

The Hebrew University of Jerusalem

Syllabus

THE MARGINS OF SOCIETY IN THE LATER MIDDLE AGES - 39600

Last update 17-08-2016

HU Credits: 2

Degree/Cycle: 1st degree (Bachelor)

Responsible Department: history

Academic year: 0

Semester: 1st Semester

Teaching Languages: Hebrew

Campus: Mt. Scopus

Course/Module Coordinator: Professor Esther Cohen

Coordinator Email: esther.cohen1@mail.huji.ac.il

Coordinator Office Hours: Tuesday 13.00-14.00

Teaching Staff:

Prof Esther Cohen

Course/Module description:

The course deals with crime and marginality in the later Middle Ages. We will read primary sources and secondary literature dealing with theft, homicide, arson, rape, prostitution and other phenomena of criminality at the period.

Course/Module aims:

The aims of the course are to give the students a comprehensive knowledge of late medieval social history; to endow them with the disciplinary tools of historical criminology and analytic historical thinking, and to learn to research and write a seminar paper.

Learning outcomes - On successful completion of this module, students should be able to:

1. Writing a research paper
2. Reading professional literature in English.

Attendance requirements(%):

100%

Teaching arrangement and method of instruction: Interactive. The student must read for each class and be ready to discuss the material.

Course/Module Content:

Criminal transgressions

Italy

England

Scandinavia

France

Normative transgressions

Rape

Revenge

Domestic Violence

Prostitution

Homosexuality

Punishments

Required Reading:

לידת העולם התחתון בשלהי ימי הביניים - סמסטר א'

39600

סמינר שנה ג' סמסטר א' רוח (הר הצופים)

יום ג' 12:15-10:30

פרופ' אסתר כהן, il.ac.huji.mail@cohen1.esther, חדר 6522 רוח

שעות קבלה - יום ג' 13 - 14

הקדמה

1. מה זה פשע? מה זאת עברה?

"A crime is an action contrary to a statute or fundamental law which is assumed to be just."

One modern legal historian has interpreted such customary law as "a process, an enterprise, in which rules have meaning only in the context of institutions and procedures, values, and ways of thought." Harold J. Berman, *Law and Revolution: The Formation of the Western Legal Tradition* (Cambridge, Mass., 1983), 1.

קריאת מקורות אנגליים

2. כללי

Gauvard, Claude. "Fear of Crime in Late Medieval France." In *Medieval Crime and Social Control*, edited by Barbara A. Hanawalt and David Wallace, 9-49. Minneapolis: University of Minnesota Press, 1999.

Smail, Daniel Lord. "Violence and Predation in Late Medieval Mediterranean Europe". *Comparative studies in society and history* 54, no. 1 (2012): 7-34

פשעים פליליים

מחקרים מרוכזי עיר- בולוניה

Dean, Trevor. "Criminal Justice in Mid-Fifteenth-Century Bologna." In *Crime, Society and the Law in Renaissance Italy*, edited by Trevor Dean and K Lowe, J. P., 16-39. Cambridge: Cambridge University Press, 1994.

Dean, Trevor. "Theft and Gender in Late Medieval Bologna." *Gender & History* 20, no. 2 (2008): 399-415.

Dean, Trevor. "Fornicating with Nuns in Fifteenth-Century Bologna." *Journal of Medieval History* 34, no. 4 (2008): 374-82.

Blanshei, Sarah Rubin. "Crime and Law Enforcement in Medieval Bologna." *Journal of Social History* 16 (1982): 121-38.

3. מחקרים מרוכזי מקום - אנגליה

Müller, Miriam. "Arson, Communities, and Social Conflict in Later Medieval England." *Viator* 43, no. 2 (2012): 193-208.

Müller, Miriam. "Social control and the hue and cry in two fourteenth-century villages." *Journal of Medieval History* 31, no. 1 (2005/03/01 2005): 29-53.

Summerson, Henry. "Burning issues: the law and crime of arson in England, 1200-1350." In *Laws, Lawyers and Texts: Studies in Medieval Legal History in Honour of Paul Brand.*, edited by Susanne Jenks, Jonathan Rose and Cristopher Whittick., 101-27. Leiden: E. J. Brill, 2012.

Thiery, Daniel. "Welcome to the parish. Remove your cap and stop assaulting your neighbor." In *Reputation and Representation in Fifteenth-Century Europe*, edited by Douglas L. BIGGS, Sharon D. MICHALOVE and A. Compton REEVES, 235-65. Leiden: E.J. Brill, 2004.

Taylor, Jamie. "Neighbors, Witnesses, and Outlaws in the Later Middle Ages." *English Language Notes* 48, no. 2 (2010): 85-97.

4. סקנדינביה

JØRGENSEN, Torstein. "'Killings, unfortunately, take place more often here than anywhere else': civil and clerical homicide in late medieval Norway." In *Violence and the Medieval Clergy*, edited by Gerhard JARITZ and Ana MARINKOVIĆ. CEU Medievalia, 16; Medium Aevum Quotidianum: Sonderband 23, 29-46. Budapest: CEU Press, 2011.

ORNING, Hans Jacob. "Conflict and social (dis)order in Norway, c. 1030-1160 ". In *Disputing Strategies in Medieval Scandinavia*, edited by Kim ESMARK, Lars HERMANSON, Hans Jacob ORNING and Helle VOGT. *Medieval Law and Its Practice*, 16, 45-82. Leiden: E. J. Brill, 2013.

Firth, Hugh. "Coercion, vengeance, feud and accommodation: homicide in medieval Iceland ". *Early Medieval Europe* 20, no. 2 (2012): 139-75.

5. צרפת

TURNING, Patricia. " Competition for the prisoner's body: wardens and jailers in fourteenth-century southern France." In *Crime and Punishment in the Middle Ages and Early Modern Age, Mental-Historical Investigations of Basic Human Problems and Social Responses*, edited by Albrecht Classen and Connie Scarborough, 281-97. Berlin: De Gruyter, 2012.

LaGuardia, David. "Ruses, finesses, bons tours Philippe de Vigneulles and the Narrative of Crimes and Misdemeanors." *Cahiers de recherches médiévales et humanistes* 22, no. 22 (2011): 194-208.

Enders, Jody. "Foul Play: Rape, Murder, and the Medieval Theater of Everyday Life." *Cahiers de recherches médiévales et humanistes* 25 (2013): 145-64.

6. - אונס

Caroline Dunn, "The Language of Ravishment in Medieval England," *Speculum* 86 (2011), 79 - 116.

Yahil, Edna. "A rape trial in Saint Eloi: sex, seduction, and justice in the seigneurial courts of medieval Paris,." In *Voices from the Bench: Narratives of Lesser Folk in*

Medieval Trials, edited by Michael Goodich. *The New Middle Ages*, 251-71. New York: Palgrave Macmillan, 2006.

Musson, Anthony J. "Crossing boundaries: attitudes to rape in late medieval England," in *Boundaries of the Law: Geography, Gender and Jurisdiction in Medieval and Early Modern Europe*. Ed. Anthony Musson. Aldershot: Ashgate (2005) 84-101.

פשעים נורמטיביים

7. כללי - נקמה

Rosenthal, Joel T. "Marriage and the Blood Feud in 'Heroic' Europe." *The British Journal of Sociology* 17, no. 2 (1966): 133-44.

Hyams, Paul R. "Was there really such a thing as feud in the High Middle Ages? ." In *Vengeance in the Middle Ages: Emotion, Religion and Feud*, edited by Susanna A. Throop and Paul R. Hyams, 151-75. Aldershot: Ashgate, 2010.

Miller, William Ian. "In Defense of Revenge." In *Medieval Crime and Social Control*, edited by Barbara A. Hanawalt and David Wallace, 70-89. Minneapolis: University of Minnesota Press, 1999.

Kaminsky, Howard. "The Noble Feud in the Later Middle Ages." *Past and Present* 177 (2002): 56-83.

8. נקמה: צפון אירופה

Hyams, Paul R. "Nastiness and Wrong, Rancor and Reconciliation." In *Conflict in Medieval Europe: Changing Perspectives on Society and Culture*, edited by Warren C. Brown and Piotr Górecki, 195-218. Aldershot: Ashgate, 2003.

HUDSON, John. "Feud, vengeance and violence in England from the tenth to the twelfth centuries." In *Feud, Violence and Practice: Essays in Medieval Studies in Honor of Stephen D. White*, edited by Belle S. TUTEN and Tracey L. BILLADO, 29-53. Farnham: Ashgate, 2010.

Volckart, Oliver. "The Economics of Feuding in Late Medieval Germany." *Explorations in Economic History* 41, no. 3 (2004): 282-99.

ORNING, Hans Jacob. "Feuds in fact and fiction in late medieval Iceland ". Chap. 12 In *Legislation and State Formation: Norway and its Neighbours in the Middle Ages*, edited by Steinar IMSEN. Trondheim Studies in History, 229-62. Trondheim: Akademika Publishing, 2013.

Hoppenbrouwers, P. C. M. "Vengeance Is Ours? The Involvement of Kin in the Settlement of 'Cases of Vengeance' in Later Medieval Holland." In *Love, Marriage, and Family Ties in the Later Middle Ages*, edited by Isabel Davis, Miriam Müller and Sarah Rees Jones, 241-75. Turnout: Brepols, 2003.

9. נקמה: צרפת

Smail, Daniel Lord. "Hatred as a Social Institution in Late-Medieval Society." *Speculum* 76 (2001): 90-126.

Smail, Daniel L., *The Consumption of Justice: Emotions, Publicity, and Legal Culture*

in Marseille, 1264-1423 (Ithaca: Cornell University Press, 2003), 160-206.

10. פשעים נורמטיביים: אלימות ביתית

Bednarski, Steven. "Keeping It in the Family? Domestic Violence in the Later Middle Ages: Examples from a Provençal Town (1340-1403)." In *Love, Marriage, and Family Ties in the Later Middle Ages*, edited by Isabel Davis, Miriam Müller and Sarah Rees Jones, 277-97. Turnhout: Brepols, 2003.

Brozyna, Martha. "Not Just a Family Affair: Domestic Violence and the Ecclesiastical Courts in Late Medieval Poland." In *Love, Marriage, and Family Ties in the Later Middle Ages*, edited by Isabel Davis, Miriam Müller and Sarah Rees Jones, 299-309. Turnhout: Brepols, 2003.

Hanawalt, Barbara A. "Violence in the Domestic Milieu of Late Medieval England." In *Violence in Medieval Society*, edited by Richard W. Kaeuper, 197-214. Woodbridge: Boydell Press, 2000.

Skoda, Hannah. "Domestic Violence in Paris and Artois." In *Medieval Violence: Physical Brutality in Northern France, 1270-1330*. University Press Scholarship Online, 1-55. Oxford: Oxford University Press, 2013.

Dean, Trevor. "Domestic violence in late-medieval Bologna." *Renaissance Studies* 18, no. 4 (2004): 527-43.

11. - הקונטקסט החברתי של הזנות

Jacques Rossiaud, *Medieval Prostitution*, Trans. Lydia G. Cochrane (Oxford: Blackwell, 1988), chap. 3.

Rollo-Koster, Joëlle. "From Prostitutes to Brides of Christ: The Avignonese Repenties in the Late Middle Ages." *Journal of Medieval and Early Modern Studies* 32 (2001): 109-44.

Kettle, Ann J. "Ruined Maids: Prostitutes and Servant Girls in Later Medieval England." In *Matrons and Marginal Women in Medieval Society*, edited by Robert R. Edwards and Vickie L. Ziegler, 20-31. Woodbridge: Boydell Press, 1995.

Karras, Ruth Mazo. *Common Women: Prostitution and Sexuality in Medieval England*. Oxford: Oxford University Press, 1996, chaps 1, 3, 4.

Lansing, Carol. "Concubines, Lovers, Prostitutes: Infamy and Female Identity in Medieval Bologna." In *Beyond Florence: The Contours of Medieval and Early Modern Italy*, edited by Paula Findlen, Michelle M. Fontaine and Duane J. Osheim, 85-100. Stanford: Stanford University Press, 2003.

Lacarra Lanz, Eukene. "Legal and Clandestine Prostitution in Medieval Spain." *Bulletin of Hispanic Studies* 79, no. 3 (2002): 265-85.

12. - הומוסקסואליות וטרנוסטיזם

Medieval Sourcebook: The Questioning of John Rykener, A Male Cross-Dressing

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- Prostitute, 1395, <http://www.fordham.edu/halsall/source/1395rykener.asp>
- KARRAS, Ruth Mazo, and David Lorenzo BOYD. "Ut cum muliere: a male transvestite prostitute in fourteenth-century London." In *Premodern Sexualities*, edited by Louise FRADENBURG and Carla FRECCERO, 101-16. New York: Routledge, 1996.
- Krekić, Bariša. "Abominandum Crimen: Punishment of Homosexuals in Renaissance Dubrovnik." *Viator* 18 (1987): 337-45.
- Broedel, Hans Peter. "To Preserve the Manly Form from So Vile a Crime: Ecclesiastical Anti-Sodomitic Rhetoric and the Gendering of Witchcraft in the *Malleus Maleficarum*." *Essays in Medieval Studies* 19 (2002): 136-48.
- Roelens, Jonas. "Visible Women: Female Sodomy in the Late Medieval and Early Modern Southern Netherlands (1400-1550)." *BMGN - Low Countries Historical Review* 130, no. 3 (2015): 3-24.
- McDougall, Sara. "The prosecution of sex in late medieval Troyes." In *Sexuality in the Middle Ages and Early Modern Times: New Approaches to a Fundamental Cultural-Historical and Literary-Anthropological Theme*, edited by Albrecht Classen, 691-713. Berlin: De Gruyter, 2008.
- ענישה - 13.
- Carrel, Helen. "The Ideology of Punishment in Late Medieval English Towns." *Social History* 34, no. 3 (2009): 301-20.
- Sarah Kay, "Original Skin: Flaying, Reading, and Thinking in the Legend of Saint Bartholomew and Other Works," *Journal of Medieval and Early Modern Studies* 36:1 (2006), 35-73.
- Klaus van Eickels, 'Gendered Violence: Castration and Blinding as Punishment for Treason in Normandy and Anglo-Norman England' *Gender & History*, 16 (2004), 588-602.
- LECUPPRE-DESJARDIN, Elodie "The space of punishments: reflections on the expression and perception of judgment and punishment in the cities of the Low Countries in the late Middle Ages." In *The Power of Space in Late Medieval and Early Modern Europe: The Cities of Italy, Northern France and the Low Countries*, edited by Marc BOONE and Martha Howell. *Studies in European Urban History (1100-1800)*, 30, 139-51. Turnhout: Brepols, 2013.
- L'Engle, Susan. "Justice in the Margins: Punishment in Medieval Toulouse." *Viator* 33 (2002): 133-65.
- Westerhof, Danielle "Deconstructing Identities on the Scaffold: The Execution of Hugh Despenser the Younger, 1326." *Journal of Medieval History* 33 (2007): 87-106.
- Carlson, Marla. "Painful Processions," *European Medieval Drama* 6 (2002): 65-82.

Royer, Katherine. "The Body in Parts: Reading the Execution Ritual in Late Medieval England." *Historical Reflections/Réflexions Historiques* 29 (2003): 319-39.

Additional Reading Material:

Course/Module evaluation:

End of year written/oral examination 0 %

Presentation 0 %

Participation in Tutorials 40 %

Project work 60 %

Assignments 0 %

Reports 0 %

Research project 0 %

Quizzes 0 %

Other 0 %

Additional information: