life, the war had been going very badly for France with the English winning most of the battles and getting ever more control of French territory.

Historians know that Joan's family would have been affected by the war because the English armies had occupied the territory of their village and had at times treated the local population quite cruelly. Joan's family had at one point left the area to get away from the English. For a twelve-year-old girl, these events would have been quite terrifying and they may explain the cause of her visions.

Acting on these visions and the directions she believed the saints were giving her, she left her village and went off to serve the king of France, Charles VII, in the war against the English. She was 17 years old. The journey to meet the king was in itself one of great bravery. In order to get to the king, she had to make her way through territory held by the English. She made the journey disguised as a man and under the protection of one of Charles VII military commanders.

The king was at first very unsure of what to make of this 17-year-old girl from the countryside who was claiming to be instructed by God to come to the aid of France. During the middle ages, people who claimed to hear the voice of God could very easily be accused of "heresy" (going against the laws of the church) or sorcery (witchcraft or devil worship). Charles did not want to have his enemies accuse him of either heresy or sorcery for accepting the word of a girl who said she was inspired by God to free France from the English. To protect himself, he had theologians (experts in church law) examine Joan and determine whether or not she was a heretic or a sorcerer. After several days of questioning her, they decided that she was indeed a devout Catholic and not at all a heretic or sorcerer and that she was inspired by God.

It seems quite unbelievable that a 17-year-old girl could command an army let alone lead one to victory.

Joan had no military training and was illiterate. How she was able to persuade the French king to place her in such a role is one of the most remarkable stories in European history. Some historians believe that it was a move of desperation by the king who had tried everything else to defeat the English but had lost every time and now the English were close to dominating all of France. Letting a young girl lead the army was a desperate last hope to inspire his army to fight on. The sight of this girl bravely leading a battle could be the inspiration the French soldiers so desperately needed.

So the king sent Joan off to join his army at the city of Orleans, south of Paris, where they had been locked in a battle with the English for many months. According to reports of the day, Joan arrived riding a white horse and dressed in shining white armour. At first, the military commanders at Orleans would not allow her any say in how the battle was being conducted. Some accounts say that at Orleans Joan did not actually engage in the battle but rather was a standard bearer (carried the flag) and inspired the French to fight courageously. Eventually, after her bravery had won the confidence of many of the soldiers, she began to lead them in battle. At one point, she was seriously wounded when she was hit in the neck by an arrow but in spite of the injury she continued on to lead the final charge and French victory. Joan of Arc's victory at Orleans is considered one of the most important events in French history. It saved France from becoming an English colony and was the beginning of the rebirth of France as a major European power. The courage and intelligence she demonstrated at Orleans as well as her amazing ability to take leadership and inspire others are the reasons why she became a heroine to the French.

After the victory at Orleans, Joan of Arc (she is often referred to in French history as the "Maid of Orleans" because of her role in the battle) continued to lead the French in a series of battles against the English, all of which were won by the French. As the victories continued, Joan's influence and power grew. She led numerous battles and distinguished herself through her courage and skill. She was injured several times, but insisted on staying in the battle. She was willing to take great risks and engage in actions that amazed many of the male commanders of the French army.

Eventually Joan's fortune changed and she was defeated by the English army in what is described as a minor battle in May 1430. She fell into English hands and became their prisoner. At the time, it was common for captured soldiers' families to pay to have a prisoner released. Joan was from a family of peasants, so her family were not able to pay. At the same time, the French king, Charles VII, whose throne Joan had done so much to protect, was nowhere to be seen. Historians believe he made no effort to rescue her. Joan herself made several attempts to escape including jumping 21 metres off a tower into a moat. So in spite of all she had done, including the defeat of the English which she led, and the securing of the French throne, she was held prisoner by the English and put on trial not as an enemy soldier and military leader, but as a heretic and a witch.

Focus questions for The Life of Joan of Arc expert group.

1. As a child, Joan of Arc experienced the 100 Years War first hand. What were these experiences and how might they explain the visions she saw and the directions she believed she received from God?
2. Describe the response of the French king, Charles VII, when he first met Joan. What did he do and why did he do it? Why would he have been very cautious in believing Joan's story that she had been told by God to come to the aid of France?
3. Religion played a very important role in how people thought and acted during the Middle Ages. How is Joan of Arc a good example of this? How is Charles VII a good example of this? How is the English

response a good example of this?

4. Use the information you have here to explain how it was that Joan of Arc had so much success at Orleans and at other battles against the English.
5. Joan of Arc is one of the heroes of French history; how would you explain this?
6. Why do you think Charles VII did nothing to rescue Joan after she had been captured?

Concluding statement:

Joan of Arc's military success, especially her victory at Orleans made her one of the great heroes of French history because...

PRIMARY SOURCES: Two views of Joan of Arc

Each of these sources, one English, the other French, is claiming that there is something very different about Joan of Arc. Both sources are a good demonstration of how people thought in the middle ages. In two or three sentences, state what each is saying in your own words and then write a concluding statement on what these sources tell you about the times Joan of Arc lived in.



The Duke of Bedford writing to the king of England about Joan of Arc:
(Note: The Duke of Bedford was one of the commanders of the English army in France.)

And all things prospered for you until the time that the siege of Orleans was undertaken... At which time... by the hand of God, as it seemed, a great offense upon your soldiers who were assembled there in great number, caused to a large party of them... by a disciple and follower of the Fiend, (the devil) called the Pucelle (a nickname for Joan of Arc), who used false enchantments and sorcery. This offense and destruction not only lowered by great party the number of your soldiers there, but as well removed the courage of the remnant in a marvellous way, and encouraged your opponents and enemies to assemble themselves afterwards in great number.

.....



The French were more positive about what had occurred. The Dauphin's (a Dauphin is a prince, in this case Charles VII before he became king) secretary, Alain Chartier, writing to an unnamed prince at the end of July 1429, could not help but extol Joan's virtues in raising the siege:

This Maid (Joan of Arc), whom divine precept burns to satisfy, immediately asked him to give her an army to succour the Orleanais who were then in danger. He [the Dauphin], to whom she showed no

fear, at first denied her request, but finally conceded to it. This having been accepted, she took a huge amount of foodstuffs to Orleans. Crossing under the enemy camps, they perceived nothing hostile... Leaving the victuals in the city and attacking these camps, which in a way was a miracle, in a short space of time she captured them, especially that which was erected almost in the middle of the bridge [the Tourelles]. It was so strong, so well armed with all types of weapons, and so fortified that, if all people, if all nations fought against it, they could not capture it... Here is she who seems not to come from anywhere on earth, who seems to be sent from heaven to sustain with her neck and shoulders a fallen France. She raised the king out of the vast abyss onto the harbour and shore by labouring in storms and tempests, and she lifted up the spirits of the French to a greater hope. By restraining the ferocity of the English, she excited the bravery of the French, she prohibited the ruin of France, and she extinguished the fires of France. O singular virgin, worthy of all glory, worthy of all praise, worthy of divine honours! You are the honour of the reign, you are the light of the lily, you are the beauty, the glory, not only of France, but of all Christendom.

Handout: Expert Group 2- The Role and Place of Women in Medieval Europe



Figure 2 – *The Vale of Rest*, by John Everett Millais (1858)

One of the reasons the story of Joan of Arc is so well known is because of the very unusual fact that her accomplishments were usually ones that only men could obtain. At age 17 she was a military leader, a soldier, who was engaged in battles. Not only was she involved in combat and war, she was considered brave and brilliant at what she did. In fact, it was her military victories that saved France from domination by the English. The big question is how could such a very young woman become an accomplished military leader and eventually one of France's most famous historical figures? She grew up in the latter part of the Middle Ages when women had very few rights and were generally thought to be inferior to men.

Joan of Arc lived in the early part of the 15th century (1412-1431). Her family were peasants so they were not wealthy and had none of the privileges of the upper classes. As a female, if Joan's family were of the upper class or of the nobility, she would have had an easier life and access to some education, but even as an upper-class woman she would have had few rights compared to men. All women at the time, including those of the upper class were considered the "property" of their husbands or fathers. The word often used at the time was "chattel" which meant any good or possession other than land and buildings. Women were among the "chattels," of a man, either their father's or their husband's. During the Middle Ages in Europe, the only place a woman could get away from her chattel status was in a convent or nunnery. The convents were considered good places for women because they were protected from the demands of village life and as nuns they did not have to bear children. This in itself was an important consideration because in the Middle Ages women very often died in child birth. However, this did not mean that life in the convents was easy. They were often very poor and got by on the food they could produce themselves.

In the convents, women had very little contact with the outside world and were expected to dedicate themselves to prayer. This did not mean they would receive an education. In most cases, it was felt unnecessary for women to be literate and in fact, in the later Middle Ages, women of all social classes were mostly illiterate. Many men, especially in the lower classes were illiterate as well, but men generally could get an education more readily than women. Joan of Arc was not able to read or write as a result of this custom.

In the earlier part of the European Middle Ages (the years 1100-1300) women had frequently been involved in important events and did have considerable influence on events of the day. There was, for example, Eleanor of Aquitaine who governed a large part of modern day France and was involved in the second crusade. An earlier version of Joan of Arc was Ermengarde, Countess of Narbonne, who ruled her lands and armies for fifty years and fought against the English armies many times. She was also well known as a judge in complicated cases of feudal law.

As the time passed however, by the time of Joan of Arc (1412-1431), women were more frequently thought of as inferior to men and often as an actual source of evil. Jerome, one of the saints of the

Catholic Church wrote, “Women are the gate of the devil, the path of wickedness, the sting of the serpent.” If women in Joan of Arc’s day had any status at all, it was only in terms of how they served men and God. The philosopher Thomas Aquinas referred to women as “created to be man’s help mate, her only unique role to bear children. In everything else men are better assisted by other men.”

But while women were given such low status and thought of so badly by men in general they were essential to the wealth and livelihood of the towns and countryside. They worked the fields and were at least as responsible as men for successful crops. They were active in a wide variety of trades and industries including weaving, embroidering and shop keeping and often became master craft workers carrying on in a trade after their husbands died. They could be found as teachers, doctors and merchants in foreign trade. So even though it was difficult for women to break away from the low status they were typically given, they sometimes did and were able to have some control over their lives.

Joan of Arc grew up in the world of late medieval Europe. Unlike other parts of the world, as a female in medieval Europe, she had virtually no rights. In keeping with the custom of the day she received no schooling and was illiterate. It was thought to be unnecessary to educate girls. She was considered the property of her family and if she were typical of girls of the time would never have been able to leave the family home without permission of her father. Because she was female she was widely believed to be inferior to males and, worse still, a source or cause of real evil. Her only purposes in life were to have children and serve her husband or father.

It is somewhat surprising that in these circumstances Joan of Arc became one of the most famous people in European history. She led armies, won battles and kept France from becoming a colony of England. A few women in earlier times had done similar feats but Joan lived in a time when women had especially low status. She became a leader of armies at a time when the most accepted way for a woman to live independently was in a convent as a nun. Of course, leading an army is much more dangerous than living in a convent and in the end Joan experienced that danger and was ultimately burned at the stake. But to what extent does that have more to do with her being a woman than it did with her role leading the army of an enemy? Knowing what you do about the place of women in Europe in the early 1400s, what could you say about that question?

Focus questions for The Medieval Women expert group.

1. Make a list of five reasons why the Middle Ages in Europe “was not a good time to be a woman.”
2. From our modern-day perspective, it seems conditions for women in the Middle Ages were quite bad. At the time however many people, male and female, would have argued the opposite, that the times were good for women. What points might they have made?
3. In spite of the fact that Joan of Arc was a young woman, she became a hero to the French nation. Considering what you know about the place of women in the Middle Ages, what would have to have been some of personal qualities she would need in order to accomplish what she did?
4. Explain what is meant by “chattel” and why this would have been a significant reason as to why women in the Middle Ages were not “equal” to men.
5. Joan of Arc was put on trial accused of witchcraft and heresy. Knowing what you do about the place of women in the Middle Ages what does this tell you about the way that women in general were “kept in line” given these kinds of consequences for women?

Concluding statement:

The fact that Joan of Arc was female is important to understanding her status as a hero at the time because...

PRIMARY SOURCES: Christine de Pizan

Christine de Pizan from “The Tale of Joan of Arc”

Note: Christine de Pizan is one of the most famous writers of the European Middle Ages and one of very few women writers. She also was one of the first women in Europe to speak out about equality for women and object to discrimination based on gender. She lived in France at the same time as Joan of Arc.

In two or three sentences, state in your own words what each of these quotations from the work of de Pizan is saying. Then, write a short statement explaining why de Pizan may have written such words at the time that she and Joan were living. What do her writings tell us about the status of women in their time?

“Oh! What honour for the female sex! It is perfectly obvious that God has special regard for it when all these wretched people who destroyed the whole Kingdom - now recovered and made safe by a woman, something that 5000 men could not have done - and the traitors [have been] exterminated. Before the event they would scarcely have believed this possible.”

From “The Book of the City of Ladies” by Christine de Pizan

“The man or the woman in whom resides greater virtue is the higher; neither the loftiness nor the lowliness of a person lies in the body according to the sex but in the perfection of conduct and virtues.”



Figure 3 - Christine de Pizan lecturing to a group of men. Artist unknown.

Handout: Expert Group 3 – The Hundred Years War and Joan of Arc



Figure 4 - Jeanne d'Arc at the Siege of Orléans, by Jules Eugène Lenepveu (1886-1890)

A hundred years seems like a very long time to wage war. What could possibly be the problem that would cause two nations to be at war for so long? How could the countries involved in the war possibly carry on the conflict for so long? Wars are expensive in terms of costs of supplies like weapons, ships, salaries of soldiers and how disruptive they can be to the economies of the nations involved. The fact that England and France remained at war with each other for a hundred years (1337-1453) is difficult to understand especially when looking at it from the perspective of the 21st century. It is difficult for us to imagine what could cause such a war and why it went on for so long.

Understanding the causes of this war and how it was fought gives us some insight into the life and times of Joan of Arc for it was in the last stages of the Hundred Years War that she played an important role.

14th century Europe, when the Hundred Years War started, was dominated by royal families and competition over which family had claim to the lands of Europe. This was especially true in France and England. The Hundred

Years war was a conflict over who the rightful king of France was and which family should hold that title. The war was really one hundred years of attempts by English kings to dominate France. Joan of Arc became involved in the war because she supported, and believed God also supported, the claim of Charles VII to the throne of France. She believed that Charles was the true “French” king and not Henry V, who was the king of England but also claimed to be the king of France. But in the 14th and 15th centuries people didn’t solve disagreements through elections. Kings weren’t chosen by any sort of popular vote. More often than not whoever became a king and established their family or “line” as the royal family did so through war and they held onto their power by force. That made it much more possible for a war or conflict to last a hundred years.

There was one other way that families claimed or held onto their royal titles and their “rights” to be kings and that was through marriage. It was typical for a family of royals to attempt to get control of other territories by marrying into the families that controlled those territories. Indeed, the main value of a daughter in these royal families was that she could be offered as a bride and this was a way to gain a claim to another territory. The reason Henry V of England claimed to be the King of France as well as England was because his family was married into the same family as Charles VII and had been for over a hundred years. In fact, the English kings had blood relations in France going back to 1066 when an army from the French province of Normandy invaded and conquered England. (This has been known in history as the “Norman” invasion of England.) Since the Norman French were the victors in 1066, the throne of England had been held by the descendants of the first Norman French ruler William I. For that

reason, the English kings always had relations in France and controlled parts of what is now France because of their connections through their family lines.

By 1400, however, many people in France no longer believed in the right of English kings to also be kings of France simply because of their family connections. Joan of Arc is a good example. She wanted Charles VII as the French king, because she saw him as completely French with no ties to England. One of the reasons Joan of Arc is seen as a hero in France to this day is because she was one of the first to defend and fight for “France” and not just for a particular individual like a king.

(A reasonable question would be to ask, how could an illiterate peasant girl such as Joan have such a well-developed understanding of the political affairs of the day? In part, it could be because her family and her village had been terrorized by the English armies over many years. Also, it is clear from the records of Joan’s trial that while she was illiterate she was also very intelligent.)

Despite the fact that the Hundred Years War was mainly about the royal families of England trying to control France and become rulers of France as well as England, it is also important to understand what the war itself was like. Warfare in the 14th and 15th centuries was quite different than how we might think about wars in modern history. The main difference is that the Hundred Years War was not a total war so much as a series of battles. These battles were often fought after long periods of calm. In the Hundred Years War the periods of actual warfare often depended on the feelings of the English king and how badly he wanted to control France. Some English kings like Henry V were very keen, others not so much, often because they had too much debt from paying for earlier battles.

Another important feature of the Hundred Years War, and one that is significant to the role of Joan of Arc, is how it was fought. The principal weapon in battle was the bow and arrows. The English armies used a long bow which could be loaded and the arrow released very quickly. The French used a cross bow which was quite deadly but took a long time to load. This meant the English had an advantage in their weapon technology and because of this were able to win most of the battles. In the last years of the war, after 1400, when Joan of Arc became involved, the French were becoming demoralized because of their frequent losses.

It seems that Joan of Arc was able to turn the tide and make the French armies more successful, not because of her expertise with weapons like the bow and arrow, but rather because she had a natural ability to lead and to inspire. After all she was the daughter of a peasant family and would have had no training in using any sort of weapon. She carried a sword and rode into battles on a white horse. She was frequently wounded. All the accounts of the battles she was involved in refer to her bravery rather than how well she used a weapon. She most likely was so successful because the sight of a very young girl (she was in her late teens at the time) being so courageous encouraged the French soldiers to fight on.

After one hundred years of English attacks on France it seems it took the unusual bravery of a teen age girl to give the soldiers the inspiration they needed to force the English out once and for all.

Focus questions for The Hundred Years War and Joan of Arc expert group.

1. From the information you have here, what would you say was the main reason for the Hundred Years War? How is this different from, and similar to what you know about modern day war and conflict?

2. The Middle Ages could be described as a time when there were two groups of citizens, the powerful and the powerless and yet people in the Middle Ages resisted power in important ways. How is the story of Joan of Arc an example of resisting power?
3. The Hundred Years War could be described as the war that created the nation of France. How would you explain this statement?
4. Understanding that Joan of Arc was a teenaged girl, not at all trained to use weapons of war, explain the role she seems to have played in this war. Do you think this could happen today? Why or why not?
5. What do you think would be the feeling of the English towards this “girl warrior” especially since she kept defeating them?

Concluding statement:

Joan of Arc played a crucial role in the Hundred Years War because she...

PRIMARY SOURCE: Jean Froissart, On The Hundred Years War (1337-1453)

Note: Jean Froissart was one of the most well-known historians and writers in France during the Hundred Years War. His history of the Hundred Years War is as close as we can get to an eye witness account.

In this excerpt from his writing on the Hundred Years War he is describing what in modern times would be considered a war crime, although such massacres as the one described here still happen in the wars of today. In a few sentences, explain in your own words what is described here. Write a concluding statement on how this passage could help explain why Joan of Arc was so dedicated to getting the English out of France.

English Ravages in the 1370s

Then the prince, the duke of Lancaster, the earl of Cambridge, the earl of Pembroke, sir Guichard d'Angle and all the other with their companies entered into the city, and all other foot-men, ready apparelled to do evil, and to pill and rob the city, and to slay men, women and children, for so it was commanded them to do. It was great pity to see the men, women and children that kneeled down on their knees before the prince for mercy; but he was so inflamed with ire, that he took no heed to them, so that none was heard, but all put to death, as they were met withal, and such as were nothing culpable. There was no pity taken of the poor people, who wrought never no manner of treason, yet they bought it dearer than the great personages, such as had done the evil and trespass. There was not so hard a heart within the city of Limoges, an if he had any remembrance of God, but that wept piteously for the great mischief that they saw before their eyen: for more than three thousand men, women and children were slain and beheaded that day, God have mercy on their souls, for I know they were martyrs.

Handout: Expert Group 4 – Heresy and Witchcraft in Medieval Europe



Figure 5 – Detail from a document by Martin Le France (1451)

Heresy: Holding, or stating, a belief or opinion that is different from, or in opposition to, the official rules and beliefs of the church.

An important part of the story of Joan of Arc is the significance of heresy and witchcraft in Europe at the time. In medieval Europe, heresy was as serious a crime as murder. People convicted of heresy were quite often executed. The usual form of execution for heresy was burning at the stake, which was how Joan of Arc was executed. Heresy and witchcraft were usually combined and an accused was found guilty of both. Again, this is what happened to Joan of Arc. A charge of witchcraft could be made against anyone who acted differently or demonstrated some sort of suspicious behaviour. In the case of Joan, the accusation of being a witch came about because she wore what were considered men's clothes at various times in the very short time she was leading the French army of King Charles VII.

The question is: how is it that these so-called crimes of heresy and witchcraft, which are unknown in modern times, were so common in the Middle Ages and were in fact what most women were executed for? Also, what does the fact that Joan of Arc was executed for heresy and witchcraft tell us about her and the times she lived in?

One of the biggest differences between the Middle Ages in Europe and other times is the role and power of religion and the church. In contemporary times the law and the courts that enforce the law are not under control of any group or a church. Control over the law and courts comes from the public or the whole population through an elected government as opposed to the clergy (church ministers) or a king.

In the Middle Ages, however, there were two forms of law. The first was a "civil" law, which was concerned with matters such as theft, murder and trespassing. The civil law came from the king or monarch and the nobility that was devoted to him. Lower classes such as the peasants had no say in what laws were or how they were enforced.

The second form of law was church law or ecclesiastical law. This was the law of the Roman Catholic Church. Since everyone in Europe during the Middle Ages had no choice but to be Catholic, the laws of the church affected everyone and could have an enormous impact on their everyday lives. Church law was concerned with obedience to the rules of the church. These rules covered such matters as marriage, church attendance and how one spoke about the church. People who expressed opinions or acted in a way that the officials of the church (Bishops, priests) thought was critical of the church were considered heretics and could be brought before Church run "courts" for their supposed crime against the church.

In modern day courts, when a person is charged with an offence against the law, the accuser must be very specific about what the charge is. You can't accuse someone of a crime just because you don't like them or you think they are just a generally bad person. In the Middle Ages however, under church law, this was possible. The "crime" of heresy was very broad. It meant whatever the Church wanted it to mean. You could be declared a heretic, as Joan of Arc was, for claiming to have heard the "voice of God." In general, the officials of the church would find anyone who threatened the authority of the Church guilty of heresy. "Hearing the voice of God" was a threat because it weakened the power of priests and Bishops, who in the Middle Ages, believed they were the only ones who could speak for God. As mentioned before, being found a heretic was serious. Heretics were often burned at the stake. (Note: Burning at the stake was the official form of capital punishment for the Church because it believed that a burned body could not be resurrected and also the church had a law stating "no blood shall be shed" and burning was not considered to "shed blood".)

Many people accused of heresy were also accused of witchcraft. In the Middle Ages, witchcraft was considered the "devil's work" or worship of the devil. The Church believed this to be a terrible crime and often combined it with heresy because doing the work of the devil was obviously a crime against the church.

Most of the people found guilty of witchcraft were women (historians believe about 80%). The reason why women were the primary victims of an accusation of witchcraft has a lot to do with attitudes regarding women that were promoted by the Church. For many church officials, women were the main source of evil. This belief came from the Old Testament story of the first humans, Adam and Eve. According to the story, everything was perfect for Adam and Eve until Eve tempted Adam into sin by persuading him to eat the fruit God had forbidden them. So Eve wrecked everything and God threw her and Adam out of paradise. Women in the Middle Ages had a very hard time living this story down. It was however the source of much of the suspicion of women in general and in particular for any women who stood out, like Joan of Arc.

It was fairly easy for a woman to find herself accused of witchcraft. All she really had to do was act a bit differently from what was considered "normal." So, for example, elderly women who had never married and lived alone were often suspected of being witches. This is the origin of the common depiction of witches in fairy tales as being strange old women. Even a single woman who had a cat was considered suspicious because during the Middle Ages cats (especially black ones) were considered transformed devils even if they were very useful in catching rats and mice.

By this standard Joan of Arc was different from a typical young woman of her time. She actually led an army and this was doing something women almost never did. As a soldier, she had to dress differently from what women would normally wear. That fact alone made her suspicious because church law specifically forbid women from "dressing as a man." She also claimed to hear the voice of God. Again, this was suspicious behaviour because she was not a priest. So it could be said that from the perspective of medieval church law Joan of Arc was a heretic and a witch.

Focus questions for The Hundred Years War and Joan of Arc expert group.

1. Why do you think the Catholic Church was so concerned with heresy and had it punished so severely?
2. In the Middle Ages, the Catholic Church was very much like a government. What are some of the activities or interests of the Church that look like those of a government?

3. Understanding from the information you have on how “ecclesiastical law” worked in Medieval Europe how is it similar to and different from how the law is carried out today? Why would people in the Middle Ages accept it whereas people today would not?
4. It appears that the rules about witchcraft and heresy were mainly directed at women. How can you explain this?

Concluding statement:

Joan of Arc was accused of being a witch because...

PRIMARY SOURCE: Punishment for Witchcraft “The Hammer of Witches”

The following is an excerpt from a book written in the Middle Ages that was supposed to give church officials advice on how to conduct trials of people accused of being witches. The book was called “The Hammer of Witches.” It was written after Joan of Arc was executed, but still reveals the attitudes and beliefs many people of her time had about witches, how they should be treated and what should be done with them.

Review the passage and find some evidence that would allow you to make the claim:

“Once a person was accused of being a witch during the Middle Ages in Europe, they were pretty well doomed and had no chance of being treated fairly.” Try to find five points in the passage that support that statement.

Extracts from THE HAMMER OF WITCHES [Malleus maleficarum], 1486

a handbook - an exposition of witchcraft and a code of procedure for detection and punishment of witches. Completed in 1486, it was called the Hammer of Witches.

The method of beginning an examination by torture is as follows: First, the jailers prepare the implements of torture, then they strip the prisoner (if it be a woman, she has already been stripped by other women, upright and of good report). This stripping is lest some means of witchcraft may have been sewed into the clothing-such as often, taught by the Devil, they prepare from the bodies of unbaptized infants, [murdered] that they may forfeit salvation. And when the implements of torture have been prepared, the judge, both in person and through other good men zealous in the faith, tries to persuade the prisoner to confess the truth freely; but, if he will not confess, he bid attendants make the prisoner fast to the strappado or some other implement of torture. The attendants obey forthwith, yet with feigned agitation. Then, at the prayer of some of those present, the prisoner is loosed again and is taken aside and once more persuaded to confess, being led to believe that he will in that case not be put to death.

Here it may be asked whether the judge, in the case of a prisoner much defamed, convicted both by witnesses and by proofs, nothing being lacking but his own confession, can properly lead him to hope that his life will be spared when, even if he confess his crime, he will be punished with death.

It must be answered that opinions vary. Some hold that even a witch of ill repute, against whom the evidence justifies violent suspicion, and who, as a ringleader of the witches, is accounted very dangerous, may be assured her life, and condemned instead to perpetual imprisonment on bread and water, in case she will give sure and convincing testimony against other witches; yet this penalty of perpetual imprisonment must not be announced to her, but only that her life will be spared, and that she will be punished in some other fashion, perhaps by exile. And doubtless such notorious witches, especially those who prepare witch-potions or who by magical methods cure those bewitched, would be peculiarly suited to be thus preserved, in order to aid the bewitched or to accuse other witches, were it not that their accusations cannot be trusted, since the Devil is a liar, unless confirmed by proofs and witnesses.

But if, neither by threats nor by promises such as these, the witch can be induced to speak the truth, then the jailers must carry out the sentence, and torture the prisoner according to the accepted methods, with more or less of severity as the delinquent's crime may demand. And, while he is being tortured, he must be questioned on the articles of accusation, and this frequently and persistently, beginning with the lighter charges-for he will more readily confess the lighter than the heavier. And, while this is being done, the notary must write down everything in his record of the trial - how the prisoner is tortured, on what points he is questioned and how he answers.

Handout: Expert Group 5 – The Trial and Execution of Joan of Arc



Figure 6 – *Joan of Arc's Death at the Stake*, by Hermann Stilke (1843)

The trial of Joan of Arc is often used as an historic example of an unfair trial. We do however have to be careful that we don't make decisions about fairness or lack of it from our modern-day point of view. What may seem outrageously unfair to us may have been perfectly normal and thus acceptable in the Middle Ages. But the fact that the medieval court of the day found Joan guilty of heresy and witchcraft and thirty years later the verdict was overturned is a good clue that there was something wrong even for those times. Unfortunately, that was too late for Joan; she had already been burned at the stake as punishment for her crimes of "heresy and witchcraft."

Joan of Arc is one of European history's most well-known figures. She is famous for several reasons, not the least of which is that she made most of her achievements as a teen aged girl. By the time she was 19 years old, she had led the armies of the French king, Charles VII, to victory over the English, and had stopped the English king Henry V from gaining control of France. This was an amazing achievement not only because she was such a young woman, but also because she had accomplished the defeat

of the English when none of the other (male commanders of the French army had been able to.

Of course, being defeated by a woman (in fact a girl) probably didn't please the English very much. So when they finally captured her, they were quite anxious to take their revenge. Most important to the English was to find a way to blame Joan of Arc for their defeat. In modern times, this would be something like trying to excuse a defeat by saying the other side cheated. In Joan of Arc's case, this took the form of the English accusing her of being a witch. This meant that Joan had the devil on her side and the English army would have no chance against an army of the devil. It also meant that the French king had no claim to lands he had won from the English because he had done so through the work of a witch.

Being accused of witchcraft in the Middle Ages was about the worst thing that could happen to you, because it also meant you were a heretic or a person who did not obey the laws of the Catholic Church. So Joan was not only a witch, but also a heretic. This meant she would have her trial under church law. Being tried in the courts of the church (ecclesiastical courts) was very different from any court we would recognize. Joan, for example, did not have a lawyer or anyone to help her in her defense. She was on her own. Also, the church official who the English had handed her over to (Pierre Cauchon, the Bishop of Beauvais) was also the judge. If the person who accuses you of a crime also gets to decide if you did it, rather than having to prove it to an independent judge who then decides, there is no chance of a fair trial. This is the spot Joan was in.

For the English and the ecclesiastical court of Pierre Cauchon, the perfect outcome would be for Joan to

admit to witchcraft and heresy, in other words admit she was guilty. Unfortunately for them, she would not do this even after many months of being held in a dungeon and interrogated hour after hour. When she was brought before Cauchon after being held so long and treated so badly, he told her if she did not confess she would be burned at the stake. Joan was terrified of such a horrible death and as a result agreed to sign a confession statement.

At this point, Cauchon was able to take advantage of the fact that Joan could not read and had no one acting for her as a lawyer. He had her sign what was a very damaging statement in which she agreed she would never again wear the clothes of a soldier or men's clothes. Women wearing men's clothes was a crime against the church and therefore heresy. Cauchon told her that once she signed the confession her life would be spared and she would be allowed to spend the rest of her life in prison. Given the choice of death by fire or life in prison, Joan signed the confession and the promise that she would never again wear men's clothing.

After having signed the confession Joan should have been turned over to officials of the church. Instead, she remained under the guard of English soldiers and was taken to prison where the soldiers remained in her cell. One night the guards stole her clothes (the women's clothes she was permitted) and left only an outfit of men's clothes. Joan needed to use the latrines, but the guards would only allow her out if she put on the men's clothes saying they had no others for her to wear. Joan put on the clothes and, as soon as she left the cell, she was accused of breaking her promise not to dress in men's clothes. She had been tricked, but as far as Cauchon was concerned she was a true heretic having once again broken church law after promising she would not. He immediately ordered her to be burned at the stake. On May 30, 1431, Joan of Arc was burned at the stake in Rouen, France. She was 19 years old. In 1452 the Pope ordered a "retrial" of Joan of Arc. In this trial Joan was declared innocent and her prosecutor, Pierre Cauchon was more likely the heretic. In 1920, Joan of Arc was made a saint of the Roman Catholic Church and is now known in the church as Saint Joan.

Focus questions for The Trial and Execution of Joan of Arc expert group.

1. The fact that Joan of Arc was female seemed to make her situation worse? How and why?
2. If you were the English king, Henry V, what would you say was the proof that Joan of Arc was a witch and a heretic?
3. If you were a citizen at the time and believed she was innocent what could you have said or done to try to help her?
4. By modern standards Joan's trial was not a fair one. What features of her trial made it unfair to her?
5. In 1452 the Pope ordered a retrial of Joan which found her innocent of heresy and witchcraft. What might be some of the reasons why the Pope ordered this retrial?
6. Pierre Cauchon died in 1442 so he was not alive at the time of the retrial. If he had been what would have been a fair punishment for his role in the trial and execution of Joan of Arc?

Concluding statement:

Joan of Arc's trial could not be considered fair because...

PRIMARY SOURCE: Joan of Arc's Act of Accusation

What follows is one of the 70 charges laid against Joan of Arc at her trial. This charge is especially significant because it accuses her of wearing men's clothes. This became the main reason her accusers gave in demanding her execution.

- 1) Write the accusation in your own words. (It can be much shorter than the original.)
- 2) Write a short statement on what this passage tells you about justice in the Middle Ages. (What seems to be of most concern to the authorities and why would they be so bothered by this? From our modern perspective on fairness what is there about this accusation that would not be considered fair or reasonable today?)

ACT OF ACCUSATION: Article 13

Jeanne attributes to God, His Angels and His Saints, orders which are against the modesty of the sex, and which are prohibited by the Divine Law, things abominable to God and man, interdicted on pain of anathema by ecclesiastical censure, such as dressing herself in the garments of a man, short, tight, dissolute, those underneath as well as above. It is in virtue of these pretended orders that she had attired herself in sumptuous and stately raiment, cloth-of-gold and furs; and not only did she wear short tunics, but she dressed herself in tabards, and garments open at both sides; and it is notorious that she was taken prisoner in a loose cloak of cloth-of-gold. She was always seen with a cap on her head, her hair cut short and a-round in the style of a man. In one word, putting aside the modesty of her sex, she acted not only against all feminine decency, but even against the reserve which men of good morals, wearing ornaments and garments which only profligate men are accustomed to use, and going so far as to carry arms of offense. To attribute all this to the order of God, to the order which had been transmitted to her by the Angels and even by Virgin Saints, is to blaspheme God and His Saints, to destroy the Divine Law and violate the Canonical Rules; it is to libel the sex and its virtue, to overturn all decency, to justify all examples of dissolute living, and to drive others thereto.

"What have you to say to this Article?"

"I have not blasphemed God nor His Saints." (11) ... **(The two following questions and answers appear in the Minutes only.)** "But, Jeanne, the Holy Canons and Holy Writ declare that women who take men's dress or men who take women's dress, do a thing abominable to God. How then can you say that you took this dress at God's command?"

"You have been answered. If you wish that I should answer you further, grant me delay, and I will answer you."

"Will you not take the dress of a woman to receive your Savior on Easter Day?"

"Neither for that nor for anything else will I yet put off my dress. I make no difference between man's dress and woman's dress for receiving my Savior. I ought not to be refused for this question of dress." (12) ... **(Cf. 4th Public Examination, February 27th, and 6th Public Examination, March 3rd.)**



Supplementary Lesson #1: Handout

How is our modern-day idea of a “fair trial” different from what Joan of Arc experienced?

Procedure:

1) Make a “T” chart with “Standards of Fairness” (see student handout) on the left-hand side and “What happened to Joan of Arc” on the other.

2) If needed, search the internet to find more information on the trial of Joan of Arc. When you have read over the information look at the list of standards for a fair trial and identify those that were violated at her trial. This source, for example, may contain useful information:

<https://www.awesomestories.com/asset/view/Joan-of-Arc> (especially pages 10-14)

3) Select five of the “standards” from the list that you think were most clearly denied Joan of Arc and write these on the left-hand side. On the right side, explain how this standard was denied her.

4) **The BIG question:** From what you now know about Joan of Arc, the Hundred Years War, and life in Europe in the Middle Ages, how can you explain the differences between then and now in terms of how people were treated in law?

The question to answer then is:

To what extent were the law and justice different in the Middle Ages than they are today?

In thinking about this consider these questions:

1. The idea of equality (for women or for lower classes such as peasants) did not seem to exist in the Middle Ages. What seemed more important and why?
2. The Catholic Church had enormous power. What are some of the ways the Church affected or influenced the way people were treated. Why was the Church able to hold such power?
3. Most people in the lower classes were illiterate and had very little education. How might this factor affect the way people were treated in law?
4. There was no such thing as democracy or elected government. What effect could that have on the way people were treated?
5. War and conflict were common. How could that affect law and how it was enforced?

International Standards of Fairness

Any trials, whatever the status of the person being tried, must be carried out in proceedings that meet international standards of fairness. Canada, through the Charter of Rights guarantees these standards to citizens of Canada. These standards include:

- the right to be presumed innocent until proven guilty
- the right to be informed of charges promptly, in detail, and in one's own language [charges must be for internationally recognizable criminal offences]
- the right to remain silent
- the right to legal counsel of one's choice
- the right to adequate time and facilities to prepare for trial
- the right to equal access to, and equality before, the courts
- the right to a speedy trial
- the right to be present at one's trial
- the right to a public hearing
- the right to present witnesses
- the right to examine witnesses
- the right to an interpreter or to translation
- the right to humane conditions of detention and freedom from torture [statements or any other material obtained by torture or by cruel, inhuman or degrading treatment or punishment must not be admissible as evidence] the right to be tried before a competent, independent and impartial tribunal established by law
- the prohibition of retroactive application of criminal laws and of double jeopardy
- the right to appeal



Supplementary Lesson #2: Handout

Retrying Joan of Arc

In Canada today, a retrial happens after a court of appeal finds there was a mistake, or some other problem related to the law, committed during the original trial. The right to have an appeal of a court decision is an important right in countries that value justice and fairness in the law. A person does not however have an automatic right to appeal a court decision. In Canada a Supreme Court decides whether or not a person has good reason (called “grounds”) for an appeal. If the Supreme Court agrees there are reasons for an appeal, then it will hear the appeal and decide if there should be a retrial or “new” trial.

Typically, an appeal court (Supreme Court) will order a retrial if new evidence is uncovered that could change a conviction. Also, if the judge responsible for the original trial has made some mistake such as giving the jury wrong directions or not explaining some important point of law to them before they decided on guilt or innocence. The judge’s error does have to be serious enough that it could have affected the jury’s decision.

In 1452, the Pope ordered a retrial of Joan of Arc which found her innocent of heresy and witchcraft. The fact that it was the Pope who ordered the retrial demonstrates the power of the Catholic Church at the time and also reminds us that Joan of Arc was convicted in an ecclesiastical or “church” court.

Your challenge in this assignment is to write a letter to the Pope (Pope Callixtus III) in which you explain at least three “grounds” or reasons for a retrial of Joan of Arc. Remember Joan of Arc is already dead at this point, so the purpose of the trial is really just to “clear her name.”

Since this is the 15th century, the same rules for having a retrial as we have now would not likely apply, but the Pope was in fact in a similar position to a modern day Supreme Court. In order for him to grant the retrial, he must be persuaded that Joan of Arc was denied justice.

In order to convince him of this, you should consider the following:

1. Your letter should be very formal. It should be addressed to the “Holy Father” (not “Dear Pope” or “Dear Callixtus” or “Dear Calli” or “Hey Pope”.)
2. Use the “standards of fairness” from supplementary lesson 1 to decide on the best grounds for the appeal.
3. Once you have decided on the specific grounds you are going to use, explain how Joan of Arc was denied these.
4. Use the web links from supplementary lesson 1 to get more information on the trial and some ideas on how you can explain to the Pope what happened.
5. Your concluding paragraph should explain why it is important that Joan of Arc’s name be cleared and why she should not be remembered as a witch and a heretic.