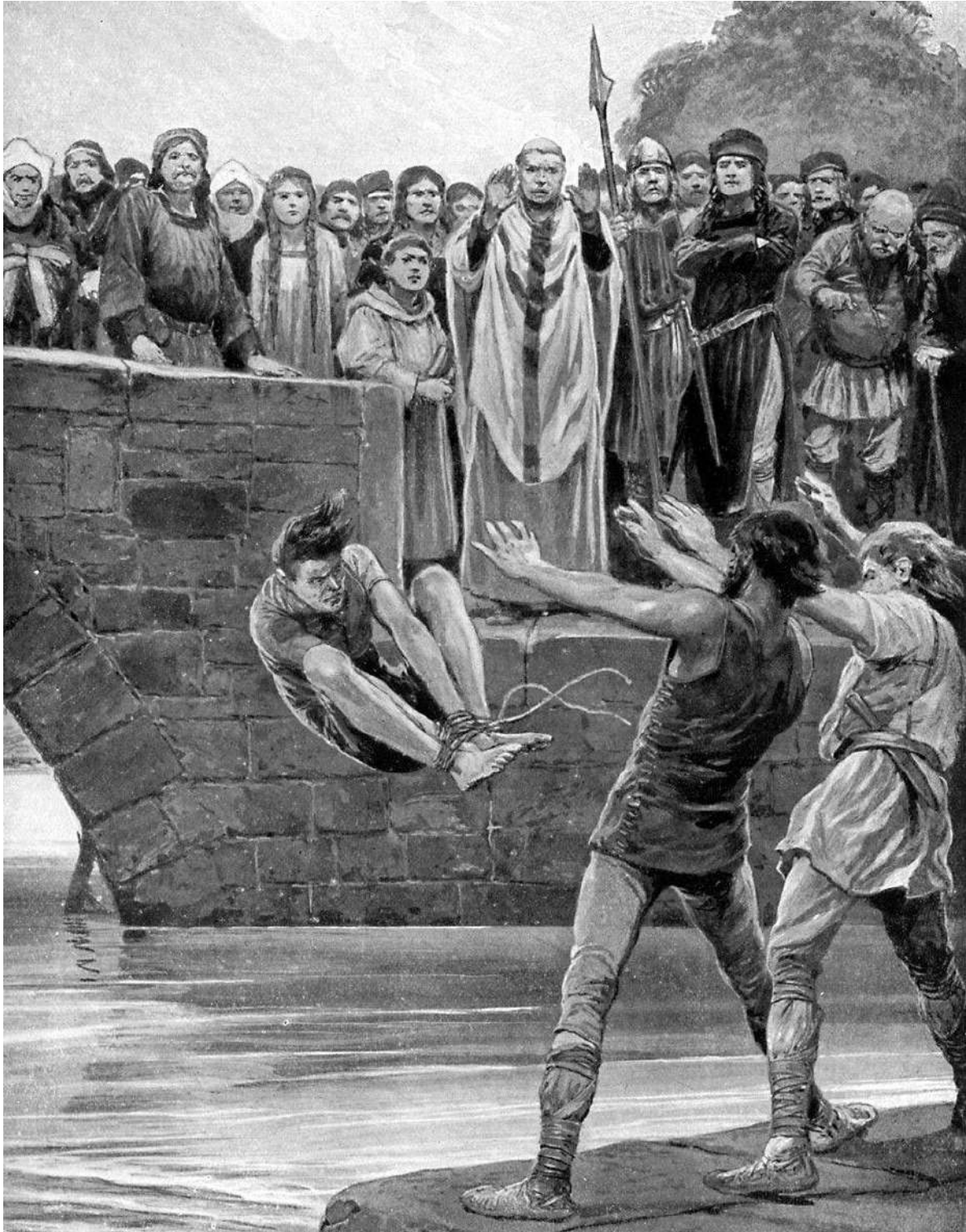


Reference: <https://www.bbc.com/news/uk-45799443>

Trial by ordeal: When fire and water determined guilt

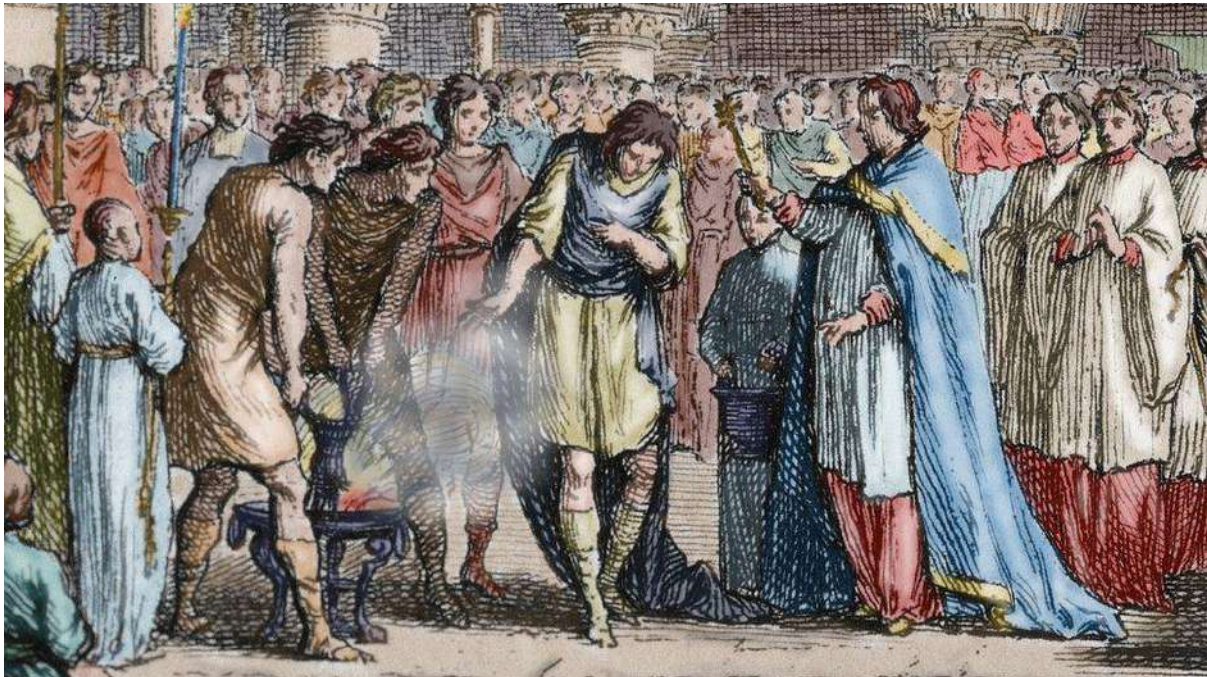
By Duncan Leatherdale, BBC News, Published 9 February 2019



Trial by water, here illustrated for a 1920s history book, was one of the two main forms of ordeal

It is 800 years since England first started using juries to determine guilt. Before then, court could literally be an "ordeal" for those wanting to prove their innocence.

Ailward forced the lock on his neighbour's front door and entered - he was there to collect a debt he was owed. But, as Ailward searched the homestead, his neighbour Fulk returned and had him detained for theft. Ailward protested his innocence. But he would have to undergo an ordeal to prove it. He would be bound and cast into a pond. If he sank he would be innocent, if he floated - guilty. He floated. This was justice medieval England-style, and it was barbaric. Ailward's eyes were gouged out and his genitals mutilated as punishment.



Trial by fire involved the accused carrying a red-hot iron

But, as daft as they might sound as a means of determining guilt, "ordeals" performed a useful social function according to Dr Will Eves, a research fellow at the University of St Andrews' School of History which will **hold a debate about trials on 11 February**.

"From a 21st Century point of view, it's very easy to look and say this was just the stupidity of earlier people but that would be wrong - there is much more nuance to it," he says.

There were two main forms of ordeal - fire and water - with God being seen as determining guilt through the result. For fire, the accused had to carry a **red-hot bar of iron and walk 9ft (3m)**. If the wound healed cleanly within three days, they were innocent. But if it festered, guilty.

With water, the accused was plunged into a pool of cold water on a rope which had a knot tied in it, a "long hair's length" away from the defendant. If they sank to the depth of knot, the water was deemed to be accepting them at God's behest. They were therefore innocent and dragged out before they drowned. But if they floated the water was rejecting them, rendering them guilty. The key to the ordeal was the interpretation of the result. The community would probably have had a good idea if someone had committed the crime or not so would interpret accordingly, says Dr Eves.

"In trial by hot iron, the issue wasn't if the iron had caused a wound but rather how it had healed," he says. "So that's a much more nuanced issue, much more open to interpretation.

"Whether the wound was festering was a judgement which could be influenced by the community's knowledge of the individual involved and their awareness of the broader circumstances of the case.

"Even in trial by water, the extent to which a person sank may have been open to interpretation, especially if they were thrashing around and the rope was being pulled in all directions."



Trial by combat, as depicted in Game of Thrones, was allowed by English law until 1819

Trial by combat

Another option was trial by combat or wager of battle - a fight between the accused and their accuser, which was introduced by the Normans in 1066 (and depicted in HBO series Game of Thrones).

God would grant the moral-victor the strength to vanquish the person who wronged them. But there is an obvious flaw - some people are simply better at fighting than others. So a party could plump for a champion to fight on their behalf.

But again this would favour richer folk who could afford to pay for a better fighter. "It was as obvious to them as it is to us that big guys would beat the little guy and they were concerned about it," says historian Prof John Hudson. **Trial by combat remained in English law until 1819, although its use had dwindled over the centuries.**

In 2002, a man **demanding trial by combat to resolve a motoring fine**, but magistrates rejected his appeal and fined him.

Statistically, ordeals cleared more people than they condemned. They were not something to be taken lightly; a guilty person would have believed God would find them so. So surely only a genuinely innocent person, who knows God knows their innocence, would go to an ordeal? "It has been suggested ordeals were made easier to pass because of this attitude," says Dr Eves. "The demeanour of the accused may have influenced the interpretation of the result of the ordeal."

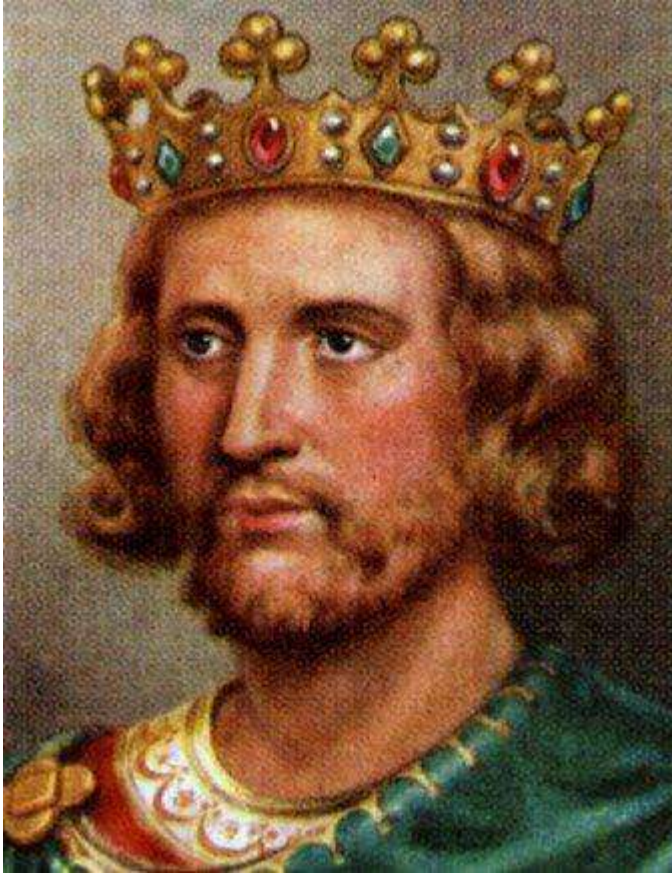
It was the Church's decision to withdraw support for ordeals that ultimately doomed the practice. In 1215 a papal council decree was issued - priests should no longer be involved.



Priests were involved in verifying the results

The Church felt it was improper to ask God to intervene; it was akin to demanding a miracle. As the priest was the one who oversaw the ordeal, blessed the water and iron and ensured the validity of the result, this effectively rendered ordeals impossible. An increased understanding of science and rise in rational thought also saw the perceived infallibility of the ordeal diminish.

"There was a growing preference for human reason rather than the judgement of God," says Dr Eves. So for four years there was no prescribed way of determining guilt. But on 26 January, 1219, King Henry III issued an edict - the trial by petty jury was born in England.



King Henry III, who introduced the jury trial

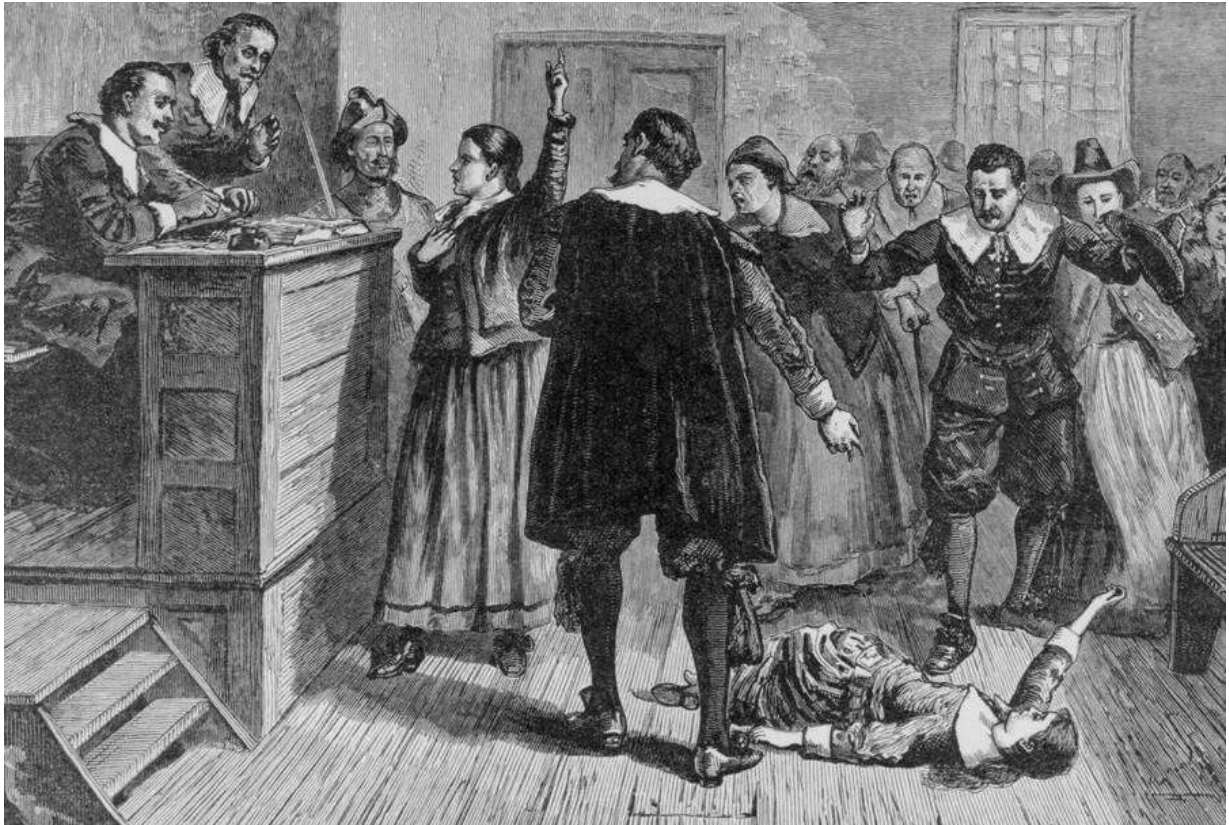
Juries had been around before; the grand jury gathered to ascertain whether someone was a suspect and should be put forward for the ordeal. The petty jury simply moved that forward - a group of 12 people were now being asked to determine guilt. Eight hundred years later, courts still turn to juries.

And defence barrister Harry Potter wouldn't have it any other way. "This very important decision is made by an eclectic, arbitrary group of people based on their experience, conscience and understanding of the evidence presented to them, he said. Mr Potter, who has been a barrister for more than 25 years, admits "no system is perfect" and said he had had "maybe three or four cases" where a client who was "undoubtedly not guilty" had been convicted, but that in many hundreds more the right verdict was reached. "Most of the time they get it right," he adds.

7 Bizarre Witch Tests That Were Basically Impossible To Pass

By Natasha Ishak | Checked By Leah Silverman, Published December 3, 2020

From being weighed against the Bible to being bound and tossed into a river, these witch tests prove how easy it was to be condemned during the era of anti-witch hysteria.



Anti-witch hysteria took hold of Europe and North America, scores of innocent people were subjected to torturous witch tests.

As Europe and North America were gripped by anti-witch hysteria in the 16th and 17th centuries, myriad innocent men, women, and even children were accused of sorcery and subjected to torturous witch tests in order to prove their culpability.

However, long before they came to be viewed as the hag-like sorceress that the people of Salem, Massachusetts came to fear, witches were considered to be powerful priestesses who performed healings, delivered babies, and provided wise counsel for kings in ancient civilizations. But the history of witches is one of misogyny and fear, and so the reverence of these women later disappeared as male rulers sought absolute power.

Intimidated by their influence, patriarchal societies accused these women of demonic possession in order to defame and disempowered them. Some scholars point to the **rise of Christianity, in particular, as the impetus for witch hunts in Europe and North America.**

By the end of America's period of anti-witch hysteria, or the Salem Witch Trials in 1693, four accused witches had died in prison, one had been pressed to death, and 19 others had been hanged. And by the late 18th century in Europe, between 40,000 and 60,000 people had been executed for witchcraft.

The unfortunate many who were accused of witchcraft endured witch tests that ranged from the absurd to the unbelievably inhumane. One test required being weighed against the Bible while others involved torture. Indeed, these are by far the most bizarre and violent tests that the accused were subjected to.

The Impossible 'Swimming a Witch' Test



One witch test, called “swimming a witch,” involved tying up a victim and throwing them into the water to see if they would float.

During the witch hunt craze that dominated Europe throughout the 16th and 17th centuries, one of the most popular witch tests was the so-called “swimming a witch” test.

If a person was accused of witchcraft, they were taken to the nearest body of water and stripped down to their undergarments. Then their hands were bound together, and they were dumped into the water to see if they would float.

The test hinged on the idea that witches would float because the water would reject them.

According to researcher Russell Zguta, this “trial by water” approach was based on the religious belief that water was a sacred element. If the person was indeed possessed by evil, then the water would refuse them and force them to the surface.

But this method posed an obvious quandary: innocent victims were likely to drown. The inadequate solution to this was to tie a rope around the victim’s torso so that if they sank, thereby proving their innocence, they could then be rescued. But accidental drowning still happened.



A witch would be rejected by water and forced to float to the surface.

There were also rare instances in which the accused actually did float. A 1613 pamphlet titled *Witches Apprehended, Examined and Executed* described the case of a woman named Mother Sutton and her daughter Mary in Bedford, England who both stood accused of being witches.

Their guilt was allegedly proven through two swim tests, during which they were taken to a nearby mill dam where they were stripped of their clothing and their arms crossed over their chests, and then bound.

Somehow, both women floated to the surface, suggesting that the accusations were true. Then, a second swimming test was carried out, but this time their hands were bound to their feet. Miraculously, the mother and daughter were once again able to float to the surface. The two women were consequently imprisoned, brought to trial, convicted of witchcraft, and executed.

The Witch Cake Made Of Urine That Was Fed To a Dog

According to 17th-century lore, a witch's cake was made out of rye flour, maybe ash, and urine from the person reportedly suffering under a witch's spell.

If someone was suspected of being a victim of sorcery in 17th-century England and America, then a "witch's cake" was baked in order to see whether or not they were truly hexed. Of course, this turned into a recipe for disaster.

When someone was believed to have fallen ill because of a witch's spell, their urine was mixed with rye flour and possibly ash and then baked into a cake. After that, the cake was fed to a dog.

Dogs were considered familiars or animal helpers that were associated with the devil. If a dog became ill after eating the witch's cake, then the person whose urine was baked into it was believed to be a victim of witchcraft. It was then suggested that the dog could help sniff out the witch responsible for the spell.



The witch's cake test was used in the first accusations of witchcraft during the Salem Witch Trials.

This test spread from England to New England and quickly became a primary method to weed out witches during the Salem Witch Trials.

In January 1692, nine-year-old Elizabeth Parris, the daughter of Salem's Reverend Samuel Parris, and Abigail Williams, the reverend's 12-year-old niece, started behaving erratically. Their ailments were un-diagnosable and untreatable, according to contemporaneous doctors, and so their urine was baked into a witch's cake on the suggestion of a neighbour.

The cake itself was reportedly made by the Parris family's two slaves, John Indian and his wife [Tituba](#). But this test didn't reveal much about the Parris girls' situation and the supernatural test was enough to anger the reverend, who condemned the act as "going to the devil for help against the devil."

The neighbour was thus punished by the church, and the girls, still allegedly under the influence of witchcraft, accused Tituba and two other women of casting a spell on them. Tituba confessed to the allegations, exempting her from execution as regulated by law. She was imprisoned and later escaped to freedom, but the rest of her life is lost to history.

Searching for Witch's Marks That Signified the Touch of the Devil



Witch hunters claimed that witches would have marks on them that had been branded by the Devil in order to seal their pact with him.

A birthmark, mole, or scar was often enough to prove the accused was indeed a witch.

Oftentimes, the accused was publicly stripped before the examination or their body hair was shaved in order to ensure that nothing was concealed from the witch hunters.

Identifying “witch’s marks” was among the strangest and perhaps most damning methods used by witch hunters. The belief originated in the *Malleus Maleficarum*, a notorious 15th-century treatise on finding and catching witches.

The book, written by Inquisitors Heinrich Kramer and Jacob Sprenger, claimed that witches achieved their powers by making a pact with the Devil, which was then sealed with a special mark that could appear as a mole, freckle, birthmark, or scar on the witch’s body. Accusers

could then contend that anyone who bore an unusual marking on their body was likely a witch.

Matthew Hopkins, a prolific witch hunter who dubbed himself the “Witchfinder General” of England, outlined in his 17th-century guidebook how these markings purportedly helped him to identify a group of witches that he believed were cavorting in his hometown every six weeks.

Even a simple birth mark or mole like this could be considered to be the “markings of the devil.”

Hopkins successfully captured one of these women and found that she had “the devil’s marks” in the form of “three teats” on her chest. Hopkins argued that women who practiced black magic allegedly had a third nipple from which they fed their satanic master or their evil animal familiars.

What constituted the “markings of the devil” wasn’t clearly defined in either manual or suspicious body marks varied broadly. Hopkins noted in his book that those with loose lobes of skin were also suspected to be witches and these were often misidentified as “witch’s teats,” as in the case of the woman in his manual.

Additionally, body markings that appeared in the shape of an animal, particularly toads, were deemed especially suspicious. As a result, during the height of the European witch hunts, people who had natural birthmarks and moles or possessed old scars on their bodies tried to get rid of them to avoid being accused of witchcraft.

The Cursed Touch Witch Test

A person could be accused of being a witch if someone claimed that they fell ill and then were healed after that person touched them.

Another witch test that was used during the infamous Salem Witch Trials of 1692 was the “touch test.” This was used to identify witches who had cast a spell on a victim.

The idea behind this witch test was simple: if someone suddenly fell ill after being in contact with another person and then they were suddenly cured of their ailments after being touched again by that same person, then that individual who touched them was guaranteed to be a witch.

If, on the other hand, the victim was still not cured after a second touch by that person, then that person must be innocent.

But rules related to witch tests were usually self-determined by the judges and often bent to the will of the accusing public. For example, according to court documents from the Salem Witch Trials, Abigail Faulkner was among the accused after a number of people fell ill after being in contact with her.

Despite Faulkner’s denials and even her invocation of God, people were convinced that she was a witch, especially after the sick people were suddenly healed from their fits after being touched by her a second time.



The **cursed touch** witch test was well-documented in the Salem Witch Trials.

Faulkner did eventually confess, but only to the fact that she had wished ill upon people because they had made fun of her. She maintained that it was the Devil who had cast the spell during her ill thoughts, not her.

During the trials, one of the alleged victims of Abigail Faulkner, Mary Warren, fell into a convulsive fit that subsided only when she was touched by Faulkner. To the judges in Salem, this proved Faulkner's culpability and she was imprisoned and sentenced to death for witchcraft.

Faulkner narrowly escaped execution because she was pregnant and later exonerated by the town, but at least 18 people in total were tried on the basis of the dubious touch test in the Salem Witch Trials alone.

Recite the Bible Flawlessly From Memory



Accused witches were forced to publicly recite the Bible without any mistakes. Errors were deemed evidence of their association with the Devil.

One of the most commonly held tenets of witch lore was that anyone who played with evil would not be able to speak the words of scripture. As such, a frequent witch test required the accused to recite prayers from memory.

Based on the belief that witches could not speak words from the Bible, only the innocent would be able to recite scripture without any mistakes or falters. This left little margin for error and any stumbling of words could be construed as evidence of the accuser's guilt.

Cotton Mather, an influential Puritan minister in 17th-century New England, defended the prayer test as one of the most reliable ways to detect a witch, according to a letter he sent to a judge:

“I should not be unwilling that an experiment be made whether accused parties can repeat the Lord’s Prayer, or those other systems of Christianity which, it seems, the devils often make the witches unable to repeat without ridiculous deprivations or amputations.”

Many of the accused were peasants likely because they were unable to read the Bible simply because they were illiterate. But this reading test was also difficult because even if the accused had memorized the Bible, they might be unable to speak in public due to nerves — indeed, their very life was on the line.



Martha Corey, one of the accused witches in the Salem Witch Trials. She was found guilty and executed by hanging.

For example, in 1712, accused witch Jane Wenham was condemned after she supposedly struggled to speak the phrases “forgive us our trespasses” and “lead us not into temptation” during her witch test.

Those who knew the Bible by heart were not safe from accusations of devil worship, either. As he stood on the gallows before his execution for witchcraft in Salem, Reverend George Burroughs recited the Bible perfectly — and was still executed on the grounds that his perfect performance had been a trick by the Devil.

Weighing the Witch against the Bible



Witches were believed to be light enough to ride broomsticks and were therefore thought to be lighter than a Bible.

In medieval Europe, most town centres had stations called weigh houses where traders and sellers measured their crops or livestock before taking them to market. But as the witch hunt craze swept across the continent at the turn of the 17th century, these weigh houses were used to weigh the wicked.

The basis for this witch test rested in the widespread lore that witches rode around on broomsticks and could float on water. This meant that a witch had to be relatively lightweight. Therefore, if the accused was found to be lighter than a stack of Bibles, then they must be a practitioner of black magic.

But even if the accused was able to pass the weight test, executioners were often bribed to skew results. Many innocent people found themselves declared guilty based on this test method.

As such, the weigh house in Oudewater, the Netherlands, was once considered to be a “fair weighing site,” a title that was bequeathed by Holy Roman Emperor Charles V. As the story goes, the Holy Roman Emperor witnessed an unfair witch weighing test at a nearby village.



Visitors can weigh themselves at the Museum de Heksenwaag in the Netherlands to see if they pass the witch test.

A woman who was accused of witchcraft was weighed and found guilty, but the emperor could not believe that the woman could be so light. He declared the test invalid and ordered

the woman to be weighed again in Oudewater, which had already built a reputation as a fair weighing site. The woman was cleared of her charges and released.

It is said that the emperor tried to pay the weigh test master for their service, but the man declined, impressing the emperor who immediately declared that Oudewater was a fair weighing site. The weigh master was then given authority to dispense official certificates that declared test subjects not guilty of being a witch.

Centuries later, the weigh house still exists and has since been converted into the Museum de Heksenwaag. Visitors today are able to weigh themselves and receive a certificate proclaiming that they are not a witch.

Prick the Accused Until They Bleed



This witch test aimed to prove whether the accused could bleed like a normal person.

One of the more violent witch tests was undoubtedly “pricking and scratching.” As with the search of the “Devil’s markings,” this test was based on the idea that a pact with the devil would leave a mark on the witch’s body.

Even those without a single birthmark or mole on their skin couldn’t escape this witch test, however. The suspect was instead stripped naked and subjected to the cruel practice of “pricking,” which aimed to detect witch’s marks under the skin by repeatedly pricking the accused with a special needle.

Witch hunters claimed that sometimes these evil markings were hidden and could only be uncovered by pricking and scratching. Witch hunters also claimed that a witch would feel no pain during this agonizing trial and poked at the accused until they found a less sensitive

spot. Additionally, if the accused didn't bleed from this ordeal, then they were declared a witch.



A Scottish pricking needle used during witch trials.

This witch test was so popular that it spawned an entire industry devoted to pricking. Those who took up work as professional prickers were usually con men looking to make easy money, and they would scan their victim's body for spots that were less sensitive and less likely to bleed in order to claim that they were indeed a witch.

In Scotland, a woman named Christian Caddell was so desperate for money that she disguised herself as a man so that she could be hired as a witch pricker. Her plan worked, and she was hired in Elgin in March of 1662.

Caddell's contract was a lucrative one, she made six shillings a day for maintenance and another six pounds for every witch she was able to identify. An average wage at that time was about one shilling per day.

Her scheme as a witch pricker came to an end after she poked a royal court messenger, who successfully petitioned the government for her arrest. She was ultimately banished to the then-colony of Barbados. It's estimated that Caddell helped condemn at least six innocent people through her witch pricking.

Witch hysteria lasted for several hundred years, with estimates as high as 100,000 for the total number of people executed. The last recorded execution in Europe happened in 1782 when Anna Göldi was killed in Switzerland.

Some sources also name Barbara Zdunk, killed in Prussia in 1811, as the last person executed, but this is held in dispute because records of her trial do not mention legal charges of witchcraft. In the United States, the final recognized legal trial for witchcraft took place decades later in 1878, and perhaps not surprisingly cantered around Salem, Massachusetts. Fortunately for the accused, the trial was dismissed by courts and did not end violently for anyone.

As hysteria over witches died down in Europe, witch-tests — at least as legally recognized practices — became obsolete into the 18th century. The hysteria dissipated for a number of reasons, including the higher standards set for evidence imposed within the courts.

But that period of witch hysteria left a lasting cultural impact. There are depictions of witches and witch trials commonly found in pop culture and the term "witch hunt" is now colloquially used to describe questionable processes. Luckily for us, the search for witches has ceased in real life.