

Trial by Ordeal

A MODERN PARABLE

MEMBERS OF THE upper class in Medieval Europe could resolve disputes through Trial by Combat. Victory went, it was believed, not to the more powerful or skilful, but to the one whom God permitted to win because of the justice of his cause. Trial by Ordeal was a more communal matter, survival unscathed supposedly amounting to proof of the subject's innocence.

Bounty hunters captured an alleged insurgent, whom the northern alliance handed over to coalition forces, after protracted negotiations and a large cash payment of ten thousand gold crowns. The ordeal of prolonged and coercive interrogation followed, accompanied by public demonisation to alienate possible community sympathy for the prisoner, who was secluded from outside contacts, denied the right to question accusers, and even to know both their identity and the nature of the accusations.

Meantime, officials who objected to the illegality of proceedings and of the invasion itself, were publicly vilified, or had their careers curtailed, while some were subjected to administrative and judicial reprisals. The principal international organisation's authority was compromised by dispute; while eminent legal opinion opposed to the presumption of guilt was rigorously suppressed. On the other hand, no material support was forthcoming from the government of the prisoner's own country, which instead raised no objections to whatever might ensue.

The titular head of the country leading the invasion was a simple-minded incompetent, who confined himself to pious banalities invoking divine blessings on his country, leaving pursuit of the war aims of territorial and financial gain to the powerful magnates surrounding him. Ultimately he became a victim of his own inadequacies. So did some of them.

Eventually, when conditions seemed favourable, a trial followed, with the prospect of interminable and onerous detention and even death. This, and the display of instruments of torture, induced the prisoner to plead guilty to activities in support of extremism, on the understanding that this would lead to only a moderate

penalty. A condition of this plea bargain was that any subsequent renunciation of the confession required for validation of the irregular extra-legal process would amount to a violation of its terms, and incur reversion to the prisoner's prior status.

Considering this outcome's propaganda value to the occupying power, its leaders could not risk allowing the prisoner any opportunity to denounce the trial or make adverse allegations about its conduct. They therefore created conditions which induced results represented as non-compliance amounting to recantation. This was treated as regression to the status of self-confessed evildoer. With no further trial deemed necessary, the prisoner's judicial murder by execution became inevitable.

Consequently, even before proclamation of the new sentence, she was taken into the marketplace of Rouen and there on the thirtieth of May 1431, publicly burned at the stake—the first political activist martyred for a campaign of national emancipation. This was defined in religious terms—the principal ideational rationale for such activities in the historical circumstances. The trial was officially denounced twenty-five years later and its findings revoked. In 1909 the victim was beatified, and in 1920 formally canonised by the Church, effectively distancing itself from the careerist senior clergy who had opportunistically collaborated in the atrocity.

Because of public admiration for the defendant's military prowess it had been necessary to degrade her religious credentials, enabling her successes to be represented as due to witchcraft. This was demonisation in its original quite literal sense. The difficulties with proving accusations of heresy and witchcraft were that the accused had already been exorcised in her home village of Domrémy and had her religious orthodoxy attested by ecclesiastic interrogation at Poitiers; while a physical examination had confirmed her virginity, which as an official article of faith precluded the possibility of her being a witch.

During the prolonged ordeal her allusions to the Poitiers findings were ignored, and evidence of her virginity suppressed; while her requests to make Confession and receive Communion were denied unless she renounced male attire and resumed woman's clothing. This she refused to do while four English common soldiers were nightly stationed in her cell. Clearly someone was intent on her retrospective loss of virginity.

Failing that, her religious relapse was contrived by overnight replacement of her feminine outer garments with the relinquished masculine attire, which she declined to don, remaining in bed until nature obliged her to dress, in the need for relief. Thereupon a bevy of clergy appeared with miraculous promptitude to witness her

“relapse,” which they augmented by attributing to her a totally uncharacteristic heterodox tirade.

Though the official record of her tribulations is corrupt, including spurious additions to her confession, the verbatim transcript fortunately survives in the public domain. Though it records her constant appeals for intervention by the Papacy, this was in any case impracticable, since there was a schism within the Church, with two contenders claiming papal legitimacy. Whether France’s Charles VII could have interceded on her behalf, or would have if he could, is debatable, preoccupied as he was with his country’s instability largely due to competition between the forces of Burgundy and Orléans for political ascendancy. That explains the temporary collusion of the Burgundian alliance with England, later abandoned when it suited their perceived interests. Charles seems to have been only a degree less weak than the pious Henry VI of England, who was incapable of dealing with comparable ambitions involving the Houses of York and Lancaster in internecine struggle for the crown.

Pierre Cauchon, dispossessed Bishop of Beauvais, presided over the judicial proceedings, apparently in anticipation of being rewarded with the vacant archbishopric of Rouen. It seems that the outcome exceeded his expectations, for having denied his prisoner the consolation of Holy Communion during her lengthy incarceration, he tacitly allowed it to her in her last hours, when she was officially in a state of apostasy and therefore formally excluded from the rites of the Church. It seems that he was more convinced of the need for cure of his soul than of hers. He was not elevated to the coveted arch-episcopacy.

Does history repeat itself? Certainly not in any literal sense. But similar situations arise; similar ambitions, delusions and obsessions recur; and fallible humans continually fail at their peril to learn from ensuing calamities.

—ROBERT SMITH

Principal historical source: W. S. Scott, translator and editor, *The Trial of Joan of Arc: Being the verbatim report of the proceedings from the Orleans Manuscript*, London 1956

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