

William's challenges

In 1066 William, Duke of Normandy defeated the Anglo-Saxon King Harold of England at the Battle of Hastings. The Normans spent the next five years taking all they could from the Anglo-Saxon English. Some tried to fight back against their invaders, but William treated any rebellions brutally so he came to be called 'the Conqueror'. The Norman invaders were outnumbered 300:1, yet William managed to maintain and secure his rule.

He was determined that people who had been beaten should stay beaten. Castles were built up and down the country to intimidate the English. He installed loyal barons and knights and gave them extensive powers to run their regions. There was no police force in this period so it was up to these loyal followers of William to enforce law and order.

William believed that any crime was an insult to his peace so punishments could be harsh. He used the death penalty for serious crimes and fines for lesser crimes. He got rid of the old compensation (Wergild) system and ordered that the fines be paid to him rather than the victim.

Yet William also kept many of the old Anglo-Saxon laws too. By the time of his death in 1087 monks were writing that the crime rate was lower than at any other time in their memory. They wrote that no one dared to attack another person because they feared King William's punishments.

'He made the country safe. Any person could travel through his kingdom without injury, with his purse full of gold. No one dared strike another; no matter how much he was wronged ... William was very tough and violent, so that no one dared to disobey him.'

From an Anglo-Saxon chronicle

Crime and the Church

The Normans gave the Church more involvement in the law. There were prosecutions of religious or moral crimes. William set up Church courts for these crimes which included adultery, sex before marriage and not following the rites and practices of the Church. He used the courts to control the behaviour of priests. If they were found guilty of moral crimes they too were punished. The taking of oaths and trial by ordeal also increased the importance of the Church as these were the only methods of determining a person's guilt or innocence.

Churches were built in great numbers, and the vast cathedrals of the late 11th and early 12th centuries emphasised the power of the Normans as well as their reform of the Church in the conquered realm.

The right of sanctuary

A criminal who could get to the sanctuary of a church could not be arrested. The church bell would toll to let the people know a person had claimed sanctuary. They then had 40 days to decide whether to stand trial or to leave the country. While in the church they wore a black gown with a yellow cross on the shoulder. If they chose exile they would carry a white cross while they travelled to the coast.



Benefits of clergy

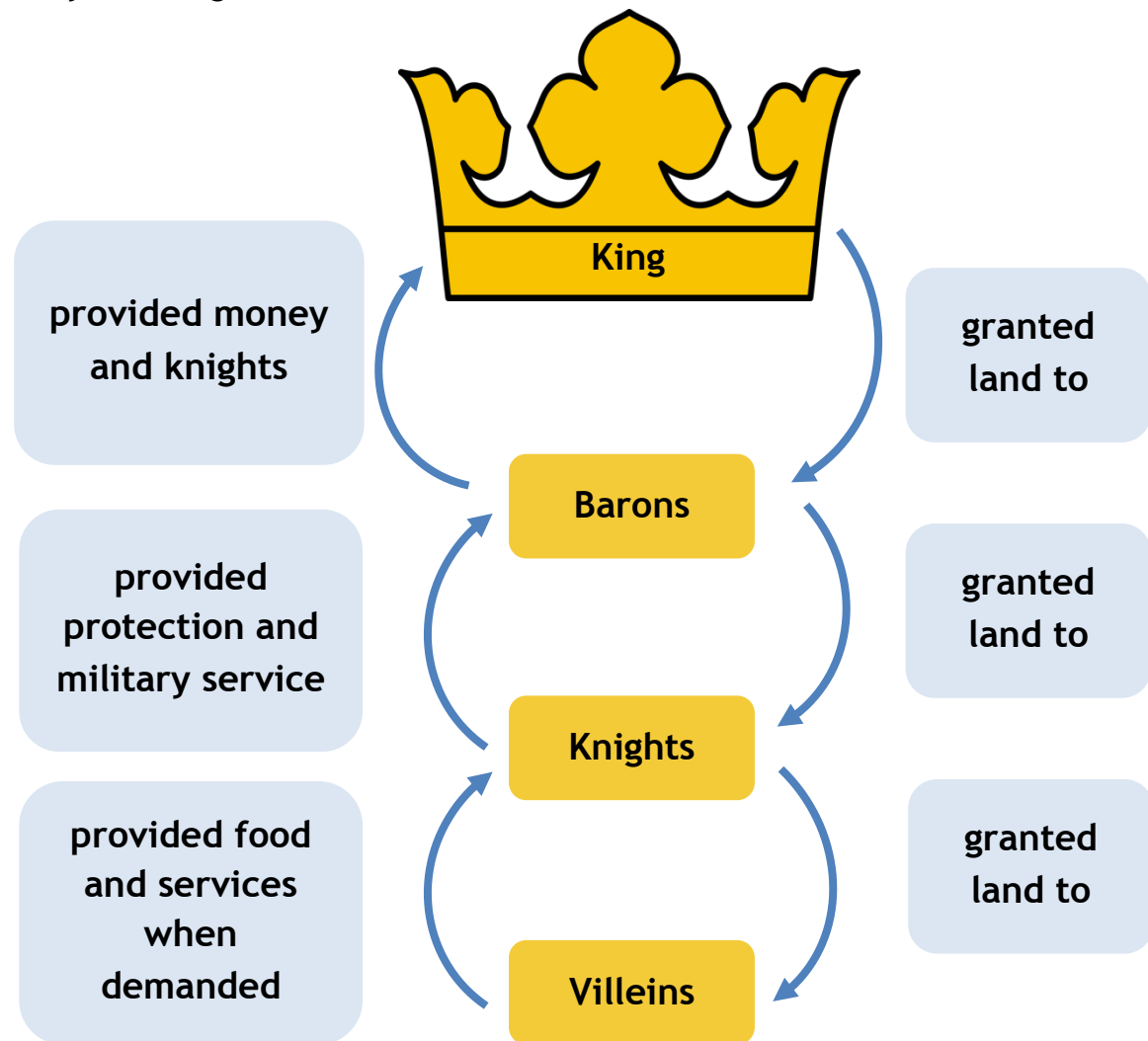
Priests could only be charged in Church courts which didn't use the death penalty. It was assumed that only priests could read so to claim 'benefit of clergy' you were asked to read a passage from the Bible. The same verse was used every time so criminals could learn it off by heart to gain a trial in the Church courts! The verse was nicknamed 'the neck verse' as it would save your neck from the rope.

Norman society

The Normans brought some customs and ideas with them from Normandy which resulted in a stronger role for the king. The Church also became more closely connected with law and order.

William confiscated all land from the defeated Saxons and distributed it amongst the barons who had supported his invasion. This system wasn't entirely new, but William made the hierarchy much tighter. It's important to remember, however, that society is complex and that William and his barons' power was never perfect – there were rebellions and challenges. Some historians now talk of the 'myth of the feudal system', noting that society was more fractured and complicated than the description suggests.

Feudal system diagram



The Forest Laws

'Forest' in a medieval sense was a legally defined area, subject to special laws, where the 'beasts of the chase' (deer and wild boars) were protected for the pleasure of the monarch. 30% of England became protected Royal Forests. The laws to preserve the deer were called the Forest Laws.

These laws banned people from cutting down trees or owning a dog or bow and arrow if they lived near a forest. If you were caught once you had your bow fingers cut off. If you were caught twice your eyes would be 'put out'. If you were caught a third time you would be put to death. If a deer wandered out of the forest and ate your crops it was a crime to kill it.

The Forest Laws were an important extension of royal authority. A large network of forest officials policed the laws of the forest and fines and special forest taxes added to the monarch's wealth. They added to the king's ability to maintain law and order in lawless areas.

'He set out to search the forests and remote mountains, stopping at nothing to hunt down the rebels hidden there. He cut down many and destroyed homes. Nowhere else had William shown such cruelty. His fury was blind and he punished the innocent with the guilty.'

An account of William's treatment of northern rebels, written by a Norman monk in 1130

'I fell on the northern shores like a hungry lion. I ordered the houses and corn with all their tools and goods to be burnt and great herds of cattle to be butchered. I took my revenge by giving them famine. Alas, I kept the throne by so many crimes.'

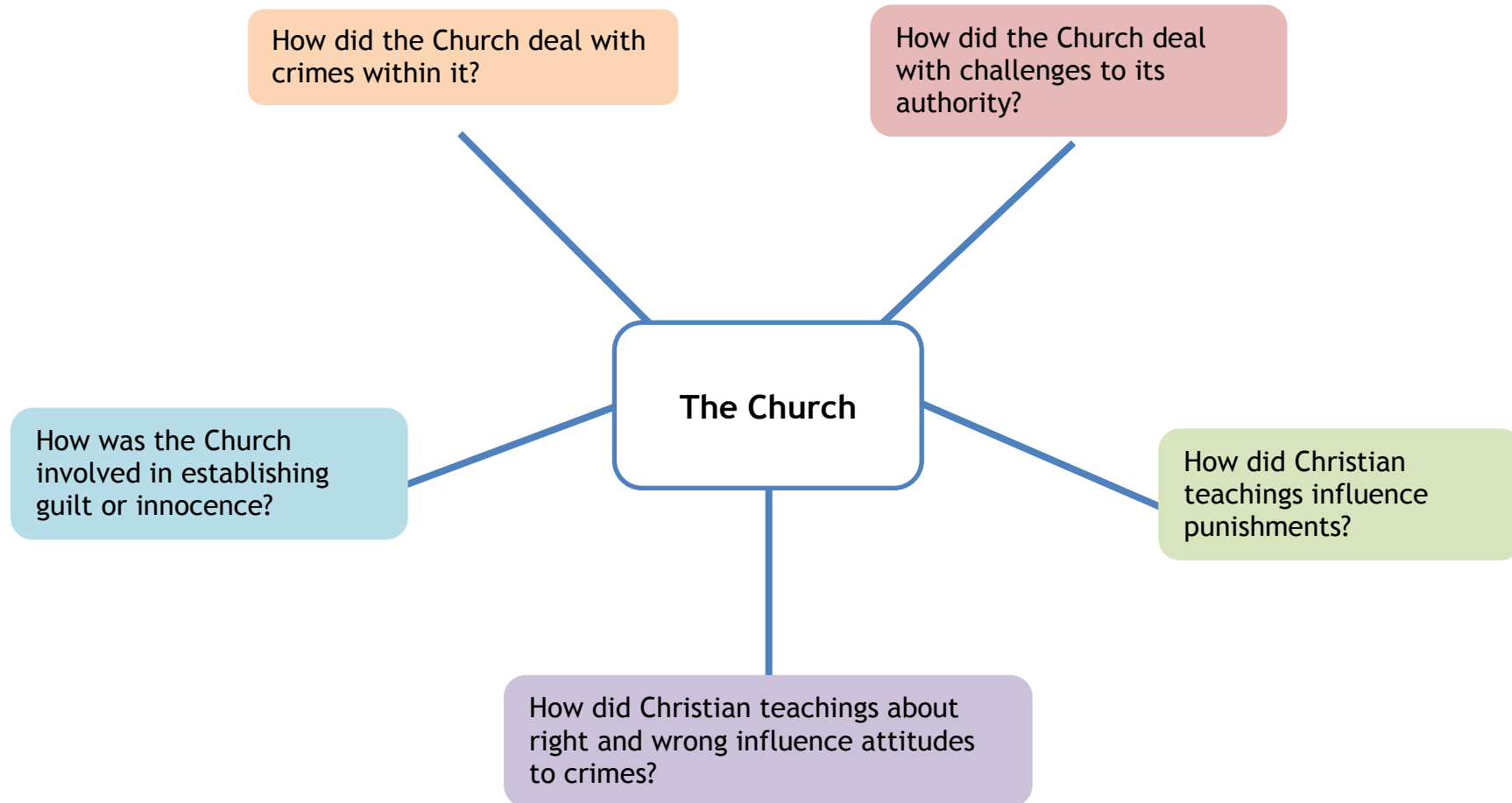
This was supposedly said by William on his death bed. These words were written by a monk in 1130. He was not there and was giving his own version of what William said.

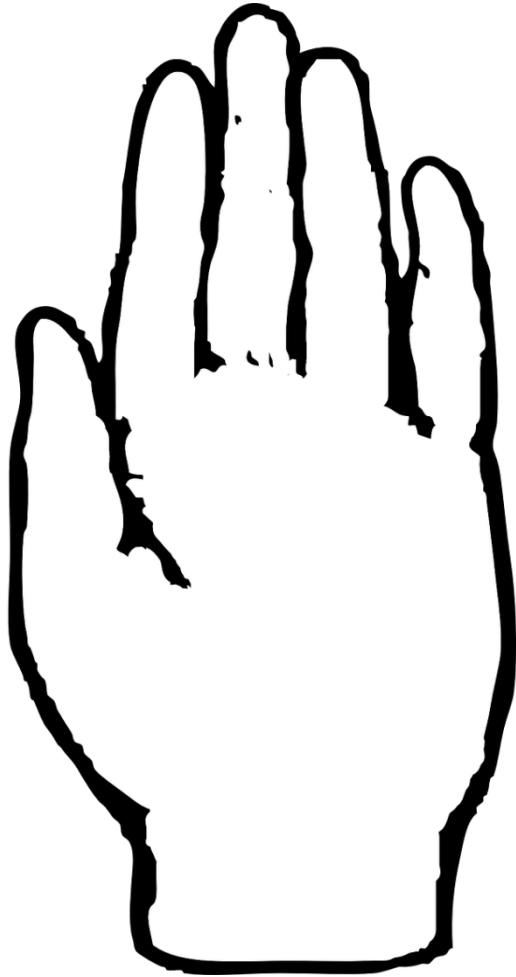


William the Conqueror's laws

1. Only one God will be worshipped throughout the whole of England and there will be only one faith. This will preserve peace between the English and the Normans.
2. All freemen will swear an oath that they will be loyal to the king. All freemen will swear to defend William against all of his enemies.
3. All those men who came to England with William in 1066 and after, shall be guaranteed their safety. If any of these men are killed, his murderer must be caught within five days if possible. His lord is responsible for this. If that lord fails to do this, that lord must pay me 46 marks of silver. If he cannot afford to pay this fine, those who live under his control must pay up to a total of 46 marks of silver.
4. All Frenchmen who shared in the customs of the English when Edward the Confessor was king shall pay what is called 'scot and lot'.
5. No live cattle can be sold outside of cities. When cattle are sold in cities, there must be three witnesses to the sale. If this law is ignored, the person responsible shall be fined the same sum of money as was made in the sale.
6. If a Frenchman accuses an Englishman of murder, theft or perjury, that Englishman shall be allowed to defend himself either by ordeal through combat or by ordeal by hot iron. If that Englishman is too ill to do this, he will find another Englishman to do this in his place. If an Englishman accuses a Frenchman of a crime, and is unwilling to prove his case against the Frenchman by ordeal of combat or hot iron, the Frenchman will be acquitted if he swears an oath of innocence.
7. All the laws regarding land ownership introduced under Edward the Confessor shall be kept alongside those land laws William has introduced.
8. Anybody who wants to be considered a freeman must swear an oath of loyalty. This oath must be guaranteed by others. If this man who has sworn an oath breaks the law those who have guaranteed his oath must pay any fine that is set against this man. Any problems should be sorted out in a court of law. If anybody who is summoned to court refuses to attend, he shall receive one warning; if he refuses to attend a second time, he shall have one ox taken from him. If he fails to attend a third time, he shall have another ox taken from him. If he fails to attend a fourth time, he shall pay a fine to the king and shall have taken from him goods to the value of the original charge against the accused.
9. No man is allowed to sell another man. Anyone breaking this law will pay a fine to the king.
10. No one shall be executed for any crime; but if they are guilty of a crime, they will be blinded and castrated. This law is not to be challenged.







On the one hand ...
the Normans improved law
and order



On the one hand ...
the Normans didn't improve
law and order

Task sheet

Starter

Think-pair-share:

- What problems face a new monarch?
- What particular problems are faced by a new monarch who has taken the throne in battle?

Main tasks

1. Read the information on 'William's challenges' and 'Norman society' pp. 1-2, then:
 - Make two lists of the similarities and differences between Anglo-Saxon and Norman laws.
 - Write a paragraph to answer 'Why did William treat the Anglo-Saxons so brutally?'
2. Look at the copy of ten laws passed by William the Conqueror on p. 4. Highlight those to do with keeping the king's peace, those to do with religion and those to do with respecting the king. Then:
 - Compare these laws to those of the Anglo-Saxon kings – are there many differences?
 - Why didn't William change all the laws or punishments when he became King?
3. Read the information on 'Crime and the Church' on p.1 and then complete the spider diagram on p 5.
4. Read the information on 'The Forest Laws' on p. 2 then answer the following:
 - Why were the Forest Laws the most resented of all William's laws?
 - What do the sources tell you about William and his attitudes to punishment?

Review

'This also I command and will, that all shall have and keep the law of King Edward [the Confessor] ... together with those additions which I have established for the benefit of the English people.'

An extract from a royal proclamation made by William I

How much change and continuity was there in Norman law enforcement?