Gender, Sexuality and the Cultural Understanding of Witchcraft Surrounding the Decline of the Early European Witch Trails

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Abstract

Complex understandings of early modern European female sexuality changed as religion became more prominent, and this transformation contributed to the frequency and density of witch trials across Europe. This thesis has three aims. The first is to investigate the relations between societal views of female sexuality and the witch trails in early European society. The second is to examine the ways in which cultural understanding, social conformation, and a deviation of norms were causal attributes to accusations of witchcraft. The third is to study the reasons why witch trials ended in Europe, and its relation to cultural expectations. A focus will be on regional areas in Europe such as England, Ireland, Scotland, and the Holy Roman Empire. This research revealed the connection between female sexuality and the increase in witch trials to be significant. Instead of showing a connection between female sexuality and the decrease of the witch trials, we saw instead that the cultural understanding of witchcraft changed, causing a decline in the witch trials.

Dedication

In memory of my mother, who always encouraged my pursuit of knowledge and education.

Acknowledgments

Thank you to everyone who helped me throughout this process, academically as well as emotionally. I would like to acknowledge my husband, family, and friends for their support, and my advisors for their unending understanding, patience, and help the whole way through.

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Definition of Terms

For better understanding and clarification of this study, the key terms of this study are operationally defined as follows.

Public. Refers to the working class, rural people, and peasants.

Elite. Refers to the upper class, educated, and nobles.

Local Courts. Refers to rural courts, or courts that are not overseen by a central judicial authority.

Central Courts. Refers to provincial courts, or courts that are overseen by a central judicial authority.

The Church. When using this term, it will include all Christian Churches influential during that time, including Eastern Orthodox, Catholic, and the Church of England

Europe. When used it will be in reference to the regions defined in this thesis: The Holy Roman Empire, England, Scotland, and Ireland. It will be a generic term to show the widespread commonalities.

Holy Roman Empire. Used when referring to the German Lands of the Holy Roman Empire, as the entirety of the area consists of over 300 widespread territories.

Maleficium. The practice of black magic to create harm or do harmful deeds.

Introduction

In 1645 in Essex, England, Elizabeth Clarke, an 80-year-old woman, struggled to keep her eyes open after days of being forced to stay awake. This form of torture was not usually allowed in England, but the crime of witchcraft was too important not to take seriously. After days of not sleeping and forced imprisonment, Elizabeth Clarke confessed to cursing her neighbor's wife. Her confession led to her execution via hanging for the crime of witchcraft, and the implication of nearly 35 other women for the same crime.[1] This was a common occurrence in Europe during the 14th to 17th centuries. Large amount of women were tortured, forced to confess, tried, and put to death for the crime of witchcraft.

This thesis explores the societal views of women and sexuality in Early Europe and its contribution to rise of the witch trials; how the social and cultural changes contributed to witchcraft accusation; and the causes for the decline of the witch trials in Europe. Female sexuality is a topic that has been met with much controversy. We see the fear of female sexuality and the condemnation of it in many organizations, for example, stricter sects of Christianity. This research will show how and why the witch trials focused on women, and why we saw a decline in the trials in the 17th century in Europe. I will be concentrating on England, Ireland, Scotland, and the Holy Roman Empire in reference to the witch trials from the 1400s to the 1700s.

[1] Hopkins, Matthew, John Stearne, and S. F. Davies. 2007. The discovery of witches and witchcraft: the writings of the witchfinders. [Brighton (GB)]: Puckrel Publishing. 52.

The main question posed in this research will be as follows. How did societies' views of women and sexuality in early Europe contribute to the witch trials, and did they contribute to the end of the witch trials? This research will also focus on how a deviation from the sexual norm caused a shift in societies' reactions toward women; and if a deviation from social conformation, specifically for women, caused an increase in the chance of accusation. I will explore how politics, economics, and social structure affected the rise and decline of the witch trials. Lastly, I will concentrate on what the causal attributes of the decline in the witch trials and accusations in the 17th century were.

Based on the articles and readings, the information gathered will support the idea that gender and sexuality had a significant impact on those accused during the European witch trials. This thesis will work towards understanding the nature of that impact. Most studies conducted on the subject have explored the connections between the witch trails and various aspects such as the economy, social hierarchy, and religion. Those three aspects are also influenced by gender and sexuality. In areas affected by the witch trials, single, uneducated, female midwives and local healers became a targeted demographic for witchcraft accusations. This shift in the female role, and deviation from the social norm, was a contributing factor in the accusation of women in the witch trials.

In the 17th century we see a decline, and nearly a halt, in witch trials and accusation. Few scholars have decided to focus on why the trials ended and what the ultimate causes were for them to come to a standstill. I plan to investigate the changes in religious mentality during that time period, the increase in alternate religions such as Protestantism, the economic impact of continuous court trials and proceedings, and the shift in philosophical and moral mentalities. I hypothesize that the witch trials ended

primarily because of a shift in social and religious beliefs. I plan to show this by comparing the legal, social, and economic changes in the geographical regions stated above, and see if there was a correlation with changes in societal views and beliefs, with a focus on women's sexuality and rights, and a lack of witchcraft accusations.

Chapter one will focus on the social norms, gender, and causes of witchcraft. European witch hunts started in the 14th century and ended late into the 17th century. During this span of time, estimates of those accused and executed for witchcraft vary between 100,000 to in the millions depending on the historian's data collection methods. This chapter will provide an overview of the social standard for women and how they were expected to act, their typical roles based on class, female sexuality and its connection to the witch trials, and how witches were perceived by society during that time. It will explore current scholarly literature on gender and the witch trials, with a focus on Ben-Yehuda's study[2] in which he examined why the witch craze started, why it became popular, its connection to religion, and why it affected primarily women. Lastly, the chapter will delve into the other theorized causes for the witch trials and their increase.

It has been argued back and forth among various historians, anthropologists, and sociologists, such as Jim Sharpe, Elspeth Whitney, Willem de Blécourt, and Christina Larner, that sex may have been a factor related to the societal hysteria surrounding the witch trials in early Europe. However, women and sexuality in conjunction is discussed with varying approaches when analyzing the societal factors related to the witch trails, but the how and why the witch trials ended, and how that is connected with the

[2] Ben-Yehuda, Nachman. "The European Witch Craze: Still a Sociologist's Perspective." American Journal of Sociology 88, no. 6 (1983): 1275-279.

perception of women and sexuality, has not been significantly studied. Sexuality and promiscuity were frowned upon, as seen in the manuscripts from that time period, in concurrence with females accused of witchcraft. One such popular manuscript from Germany was the *Malleus Maleficarum*, which described how to know if a woman was a witch by studying her sexual transgressions, as well as her actions. Thus, this thesis proposes to explore the connection between female sexuality and the societal views that led to the witch trails, and if a shift in those societal views caused a decrease and eventual end to the witch trials.

In Chapter two I will review manuscripts and documents from the 14th to 17th centuries and their impact on social views and the courts in Europe. The *Malleus Maleficarum*[3] will be used as a source containing common views of women and how they should act socially and sexually. Various other primary source manuscripts for that time period will also be studied and referenced. These texts will provide historical background and context for the discussions on female sexuality and how witches were viewed during the 14th to 17th century in the aforementioned geographical areas.

Chapter three will focus on the laws and court proceedings, from persecution to decriminalization, as well as census records and trial verdicts. Accusations and executions were not compiled until later in historical works; therefore, most of the statistics gathered will come from secondary sources that have already compiled the data. Here I plan to use sources gathered from early Europe, in the 14th century and onwards, as well as documents containing accurate numbers of witches accused and convicted.

[3] Mackay, Christopher S., and Heinrich Institoris. The Hammer of Witches :a Complete Translation of the Malleus Maleficarum. Cambridge ; New York: Cambridge University Press, 2009."Malleus Maleficarum." 2019, Encyclopædia Britannica Online, 2019-07-29.

Some of those sources and documents will be from census records gathered in works such as Leeson's "Witch Trails"[4], Robisheaux's "The German Witch Trails"[5], and Levack's *The Witch-hunt in Early Modern Europe*[6]. These sources help show the change in laws and court decisions in relation to the decline of the witch trials, which was impacted by the shift in societal views of torture and the cultural understanding of witchcraft.

Chapter four will contain the various reasons why the witch trials may have ended. This chapter will focus on the impact of laws and court decisions on the end of the witch trials, the rise of Protestantism, the change in religious mentality, the shift in philosophical and moral mentality, and how gender may have played a role in these reasons. It is important to note that before the 1400s the Christian Church did not believe in witches and tried to discredit the popular belief in them, however, during the 1400s and on, the Church very much believed in their existence.[7] This chapter will be a comprehensive study of the decline of the European witch trials. This study will fill in the gaps left by researchers using qualitative analysis to determine the correlation between female sexuality and accusations of witchcraft, what social causes could have attributed to the witch trials, and why the witch trials ended in the 17th century.

This study concludes that the rise of the witch trials and who they targeted was significantly impacted by societal beliefs about female sexuality. However, the decline of

[4] Leeson, Peter T., and Jacob W. Russ. "Witch Trials." Economic Journal 128, no. 613 (2018): 2066-2105.
[5] Robisheaux, Thomas. "The German Witch Trials." The Oxford Handbook of Witchcraft in Early Modern Europe and Colonial America, The Oxford Handbook of Witchcraft in Early Modern Europe and Colonial America, 2013-03-01, Vol.1. Vol. 1. Oxford Handbooks in History. Oxford University Press, 2013.
[6] Levack, Brian P. The Witch-hunt in Early Modern Europe. 3rd ed. Harlow, England: Pearson Longman, 2006.
[7] Leeson, Peter T, and Russ, Jacob W. "Witch Trials." The Economic Journal 128, no. 613 (2018): 2066-105.

the witch trials was impacted by a shift in the cultural understanding of witchcraft as a whole.

Chapter I.

Social Norms, Gender, and Causes of witchcraft from the 1400s -1700s

Gender, Sexuality, and Social Norms

The social norms for women in the 1400s to the 1700s in England, Scotland, Ireland, and the Holy Roman Empire were a critical component of witch trials. Women were required to act in acceptable submissive ways, and a deviation from that cultural norm was often attributed to witchcraft. Deviation from cultural norms was often attributed to witchcraft, and women who practiced medical arts formed one such common deviation. Self-sufficient women who were midwives and healers also bore a brunt of the accusations of witchcraft during the 1500s. In earlier centuries women had been recognized for their healing skills, but by the 14th centuries these talents were described quite differently, and many of the women were labeled as witches.[8]

Women in the middle ages in Europe were typically uneducated, especially in medical fields. They did, however, provide medical expertise in the form of nurses and local healers. In the 11th century onward female healers started receiving regulations on their practices, starting the legal work toward a male dominated healing sector.[9] In the 13th century there was an increase in universities being established in Europe, which led to more formally trained male physicians and the start of oppression against female healers.[10] This affected the poor, who usually used the less experienced and less expensive healers with no formal education. Women healers were not allowed to attend

[8] Minkowski, W. "Women Healers of the Middle Ages: Selected Aspects of Their History." American Journal of Public Health 82, no. Feb 92 (1992): 293.
[9] Minkowski, "Women Healers of the Middle Ages," 288.
[10] Minkowski, "Women Healers of the Middle Ages,"

and receive academic training in medicine at the universities, and if they did continue to practice medicine they were charged and punished for doing so under Canon Law.[11] Canon law was a set of laws emplaced by the Church and under its court authority. For example, in the mid-1200s the Holy Roman Empire imposed a licensing standard for medical practice and enforced harsh penalties to those who did not comply.[12] This license was not accessible for women. Another example is in the 15th century King Henry the V of England enacted a law that said women could not practice medicine.[13] The church even supported the training of male doctors to replace the traditional female healers, especially by promoting medical academics and making it illegal for anyone who was unlicensed to practice.[14] Eventually these healers were branded as witches by politicians and the Church.[15]

Female healers from the middle ages had little formal education and often learned through a combination of treatments passed down through generations, and by observing other healers. They used herbal treatments, botany, superstition, and what they learned via observation of accredited physicians. Magic and superstition were commonly used in healing techniques. In the context of these treatments the practice of magic means the practitioner is believed to have supernatural power over natural forces. Superstition in this context is a belief in the supernatural, especially in relation to the unexplained and to what is considered unnatural. Science had not yet become prominent in the study of

[11] Minkowski, "Women healers of the Middle Ages," 288.
[12] Minkowski, "Women healers of the Middle Ages," 293.
[13] Minkowski, "Women healers of the Middle Ages," 293.
[14] Minkowski, "Women healers of the Middle Ages," 293.
[15] Minkowski, "Women healers of the Middle Ages," 293.

medicine and healing, hence why magic and superstition alongside medical practices were a main concept used by doctors and healers in the total treatment of a patient.[16]

Healers and midwives, mostly females, were subject to persecution if their patients had a bad result. Texts such as Hiltprand's *Textbook of Midwifery*, and the *Malleus Maleficarum* accuse healers and midwives of killing infants as a sacrifice to Satan.[17] There was a belief that poor healer women were susceptible to sorcery to improve theirs and their families means. Women healers changed from being admired and respected, to being hunted. Up until the 13th century women could be nurses in medieval hospitals, and midwives and healers for their local areas, and they were respected for being in that part of the medical community.[18] "Civil and ecclesiastical trials of women healers among large numbers of peasant women charged with sorcery provide the essential corroboration of their involvement".[19] Midwives were especially targeted because of their connection with specifically treating female needs. They often knew ways to abort a fetus and how to provide birth control, which were seen by the church as abominable, and were viewed as common and unGodly.[20] This is often thought to be a reason female healers were targeted by the church for witch persecutions.[21] By the end of the witch trials in Europe, female healers were all but extinct.

One of the most well-known witchcraft trials in England was the Pendle Witch Trails, where the matriarchs of the family who were accused were well known healers, and in conjunction thought to be witches as well. In 1612 in Lancashire, England, 10

[16] Minkowski, "Women healers of the Middle Ages," 288.
[17] Minkowski, "Women healers of the Middle Ages," 294.
[18] Minkowski, "Women healers of the Middle Ages," 289.
[19] Minkowski, "Women healers of the Middle Ages," 295.
[20] Kingsley, N., and I. Clement. "Religion and Human Rights Violation in History: The Women and Witch-hunts in Medieval Europe." Journal of Scientific Research and Reports 3, no. 24 (2014): 3060.
[21] Kingsley, "Religion and Human Rights Violation in History," 3060.

people were executed by hanging on pendle hill. The matriarch of the Demdike family, Elizabeth Southerns, who was a healer, was one of the first charged. Her family, along with the Chattox family, were accused of murdering 10 people via witchcraft.[22] They were targeted because they were witches, healers, and influential families in the area.

Another form of oppression that targeted women was based on their sexuality. The church, judicial system, and social structure in Europe, during this time, found that they could sexualize women under the guise of accusations of witchcraft. Without witchcraft, sexualization was not socially acceptable. Many sexual crimes were convicted under the eyes of God and the Church especially in reference to adultery and pre-marital sex. In the 1533 Buggery law in England, for example, they passed a law against sodomy and homosexuality as a way to further control sexuality.[23] They used these laws to "organize specific sexual acts within the framework of criminality. Religious discourses likewise exhibit an overriding interest in drawing boundaries between licit and illicit sexual behaviors".[24] Sexual witchcraft crimes were used as a way to add onto already harsh sentences, and women's sexuality was especially under scrutiny and attack. Opening up this line of discourse in relation to women, their sexuality, and witchcraft, gave the Church and the judicial system legal power over women and their bodies. In England under the sumptuary laws of Edward III in 1363, women were told how they were allowed to dress, in accordance with their fathers or husbands social and economic status.[25] All over Europe in the medieval time period men were allowed to abuse, beat,

[22] Poole, Robert. The Lancashire witches. Manchester University Press, 2013.
[23] Johnson, Paul. "Buggery and Parliament, 1533–2017." Parliamentary History 38, no. 3 (2019): 326.
[24] Garrett, Julia M. "Witchcraft and Sexual Knowledge in Early Modern England." Journal for Early Modern Cultural Studies 13, no. 1 (2013): 33.
[25] Doda, Hilary. "'Saide Monstrous Hose': Compliance, Transgression and English Sumptuary Law to 1533." Textile History 45, no. 2 (2014): 172.

and discipline their wives with no law recourse or protection for the women, because they were considered their husbands property.[26]

The Church and the male leaders in Europe pushed for a patriarchal society and family structure. In the 14th to 17th centuries women were expected to be passive and non-aggressive. If a woman displayed certain behavioral traits such as not being submissive, acting aggressively, being assertive, having her own ideas, or being sexual, it was breaking the social norm and challenging the patriarchal social order. Men and husbands were therefore allowed to punish their wives or female family members physically, and in certain cases, charging and prosecuting the women for witchcraft.[27] Women who were independent, owned property or land, or had some sort of job other than a domestic one were at a higher risk of accusation because they did not conform to social norms for their gender. “In simple behaviorist terms, the witch persecutions constituted a schedule of negative reinforcement for disapproved patterns of female behavior”.[28]

Essentially, some women became a target for witchcraft persecutions based on their behaviors, and the socially accepted behavior for women as approved by the church and politics. This led to women living in fear of being persecuted, therefore pushing many of them to act only as was allowed in society during those centuries. Conforming to the social norms is what would keep them safe. Women were not just accused by the men of their communities, but also the women. It is thought that women participated in accusations of witchcraft based on actual belief, but also as a self-preservation instinct. If

[26] Fee, Elizabeth, Brown, Theodore M, Lazarus, Jan, and Theerman, Paul. "Domestic Violence—Medieval and Modern." American Journal of Public Health (1971) 92, no. 12 (2002): 1908.
[27] Bever, Edward Watts Morton. "Witchcraft, Female Aggression, and Power in the Early Modern Community." Journal of Social History 35, no. 4 (2002): 956.
[28] Bever, “Witchcraft, Female Aggression, and Power,” 973.

everyone is looking at the accused, then the accuser will not be persecuted, and she will be thought pious for her accusation. In Ireland, the gender specific roles were highly distinct and if you did not conform to physical and behavioral norms you were likely to be accused of witchcraft.[29] Edward Bever hypothesized that the witchcraft persecutions against women helped strengthen the gender divide and strengthen men's power. He also theorized that the witch trials "made a critical contribution to the 'domestication' of women in the early modern period".[30] All of these things led to the social construction and creation of the female witch.

The social standard of women in England in the 1500s were like those in the rest of Europe. The household finances were usually run by men, and women of higher social status did not receive the rights men had at that status, in essence, they had no political power. "The lives of the richest and most privileged women in early modern England more closely resembled those of the poorest and least privileged women then they resembled the lives of men".[31] Schools for girls to learn in were rare, usually they learned at home during the 1400s-1700s.[32] They were often taught housework and literacy, while education came secondary.[33] Women's status was defined by their birth or their marriage, and they were identified by their husband or father's occupation even if they had one of their own. Fom the 1500s-1700s women's opportunity to work outside of the home slowly diminished, and household related work was mostly what was available to them.[34]

[29] Sneddon, Andrew. Witchcraft and Magic in Ireland. Palgrave Historical Studies in Witchcraft and Magic. London: Palgrave Macmillan UK : Imprint: Palgrave Macmillan, 2015. 69.
[30] Bever, "Witchcraft, Female Aggression, and Power," 975.
[31] Laurence, Anne. Women in England, 1500-1760 : A Social History. New York: St. Martin's Press, 1994. (Used Kindle edition, therefore page number will be referenced as Locs) Loc 517.
[32] Laurence, "Women in England, 1500-1760," Loc 3130.
[33] Laurence, "Women in England, 1500-1760," Loc 3088).
[34] Laurence, "Women in England, 1500-1760," Loc 4996.

The law in England in the 1600s saw adultery as different for a man versus a woman based on their marriage status. Fornication was defined as sexual relations between an unmarried woman and a married man and was punished by 3 months in prison.[35] Adultery was defined as sexual relations with a man of undefined marriage status and a married woman.[36] This was punishable by death, although judges rarely carried out such a harsh sentence, because it was seen as worse than fornication as it was the theft of a wife from her husband.[37] Women who broke those laws were, alongside the regular sentence, whipped or imprisoned and sometimes their hair was cut off to signal their impropriety to the public; this was not the case for men who broke the law, they were only subjected to the initial sentence.[38] Women and people of lower economic status were significantly more likely to be penalized for their sexual indiscretions, unlike men and those who were wealthy.[39]

Women who conformed to social norms were protected, but women who did not conform could not count on that protection. Also, women who were older or widowed did not have the protection of a male figure or a way to access a good judicial defense, and therefore had a higher likelihood of persecution. During the period of witch trials in Europe, the poor did not have much of a voice, but poor women were even worse off. Their only value was seen as being an "economic commodity".[40] Most of the poor in England were women; when their husbands died or left, or they never married, they

[35] Laurence, "Women in England, 1500-1760," Loc 936 & 1048.
[36] Laurence, "Women in England, 1500-1760," Loc 936 & 1048.
[37] Laurence, "Women in England, 1500-1760," Loc 936, 1060 & 1048.
[38] Laurence, "Women in England, 1500-1760," Loc 1039.
[39] Laurence, "Women in England, 1500-1760," Loc 1039-1043.
[40] Kingsley, "Religion and Human Rights Violation in History," 3046.

ended up with little economic opportunities to support themselves. For example, 68 percent of women in 1570 Norwich were over the age of 61 and defined as poor.[41]

Women were not thought of on the same level as men, and didn't have the same legal rights, social freedoms or professional opportunities that males enjoyed. While many lower class men did not have much room for economic advancement, they were allowed to own property and hold a job, which women generally were not. Women in the Holy Roman Empire could not even look after themselves, "the Lombard code regarded women as perpetual minors, under the guardianship of a male relative, whose permission was needed for any transaction involving property",[42] also under that code sexual assault and harassment of a women was considered a humiliation to her family and the perpetrator had to pay a fine specifically to the family.[43]

In medieval Europe lawmakers "put forward ideologically loaded representations of women and they reflected concerns to ensure both their protection and their control by men".[44] You can understand women's value when you look at how men were treated for crimes against women, what men were paid when their 'property' were killed or harmed, and what women were allowed to own. Under Canon Law, which was made and used by the Christian Church's legal authority, abduction, rape, or sexual assault on a woman was punished as a "disruption of marriage"[45] rather than a crime against the woman. Canon law characterized men and women as different and intended them to be treated differently under the law.[46] Canon law was popular in the Holy Roman Empire. For example, in the

[41] Laurence, "Women in England, 1500-1760," Loc 586.
[42] Kingsley, "Religion and Human Rights Violation in History," 3050.
[43] Karras, Ruth Mazo, and Judith M. Bennett. The Oxford Handbook of Women and Gender in Medieval Europe. Oxford Handbooks Online. Oxford: Oxford University Press, 2013. 105.
[44] Karras, "The Oxford Handbook of Women and Gender," 103.
[45] Karras, "The Oxford Handbook of Women and Gender," 105.
[46] Karras, "The Oxford Handbook of Women and Gender," 163.

western territories of the Holy Roman Empire, they followed the Canon law that a man could marry at the age of 14, but a woman could be married earlier at the age of 12.[47] Women being married off younger implies that a woman's value lies with her marriage prospects and her ability to bear children. They also followed the Canon laws that insisted a woman had to obey her husband but not the other way around, and a man could legally divorce his wife under suspicion of adultery, but a women needed proof.[48] Under Salic law, which influenced the Holy Roman Empires Imperial laws, fines for the murder of women of child bearing age were higher, especially if they were in their prime childbearing years, and lower for women who were younger or older than that.[49]

The rate of men being accused of witchcraft was much lower than that of women, typically because they were accused due to a relation to a female who was accused, or the crime was being added onto other crimes they had committed in order to give a longer or harsher sentence. Table 1 shows the gender breakdown of those who have been accused of witchcraft in the Holy Roman Empire including Southwest German and the County of Namur, Scotland, and Essex. As you can see, women encompassed a significant amount of the accused, while in some cases, such as Essex, men only made up 7% of those accused.

Table 1. Gender of accused witches from 1500-1800

Table 1 shows the gender of the accused in each region with the calculated percent female for each region. This has been compiled from multiple sources as noted for each region.

[47] Karras, "The Oxford Handbook of Women and Gender," 166.
[48] Karras, "The Oxford Handbook of Women and Gender," 170.
[49] Karras, "The Oxford Handbook of Women and Gender," 106.

Region	Male	Female	Percent Female
Holy Roman Empire[50]	4,575	19,050	76%
S/W Germany[51]	238	1,050	82%
County of Namur[52]	29	337	92%
Scotland[53]			76%
Essex County, England[54]	23	290	93%

Another reason for the lack of male witches could also be that men knew how legal proceedings and appeals worked and had a higher chance of receiving lower sentences than women for the crime of witchcraft.[55] "Laws of the period favored the men, for example, when the rulers of Flanders decreed no death penalty for prepubescent witches, boys benefited more because they were seen as minors until the ages of 21 whereas girls became adults at the age of eighteen".[56] Women becoming adults at an earlier age doubtless did not signify the courts thought that women became mature faster, instead it allowed for harsher punishments to be implemented on women at earlier ages, and it also allowed for women to be married off at earlier ages since they were thought adults sooner.

[50] Levack, "The Witch-hunt in Early Modern Europe".
[51] Levack, "The Witch-hunt in Early Modern Europe".
[52] Levack, "The Witch-hunt in Early Modern Europe".
[53] Larner, Christina., Christopher Hyde Lee, and Hugh V. McLachlan. A Source-book of Scottish Witchcraft. Glasgow: SSRC Project on Accusations and Prosecution for Witchcraft in Scotland, 1977.
[54] Levack, "The Witch-hunt in Early Modern Europe".
[55] Kingsley, "Religion and Human Rights Violation in History," 3057.
[56] Kingsley, "Religion and Human Rights Violation in History," 3057.

How Witches were Perceived

Female witches were vilified by the church and the public in the 15th century to the 18th century. “How women became such a symbol [of witchcraft] can be explained through three events: structural and functional changes in the family, changes in the status and role of women, and demographic changes”.[57] The church showed pagans and witches to be preforming horrific rights and rituals with the devil, engaging in sexual acts and orgies, and committing the worst crimes imaginable such as cannibalism and infanticide. Women witches were often referred to as succubi, or as having been influenced by an incubi.[58] Men who committed adultery used women succubi as an excuse for their infidelity, thus rendering them not responsible for their actions, and placing the blame solely on a woman. “It was the attribution of injury or adversity to occult human intervention that defined witchcraft; a witch had the power to inflict damage, technically called a maleficium, on the entire range of human affairs and relationships as well as on natural events”.[59]

Witches were essentially the exact opposite of a good Christian woman. A good Christian woman being ones who were obedient, subservient, modest, and motherly.[60] They were also, according to the Church, wives, childbearing, submissive to the husband, and pious, whereas witches were the exact opposite, unmarried and unruly.[61] The Church pushed for the ideal of a good Christian wife and woman, and emphasized specific traits

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[57] Ben-Yehuda, Nachman. "The European Witch Craze of the 14th to 17th Centuries: A Sociologist's Perspective." American Journal of Sociology 86, no. 1 (1980): 17.
[58] Garrett, "Witchcraft and Sexual Knowledge in Early Modern England," 45.
[59] Minkowski, “Women healers of the Middle Ages,” 294.
[60] Whitney, Elspeth. "International Trends: The Witch "she"/the Historian "he"." Journal of Women's History 7, no. 3 (1995): 77.
[61] Brink, J. R., Allison Coudert, Maryanne Cline Horowitz, and Sixteenth Century Studies Conference. The Politics of Gender in Early Modern Europe. Sixteenth Century Essays & Studies ; v. 12. Kirksville, Mo.: Sixteenth Century Journal Publishers, 1989. 33.

such as needing men to tell them what to do, wanting a family, not associating with witches or artists, looking clean and put together, and taking care of the household happily.[62] Martin Luther, a famous German Theologian, writes in a 16th century sermon that an unruly witch was the opposite of an ideal pious wife and that women should be educated in being a good wife to combat witchcraft.[63] This was a popular religious view of how women should act.

As for the more physical attributes of a witch, a witch's mark was thought to be an indication of their guilt. When trying to convict a woman they would often look for witch's marks, and if they could not find one, they would continue until they found any mark at all. They would strip a woman down and look for the mark near her private areas. Their bodies were examined by women of the local area, but sometimes inquisitors or judicial officials would be privy to the examination, as well.[64] "A voyeuristic, even invasive attitude towards women's sexual bodies may be sanctioned by witchcraft discourse".[65] The witch hunts had various sexual overtones due to culture and man's anxiety over female sexuality. Men projected their "social fears onto atypical women",[66] and used that to establish a divide among women themselves. A woman reinforced her social and moral position by 'enforcing patriarchal norms' on other women, and by condemning any deviance from religious standards.

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[62] Brink, "The Politics of Gender," 40.
[63] Brink, "The Politics of Gender," 39.
[64] Garrett, "Witchcraft and Sexual Knowledge in Early Modern England," 37.
Levack, "The Witch-hunt in Early Modern Europe," 52.
Hopkins, Matthew. *The Discovery of Witches*. Facsimile of the Original ed. Norwich: H.W. Hunt, 1931. Quer. 4.
[65] Garrett, "Witchcraft and Sexual Knowledge in Early Modern England," 41.
[66] Whitney, "International Trends: The Witch "she"/the Historian "he"," 80.

Scholarly Literature and Alternative Causes

Other causes of the witch trials have been examined and argued by historians and anthropologists alike. It is thought that the economy, climate and weather, politics, judicial influence, religious influences, and patriarchal authority all had a part to play in the witch trials in Europe.[67] Christianity and the Church had an exceptionally large impact on the witch trials and their regional influences. They promoted superstition and prevented intellectual advancement that was against their cause. They used political and judicial influence, religious preaching's, and manuals that they disseminated to the public to help further their cause.[68] "Thus, through inquisition and its manual, the notorious 'Malleus Maleficarum', the church blocked scientific investigation and progress, keeping humanity in a mental world of superstition and magic".[69] By promoting the superstitious belief in witches and magic, the Church implied that anything could be explained away with magic, instead of using generic science to explain natural phenomena such as illnesses and draughts.

The superstitious belief in witches causing economic and social misfortune was so prevalent that people saw witchcraft and malice in everyday events. If there was a flood, drought, one of their animals got sick, a family member had an accident, someone lost their savings on a bad gambling move- all of it could be blamed on witchcraft. Who better to blame than someone who does not fit the social structure and norms or someone who cannot fight back legally? Also, another idea of the persecution of women specifically was that it was an economic move. Money and estates from wealthy women

[67] Levack, "The Witch-hunt in Early Modern Europe,".
[68] Kingsley, "Religion and Human Rights Violation in History," 3047.
[69] Kingsley, "Religion and Human Rights Violation in History," 3047.

accused of witchcraft could have been a big draw, especially if that woman had inherited riches and land and had no male next of kin. Their money and estates went to the local officials and inquisitors, and legal defenses and fines were costly ways to extract money from the wealthy women.[70]

Although those accused of witchcraft did come from all social and economic backgrounds, most of those accused were lower class women, predominantly because they could not defend themselves legally and were from rural areas that tended to have higher rates of accusations of witchcraft.[71] It was also a way for poor women to be disposed of, as they were considered an economic scourge on the community.[72] The social makeup of the women accused of witchcraft varied greatly over time, geographical region, and rurality, and was fairly diverse. The one commonality across Europe is that those accused were primarily women.

Economics played an important role in the creation and decline of the witch trials in Europe. Peter T. Leeson and Jacon W. Russ argue that the witch hunts and trials were largely based on economic and religious factors. They stated that "Europe's witch trials reflected non-price competition between Catholic and Protestant churches for religious market share in confessionally contested parts of Christendom".[73] Both religions used the trials as advertisement and publicity for their beliefs. Leeson and Russ claim that this shows why Catholic areas had higher trial rates, because they were trying to persecute those who were not Catholic. They do allow that weather, low income, and weak government did play some role in the trials. The economy and religion definitely had a

[70] Kingsley, "Religion and Human Rights Violation in History," 3063.
[71] De Blécourt, "The Making of the Female Witch," 293.
[72] Kingsley, "Religion and Human Rights Violation in History," 3063.
[73] Leeson, "Witch Trials," 2067.

large role in the witch craze in Europe, however, it would be unwise to say that they were the only two factors involved in causing the trials. It would also be imprudent to assume that gender had no major role in causing the witch trials.

Alternately, Thomas J. Schoeneman stated in his article, *The Witch hunt as a Culture Change Phemomenon*, that "an examination of the sociocultural milieu surrounding witch hunts and scapegoating operations reveals that these movements occur in times of social change and upheaval… the witch hunt is at once reflective *and an agent of* sociocultural change".[74] Schoeneman believed in the idea that witch hunting, not just in Europe but also across time and culture, is essentially caused by a culture change; and that scapegoating happens in times of stress, specifically during social upheaval, which can be seen during the European witch craze. Economic, political, and social change can cause upheaval, as well as natural problems like famine, illness and storms, many of which are often associated by historians and anthropologists as causes of the witch craze. This is referred to by Schoeneman as 'cultural disorganization'.[75]

One example given for the emergence of the witch trials in the Holy Roman Empire was the Little Ice age, which happened between 1560 and 1720 in the German lands of the Holy Roman Empire. It consisted of hard winters, more storms than usual, failing harvests, increased famine, and widespread disease over a vast number of consecutive years. [76] Witches were often accused of magic associated with these events, possibly as a way to cope with the horrific conditions or as a way to point a finger and

[74] Schoeneman, Thomas J. "The Witch Hunt as a Culture Change Phenomenon." Ethos 3, no. 4 (1975): 531.
[75] Schoeneman, "The Witch Hunt as a Culture Change Phenomenon," 536.
[76] Robisheaux, Thomas. "The German Witch Trials." *The Oxford Handbook of Witchcraft in Early Modern Europe and Colonial America*, The Oxford Handbook of Witchcraft in Early Modern Europe and Colonial America, 2013-03-01, Vol.1. Vol. 1. Oxford Handbooks in History. Oxford University Press, 2013. 181.

have a scapegoat.[77] This is an example of why many scholars link disasters and economic hardship to the increase in the witch trials.

While economics did play a role in the witch trials, I believe that gender and social dynamics played a much larger and more important role in the trials and accusations that spanned Europe. Elspeth Whitney is an influential female historian who wrote an article in 1995 which compared historians' views on the gender aspect of the European witch craze. She points out that it was a popular idea among male historians that misogyny was natural during the 14th through 17th centuries in Europe, and therefore it was not a specific cause of the witch hunts, just a generic outcome. Since 1995 there have been further studies about the effect of gender on the witch hunts, however, it is still widely debated, or it is acknowledged but minimized in importance.[78] However, many historians and anthropologists are now acknowledging and studying the impact gender had on the witch trials, and visa versa.

There is a consensus among many historians and anthropologists that gender did influence the trials and prosecutions for witchcraft, however there is a debate on the scope of that impact, and the importance. Edward Bever states that historians understand that the trials were mostly women, but do not think it was because of their gender, even though over 80% of those tried for witchcraft in the whole of Europe were women; with 80% being one of the lower estimates.[79] "Most of the earlier historians acknowledged the special association of women and witchcraft without making it a significant part of their discussion, either ignoring it in constructing their explanations or dismissing it as a

[77] Robisheaux, "The German Witch Trials," 182.
[78] Whitney, "International Trends: The Witch "she"/the Historian "he"," 78.
[79] Bever, "Witchcraft, Female Aggression, and Power," 956.

product of late Medieval clerical misogyny".[80] One of the most well-known anti-feminist witchcraft researchers was Jim Sharpe. He staunchly argued against any persecution based on gender, or even the patriarchal influence on the government or the judicial system.

More recent historians have considered the role of gender having an impact on the trials, usually based on Christianity, or also by trying to fortify the patriarchy. A common argument, as presented by Christina Larner, is that the witch trials were related to gender but not specifically targeting based on gender. Overall, historians disagree about the aspect of gender relating to the witch trials. Understanding that gender can be a main cause for targeting during the witch trials does not necessarily undermine the other causes and the importance of their role in witchcraft persecution. Outspoken, independent women, or women who did not conform to social norms, were a threat to political and religious patriarchal norms. It would not be uncommon for the Church or government to use propaganda and fearmongering to put them in their place.

Willem de Blécourt argues that gender should be considered when studying the various causes of the European witch trials, but he goes on to argue both sides of the historical attitude on gender in relation to the witch hunts. He points out that Christina Larner is often quoted as being a non-feminist view on witch hunting, but historians often misquote her work or only use selective positions of it. Her work points out that "witch-hunting is woman-hunting or at least it is the hunting of women who do not fulfil the male view of how women ought to conduct themselves".[81]

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[80] Bever, "Witchcraft, Female Aggression, and Power," 956.
[81] De Blécourt, Willem. "The Making of the Female Witch: Reflections on Witchcraft and Gender in the Early Modern Period." Gender & History 12, no. 2 (2000): 294.

Blécourt points out that statistics on witch trials are misleading and "counting women is misleading precisely because they were accused of behaving as non-women, of failing to adhere to the social norm of femininity".[82] However, he does contend that male witches were often prosecuted because of a relation to a female who was accused of witchcraft, such as a mother, wife or daughter.[83] Also, it is possible that just as female witches were persecuted for not acting like women and acting too much like men, then the same could be said for male witches. Perhaps they broke the gender stereotypes and were persecuted for that. The 14th-17th centuries in Europe brought "fairly strict gender norms and certainly no bending of genders. The male and female domains were fairly separated, at least in the early modern European countryside".[84]

Nachman Ben-Yehuda wrote several articles on the European witch craze. His stance was that one of the main variables that can be seen over social and economic status, religion, or country, was that the people most often prosecuted for witchcraft were women. His estimates concluded that 85% of the people executed in Europe as witches were women, and that the total amount executed could have been up to 500,000 people.[85] In the beginning of the witch craze many of the people persecuted were single older women, often healers, but as the witch craze progressed those who were targeted were mainly women, regardless of their age, demographics, or marital status. In the 14th and 15th centuries it started to become a popular belief that women, specifically, were "Satan's servants [and] prepared the ground for the witch-hunts".[86]

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[82] De Blécourt, "The Making of the Female Witch," 293.
[83] De Blécourt, "The Making of the Female Witch," 295.
[84] De Blécourt, "The Making of the Female Witch," 298.
[85] Ben-Yehuda, "The European Witch Craze of the 14th to 17th Centuries," 1.
[86] Ben-Yehuda, Nachman. "The European Witch Craze: Still a Sociologist's Perspective." American Journal of Sociology 88, no. 6 (1983): 1277-1278.

Ben-Yehuda argues that changes in financial status, family dynamics, and the role of women in the household and social order are key components in the cause of the witch craze. The 14th century saw an economic and developmental boom which led to urbanism and a decrease in Christian views and values of family importance and the role of a women in the household. This was due to a large number of typically rural people moving to urban cities in the late 13th and early 14th centuries. This caused women to start working more in order to support themselves and their families. Along with lower marriage rates, people started to limit the amount of children they had, using contraception, as a way to continue their economic prosperity. Contraception has been around in European society, long before the 13th century, and has been used to limit the amount of children in a family. In the 14th century contraception, such as Coitus Interruptus, which had been around for many years, gained prominence in Europe even among married couples, due to economic hardship and the need to limit family sizes.[87]

"The pressures on women to enter the job market were thus very strong… during the 13th and 14th centuries, women's differing roles as part of the traditional family structure and as unmarried workers became very problematic".[88] Women started working more, especially in urban areas, instead of focusing on the family. They went from working in rural settings where they usually partook in household chores and work, which revolved around family life, to working in urban settings where it was not family based. This was in direct violation of traditional order, and the Church did not approve. The witch hunts were put in place to reestablish traditional family roles, male authority,

[87] Biller, P. P. "Birth-Control in the West in the Thirteenth and Early Fourteenth Centuries." Past & Present, no. 94 (1982): 3-26.
[88] Ben-Yehuda, "The European Witch Craze of the 14th to 17th Centuries," 18.

and religious authority. Establishing a war on witches was a way to reassert dominance, and areas that had lost the Churches influence tended to see higher witch hunts.

Congruently, Julia M. Garrett studied and wrote an article about witchcraft and its connection to sexual knowledge. She maintained that the witchcraft trials were what made sexual discourse appropriate for public consumption. Witchcraft trials made sexualizing women in a public forum okay, and thus made women a target for such crimes. “Scholars have read the sexual preoccupations of judges and learned writers as a logical by-product of Christian, anti-feminist ideologies, which stigmatized fleshly pleasures and viewed women as fundamentally carnal, a perpetual threat to the holy project of male sexual discipline”.[89] This overt sexualization of women accused of witchcraft made it so that women who feared accusations would try conforming to the social construction of what a good woman acted like, and not show any sexual or social deviancies.

In summary, the forced social gender norms had a large impact on the witch hunts and trials in Europe. “The body of knowledge about sexuality present in witchcraft discourse encouraged the harassment of marginalized women, sanctioned the sexual humiliation of suspects, exacerbated the burden of sexual shame placed upon women, directly facilitated the execution of witch suspects, and more generally extended the imaginative reach of misogyny”.[90] Sexualizing women had a huge impact on the trials and who they targeted. It gave men a way to sexualize a woman without the religious shame that typically accompanied it. We can see this sexualization of women in relation to witchcraft in various texts and sources from those times, such as in the *Malleus*

[89] Garrett, "Witchcraft and Sexual Knowledge in Early Modern England," 34.
[90] Garrett, "Witchcraft and Sexual Knowledge in Early Modern England," 59.

Maleficarum. The witch trials were a way to ensure women acted in accordance with the social standards put in place by the Church, politicians, and society in general. This influence of Church on social standards and laws affected the societal and cultural perception of witchcraft, what it means, and who should be targeted.

Chapter II.

Inquisitorial Manuscripts, Manuals and Documents

Manuscripts and manuals about witchcraft in the 1400-1700s was essential in defining gender roles and allowed sexuality, and it helped educate the public on the process of targeting and prosecution of witches. However, there were many manuals in circulation on witchcraft during that time period. The ones I will be discussing are just a few of the most influential manuals. Most were intended for use by inquisitors and judiciary members, however many were printed and disseminated to libraries, preachers, and wealthy academics and made into pamphlets. Peasants gained their information about witches by word of mouth, when charges against witches were read publicly, from what authority figures told them, and from sermons.[91] The elite, educated, political and judicial members of society were the backbone of the increase in witch hunts and the belief in witches. Their belief is what led to changes in social acceptance, laws and the creation of witch hunt manuals; and that belief was fueled by these texts.[92] "In order for the intensive hunting of witches to take place, it was necessary for the ruling elite to believe that the crime was of the greatest magnitude and that it was being promised on a large scale and in a conspiratorial manner".[93]

The emphasis of sexual deviance in witch hunting and inquisitorial manuals shows the Churches attitude towards sex as being negative.[94] This change in attitude

[91] Levack, Brian P. The Witch-hunt in Early Modern Europe. 3rd ed. Harlow, England: Pearson Longman, 2006. 31 & 60.
[92] Levack, "The Witch-hunt in Early Modern Europe," 31.
[93] Levack, "The Witch-hunt in Early Modern Europe," 31.
[94] Levack, "The Witch-hunt in Early Modern Europe," 41.

came about in the 14th century and is hypothesized by scholar Brian Levack as being a consequence of the production of demonological and inquisitorial manuals.[95] Dissemination and transmission of the belief in witchcraft across Europe was caused by judicial processes in which inquisitors and judges announced charges mixed with demonological beliefs and presented this to the public.[96] In fact, confessions of witchcraft from torture just added validity to the claim that witchcraft was a real threat. Also, belief in witchcraft grew because that information and the results of those trials were disseminated more efficiently via manuals about witchcraft, which in turn more inquisitors and judges read and more used, which repeated the pattern cyclically. The manuals became one of the major ways of transmitting these ideas about crime and witchcraft across Europe, especially with the printing press becoming common in the late 15th century; even universities used these manuals in their classes.[97]

The *Malleus Maleficarum*[98], often referred to as the Hammer of Witches, was one of the most popular manuscripts published in 1486 about witches in Europe. It was often thought of as the most respected book on witchcraft.[99] It was one of the first books printed on the new printing press which made it easier to distribute to larger audiences, causing it to be used all over Europe and influencing other witchcraft manuals.[100] It detailed how to identify witches, what they were capable of, and how to torture and punish them. It was extensively published and distributed to the those with legal

[95] Levack, "The Witch-hunt in Early Modern Europe," 48.
[96] Levack, "The Witch-hunt in Early Modern Europe," 53.
[97] Levack, "The Witch-hunt in Early Modern Europe," 54.
[98] Mackay, Christopher S., and Heinrich Institoris. The Hammer of Witches :a Complete Translation of the Malleus Maleficarum. Cambridge ; New York: Cambridge University Press, 2009.
[99] Broedel, Hans Peter. The Malleus Maleficarum and the Construction of Witchcraft : Theology and Popular Belief. Studies in Early Modern European History. Manchester, England ; New York, New York: Manchester University Press, 2003. 7.
[100] Levack, "The Witch-hunt in Early Modern Europe," 54.

knowledge, libraries, the wealthy, Church officials, and was regarded as a legal and scholarly source of information for inquisitors. Libraries and judicial references had copies of the *Malleus Maleficarum* in the 1500s.[101] It was not common for rural villagers to read the manual, but pamphlets were printed for villages, and the information was often quoted in sermons.[102] It became very popular in the late 1500s and produced 16 more editions with an estimate of 30-50 thousand copies distributed across Europe in the late 1500s to the late 1600s.[103] The *Malleus Maleficarum* had three main parts which discussed what the witches were like in real life, stories about the sexual transgressions of witches and their other activities, and the legal methods, trials and modes of torture.[104] The authors of the manual were Heinrich Kramer and James Sprenger. Heinrich Kramer got a Bull from Pope Innocent VIII, the Summis Desiderantes, saying he and James Sprenger could use papal authority and conduct prosecutions without oversight.[105] The Bull is seen in the preface of the manual.[106]

Prior to the *Malleus Maleficarum* there were no manuals or texts on witchcraft that were available to the public, and it was basically the manual that ended up defining what a witch was and what witchcraft meant for Europeans.[107] Not only did it influence Europeans as to what a witch was, it also imparted the idea that witches were mainly women, as they are defined as women in the manual.[108] They "conceived of witchcraft as essentially routed in and defined by women's sins, and as all but inconceivable without

[101] Broedel, "The Malleus Maleficarum and the Construction of Witchcraft," 7.
[102] Broedel, "The Malleus Maleficarum and the Construction of Witchcraft," 7-8.
[103] Broedel, "The Malleus Maleficarum and the Construction of Witchcraft," 8.
[104] "Malleus Maleficarum." 2019, Encyclopædia Britannica Online, 2019-07-29.
[105] Levack, "The Witch-hunt in Early Modern Europe," 55.
[106] Levack, "The Witch-hunt in Early Modern Europe," 55.
[107] Broedel, "The Malleus Maleficarum and the Construction of Witchcraft," 8.
[108] Broedel, "The Malleus Maleficarum and the Construction of Witchcraft," 167 & 176.

it".[109] Sexual deviancy and witchcraft were intertwined in the *Malleus Maleficarum* and it showed the division between the Church and popular belief. The strict sexual rules laid out by the manual, if deviated from, led to prosecutions under witchcraft.

This book was used all over Europe as a basis for female sexual deviancy, how to recognize it, and how to prosecute it. Male sexuality is not typically talked about in the book, except in reference to the devil, or in reference to a male being taken advantage of by a witch. There is a common discussion in texts like this one about women and witches deriving pleasure from sexual encounters with the devil or demons; this was often based on the fact that witchcraft manuals stated that women should not derive any pleasure from sex, and if they did it was considered sexually deviant behavior. This differed from the medical idea that women could not conceive without having an orgasm, which shows the difference in social views and the Church's views. Also, in the *Malleus Maleficarum* you can see talk of female homoerotic exploits being signs of witchcraft and considered sexually deviant. Essentially, this gave inquisitors and the courts the ability to frame any sexually deviant behavior of a female as being witchcraft, and therefore punishable legally. The *Malleus Maleficarum* is "long regarded as one of the most influential witch-hunting handbooks of the era, the *Malleus* served several critical functions for the development of sexual knowledge within witchcraft discourse"[110] and promoted the "demonization of women's sexuality".[111]

[109] Broedel, "The Malleus Maleficarum and the Construction of Witchcraft," 176.
[110] Garrett, "Witchcraft and Sexual Knowledge in Early Modern England," 37.
[111] Garrett, "Witchcraft and Sexual Knowledge in Early Modern England," 38.

The *Malleus Maleficarum* specifically stated that "witchcraft is chiefly found in women… witchcraft comes from carnal lust, which is in women insatiable".[112] The manual demonized women and their sexuality and blamed them from the sexual misconduct of men. It connected women with witchcraft and considered women to be weak minded and easier for evil to access. It also assumed that woman cannot resist evil once inside them. The work had an obvious bias against women, and a religious influence mainly derived from the time in which it was written. This primary source discussed how women are wicked and tempted men and if they are lustful or sexual in any way, this behavior was considered deviant and evil. Young women were considered to be more prone to give into their sexual desires and lusts and were easier to seduce to do the devil's work.[113] Men were absolved from their involvement with women, including adultery, by claiming that the devil used his body to fornicate with a witch.[114] During the 14th-17th centuries, there appeared a clear link among sexuality, women, and witchcraft, as expressly outlined in this document.

The *Malleus Maleficarum* was also used to explain low birth rates rather than acknowledge that the loss of children was more common, and people were also using contraception. There was a population decline in the 1400s due to plague, famine, and other factors, which some thought was caused by witches.[115] It stated that "witches impede and prevent the power of procreation".[116] Specifically, the document placed the blame of miscarriages and abortions on witches and the devil's work, creating both a

[112] Mackay, Christopher S., and Heinrich Institoris. The Hammer of Witches :a Complete Translation of the Malleus Maleficarum. Cambridge ; New York: Cambridge University Press, 2009."Malleus Maleficarum." 2019, Encyclopædia Britannica Online, 2019-07-29, 47.
[113] Mackay, "The Hammer of Witches :a Complete Translation of the Malleus Maleficarum".
[114] Mackay, "The Hammer of Witches :a Complete Translation of the Malleus Maleficarum".
[115] Cipolla, Carlo M. The Fontana Economic History of Europe. London: Collins, 1969. 36.
[116] Mackay, "The Hammer of Witches :a Complete Translation of the Malleus Maleficarum," 117.

reason and a scapegoat for the increase in infanticide. The same can be said for famines, plagues and illnesses. They were explained as the devil's work carried out by witches and increased the hysteria and need to find someone to blame. "It is a fact that, by Divine permission, many innocent people suffer loss and are punished by the aforesaid plagues, not for their own sins, but for those of witches".[117]

In 1458 Nicolas Jacquier wrote the *Flagellum Haereticorum Fascinariorum,* which is loosely translated to The Scourge of Heretical Bewitchers.[118] He also wrote the "de calcatione daemonum" in 1458 as a witchcraft manual, which is often associated with the *Flagellum Haereticorum Fascinariorum* and placed in the same series.[119] It was widely disseminated across Europe to clergy, academics and those in the judicial sector.[120] Jacquier progressed the idea that he had evidence of real witches, which was very influential on the history of witchcraft. This manual laid the foundations for negative acceptance and prosecution of witches. It also stated that both men and women were at Sabbaths, nocturnal gatherings of devil worship, and could be witches, although women did attend at larger numbers, which was very different from the *Malleus Maleficarum's* claim that witches were only women.[121] Nicolas Jacquier was a Dominican inquisitor and this manual focused a lot on the nightly sabbaths and their threat to Christianity. The Dominican Reform movement, which occurred in different parts of Europe, was an order of the Catholic Church that had stricter rules and often travelled like missionaries.[122]

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[117] Mackay, "The Hammer of Witches :a Complete Translation of the Malleus Maleficarum," 117.
[118] Champion, M. "Scourging the Temple of God: Towards an Understanding of Nicolas Jacquier's Flagellum Haereticorum Fascinariorum (1458)." Parergon 28, no. 1 (2011): 1.
[119] Champion, "Scourging the Temple of God," 1.
[120] Champion, "Scourging the Temple of God," 1.
[121] Broedel, "The Malleus Maleficarum and the Construction of Witchcraft," 169.
[122] Champion, "Scourging the Temple of God," 7.

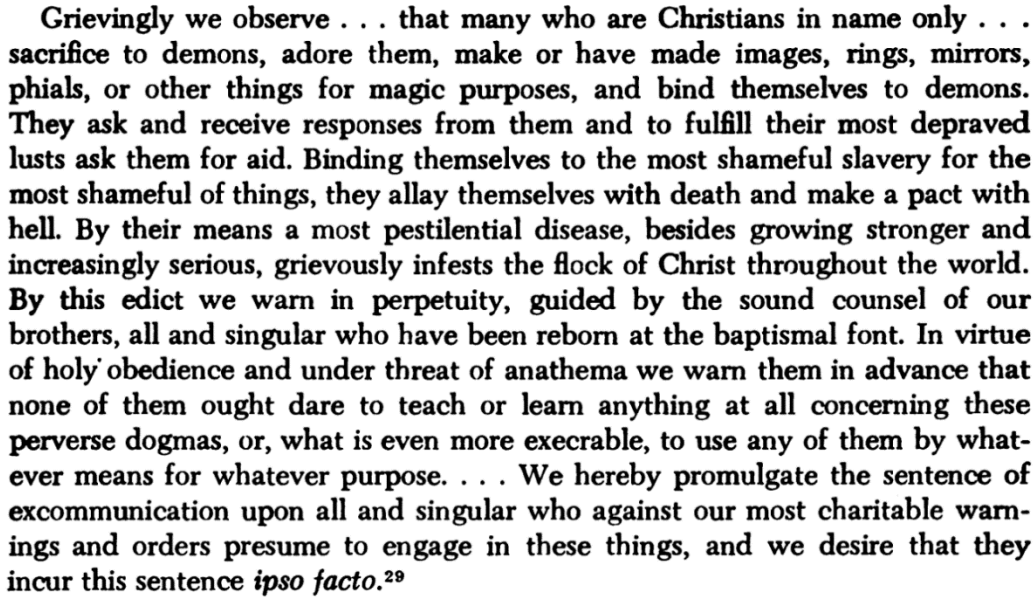
This manual is seen as a "significant text for the formation of witchcraft theory".[123] In it Jacquier attacks the Canon Episcopi, which talks about witches and the Sabbath, which he does not agree with. He argues that the Sabbath, as it is described in the Canon, is not real, but that there are real witches having actual meetings that they should be focusing on instead, and that the Canons authority is questionable.[124] He used trials in his manual to substantiate the claim that real Sabbaths existed.[125] The witches Jacquier focused on are called the *fascinarii*, and they are described as conscious of their participation in witchcraft, unlike the witches, deluded women, described in the Canon.[126] "Jacquier's Flagellum forms part of a burgeoning literature in the fifteenth century concerning a new sect of demon-worshipping heretics".[127] His work treated witchcraft as a real and physical threat, and changed the face of how witches were viewed. They were not viewed as deluded anymore, but as active participants who were responsible for their actions, which made it easier and more palatable to the public to prosecute them.[128] The manual discusses carnal devil worship and sexual deviancy that occurred at the Sabbaths, further propagating the idea that witches were sexual deviants.[129] It talks about the sexual aspect of practicing witchcraft, including the witches having sex with demons, which is a theme we see often in the other inquisitorial manuals.

Nicholas Eymerich wrote an inquisitor's manual, the *Directorium Inquisitorum*, in 1376 that included a statement from Pope John XXII's decree from 1326 against

[123] Champion, Matthew. "Crushing the Canon: Nicolas Jacquier's Response to the Canon Episcopi in the Flagellum Haereticorum Fascinariorum." Magic, Ritual, and Witchcraft 6, no. 2 (2011): 183-211. 183.
[124] Champion, "Crushing the Canon," 185.
[125] Champion, "Scourging the Temple of God," 1.
[126] Champion, "Crushing the Canon," 186.
[127] Champion, "Scourging the Temple of God," 8.
[128] Champion, "Crushing the Canon," 186.
[129] Broedel, "The Malleus Maleficarum and the Construction of Witchcraft," 178.

magic. The popes decree is referred to as the *Super Illius Specula,* and Eymerich was the first to add this to a manual on witchcraft, which helped sanction his actions as an inquisitor and his views and writings.[130] The manual is considered by some to be one of the "most influential medieval inquisitorial handbook".[131] Inquisitors manuals, including this one, were used in both civil and religious courts and rulings. The book consisted of statements from the Pope and others against the practice of magic, the inquisitor's power to scrutinize and prosecute magic practitioners, and how to prosecute magic users. It was a push for more power against non-Christians by labeling them heretics and witches. Pope John XXII persecuted witches during the start of the witch hunts in the 14th century and officially declared witchcraft heresy in his letter, which is also referenced in the famous letter written by Cardinal William of Santa Sabina.[132]

[130] Ostorero, Martine. "Witchcraft." In The Routledge History of Medieval Magic, 502-22. 1st ed. Routledge, 2019. 502.
[131] Tarrant, Neil. "Between Aquinas and Eymerich: The Roman Inquisition's Use of Dominican Thought in the Censorship of Alchemy." Ambix: Alchemy and the Mendicant Orders of Late Medieval and Early Modern Europe 65, no. 3 (2018): 222.
[132] Ben-Yehuda, "The European Witch Craze of the 14th to 17th Centuries."



Grievingly we observe . . . that many who are Christians in name only . . . sacrifice to demons, adore them, make or have made images, rings, mirrors, phials, or other things for magic purposes, and bind themselves to demons. They ask and receive responses from them and to fulfill their most depraved lusts ask them for aid. Binding themselves to the most shameful slavery for the most shameful of things, they allay themselves with death and make a pact with hell. By their means a most pestilential disease, besides growing stronger and increasingly serious, grievously infests the flock of Christ throughout the world. By this edict we warn in perpetuity, guided by the sound counsel of our brothers, all and singular who have been reborn at the baptismal font. In virtue of holy obedience and under threat of anathema we warn them in advance that none of them ought dare to teach or learn anything at all concerning these perverse dogmas, or, what is even more execrable, to use any of them by whatever means for whatever purpose. . . . We hereby promulgate the sentence of excommunication upon all and singular who against our most charitable warnings and orders presume to engage in these things, and we desire that they incur this sentence *ipso facto*.[29]

Figure 1. Excerpt from the 1326 papal bull *Super Illius Specula* from Pope John XXII

Figure 1 shows an Excerpt from the 1326 papal bull against witchcraft, the Super Illius Specula, given by Pope John XXII. Citation: Tarrant, Neil. "Between Aquinas and Eymerich: The Roman Inquisition's Use of Dominican Thought in the Censorship of Alchemy." Ambix: Alchemy and the Mendicant Orders of Late Medieval and Early Modern Europe 65, no. 3 (2018): 221.

When witchcraft and heresy started being seen as the same crime and interchangeable, that's when accusations, trials, and prosecutions increased. It was a change in the cultural understanding of witchcraft being synonymous with heresy. We see an opposite effect when there is a change in cultural understanding of witchcraft as not being real.

In 1584 Reginald Scot published the *Discoverie of Witchcraft*, a manuscript that actually was skeptical of witchcraft prosecutions, but believed in charlatans who fooled people with the idea of magic. Scot blamed the church for their silly superstitions that led to the witchcraft prosecutions. "The fables of Witchcraft have taken so fast hold and deepe root in the heart of man, that fewe or none can (nowadaies) with patience indure

the hand and correction of God. For if any adversitie, greefe, sicknesse, losse of children, corne, cattell, or libertie happen unto them; by and by they exclaime uppon witches".[133] Essentially, he believed that the Church had influenced people to believe that anything that went wrong was the cause of witches, and that low-income, older or not highly intelligent people were being targeted. This is one of the few popular publications that denounced the threat of witchcraft posed by the Church, but it was widely contested, not just by the Church but also by other inquisitors and academics at the time.[134] However, it has been stated that the Church and King James I of England burned all of the copies of *Discoverie of Witchcraft* they could find. This, as there is proof, is probably not the case, but shows the belief that the Church hated being disagreed with so much that they would burn copies of a book that disagreed with them.[135]

[133] Scot, Reginald. The Discoverie of Witchcraft. Project Gutenberg, 1.
[134] Almond, Philip C. "King James I and the Burning of Reginald Scot's The Discoverie of Witchcraft: The Invention of a Tradition." Notes and Queries 56, no. 2 (2009): 209-13. 210.
[135] Almond, "King James I and the Burning of Reginald Scot's The Discoverie of Witchcraft," 210.

The diſcouerie
of witchcraft,
Wherein the lewde dealing of witches
and witchmongers is notablie detected, the
knauerie of coniurors, the impietie of inchan-
tors, the follie of ſoothſaiers, the impudent falſ-
hood of couſenors, the infidelitie of atheiſts,
the peſtilent practiſes of Pythoniſts, the
curioſitie of figurecaſters, the va-
nitie of dreamers, the beggerlie
art of Alcu-
myſtrie,
The abhomination of idolatrie, the hor-
rible art of poiſoning, the vertue and power of
naturall magike, and all the conueiances
of Legierdemaine and iuggling are deciphered:
and many other things opened, which
haue long lien hidden, howbeit
verie neceſſarie to
be knowne.
Heerevnto is added a treatiſe vpon the
nature and ſubſtance of ſpirits and diuels,
&c: all latelie written
by Reginald Scot
Eſquire.
1. Iohn. 4, 1.
Beleeue not euerie ſpirit, but trie the ſpirits, whether they are
of God; for manie falſe prophets are gone
out into the world, &c.
1 5 8 4

Figure 2. Introduction from Scot, Reginald's *The Discoverie of Witchcraft*.

Figure 2 shows an Excerpt from the 1584 manual The Discoverie of Witchcraft. Citation: Scot, Reginald. The Discoverie of Witchcraft. Project Gutenberg.

These documents and manuscripts that were published surrounding the witch trials had a large impact on the criminal and judicial trial proceedings, the identification and torture of witches, how society viewed women and their roles, all while continuing to promote the rhetoric of the Church and continue to encourage the witchcraft hysteria. Brian Levack states that these manuals are the reason Europeans were "aware of witchcraft and convinced of its reality".[136] They had a significant effect on intellectual discussion and the societal views of witchcraft, and influenced judicial hearings and the use of torture. This is how Europeans understood magic, as presented to them in the form of manuals and the influence of the manuals on court decisions. Only when this started to change did they look at magic differently.

[136] Levack, "The Witch-hunt in Early Modern Europe," 57.

Chapter III.

Legal Foundations of Witchcraft

Legally speaking, witchcraft took many avenues throughout the centuries in early European history. Oftentimes, witchcraft was a charge in conjunction with other charges and crimes, both in religious and civilian courts. In the beginning of the 1500s laws pertaining to witchcraft were harsher, but by the 1700s laws, prosecutions, and sentences were lighter and less strict and deadly, which was affected by the change in societal views on witchcraft. Causing injury or death, damage to property, blackmail, and fraud were charges associated with witch trials in Europe.[137] The 1500s, on average, was the period in Europe when most laws about witchcraft and the supernatural were enacted, possibly due to the sharp increase in witchcraft trials, the publishing of manuscripts, and the rhetoric used by the Church. The Church and the legal system were entwined, and Canon Law was used in secular and municipal courts, as well as ecclesiastical, Church, courts.[138]

The last legal execution based on the sentence of witchcraft in Europe was in 1782, all other executions done after this date were done essentially illegally.[139] Many laws were passed in the Holy Roman Empire, England, Ireland, and Scotland during the rise and fall of the witch hunts. The ones discussed in this chapter will explain the basic

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[137] Fairfield, Letitia. "The Supernatural in the Law Courts with Special Reference to the Witchcraft Act, 1735." Medico-Legal Journal 14, no. 1-2 (1946): 27-38.
[138] Levack, “The Witch-hunt in Early Modern Europe,” 77-89.
[139] Levack, Brian P. "The Decline and End of Witchcraft Prosecutions." The Oxford Handbook of Witchcraft in Early Modern Europe and Colonial America, 2013-03-01, Vol.1. Vol. 1. Oxford Handbooks in History. Oxford University Press.

increase in penalties for witchcraft, and the subsequent decrease during the 14th-17th centuries. Judicial and criminal procedures that developed around the witch trials had a significant impact on the rise and decline of the trials, alongside the social, intellectual, and cultural changes in views on witchcraft.

The Holy Roman Empire had the highest number of trials, which some historians attribute to the high rate of Catholic and Protestant warfare in the region.[140] It was highly decentralized and judicially separated into over 400 different jurisdictions, which makes the laws non-cohesive and with little standardization.[141] The *Constitutio Criminalis Carolina* was enacted in 1532 under Charles V as the first body of criminal laws in the German lands, and it determined what evidence could be used in trials, what was considered maleficent magic, and it allowed for the use of torture with enough evidence.[142] The *Constitutio Criminalis Carolina* was a guideline used to create local laws for local jurisdictions, but was only effective in larger courts and cities in the Holy Roman Empire. Territory and local laws superseded the Carolina, meaning that local areas could make their own laws about what was admissible in court, what could be considered evidence, and when they were allowed to use torture. It was these local territories that did not listen to the criminal code that had the most executions.[143]

In 1567 in Wurttemberg, which was part of the Holy Roman Empire, a government statute came into effect against the practice of witchcraft, making it a criminal act in that area.[144] In 1572 the electoral saxony, the rulers of different territories

[140] Leeson, "Witch Trials," 2079.
[141] Levack, "The Decline and End of Witchcraft Prosecutions," 430.
[142] Robisheaux, "The German Witch Trials," 13.
[143] Levack, "The Witch-hunt in Early Modern Europe," 101.
[144] Bever, "Witchcraft, Female Aggression, and Power".

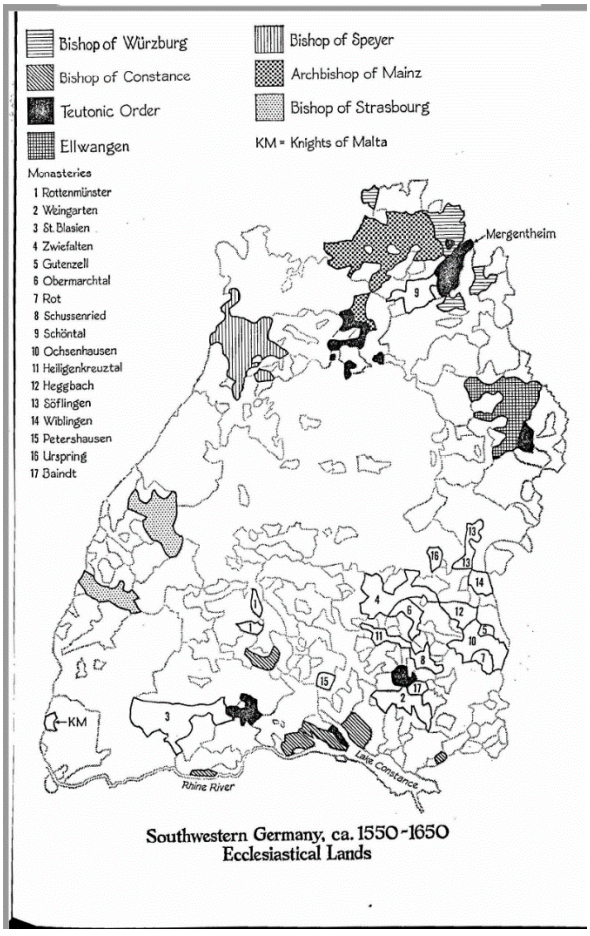
in the Holy Roman Empire, had a significant influence on the laws enacted to punish those who were presumed to have practiced witchcraft.[145] In 1653 the New Practices of Imperial Saxony in Matters of Criminal Law was emplaced, and witchcraft was now treated as a treasonous act against God and country and more rigorous prosecution and torture was allowed.[146] Treating witchcraft as heresy or treason allowed for torture, less evidence and harsher punishments because it was a matter of "public order".[147] The Church's push to influence people to think of witchcraft as heresy drove areas like the Holy Roman Empire to increase laws and punishments. The increase in laws against witchcraft was not just localized in the Holy Roman Empire, but all over Europe.

As previously stated, the late 1500s into the early 1600s saw an increase in witch trails in the Holy Roman Empire, much of which was caused by "large chain-reaction hunts".[148] Large chain-reaction hunts occurred in territories or counties with non-secular courts, or little central oversight, where large amounts of people were tried and executed for witchcraft in a very small period of time, about 1-4 years.[149] The witch commissions, a group of people in a territory or area of the Holy Roman Empire who prosecuted witches, became popular in the 1600's and caused further spread of the large-scale witch hunts.[150]

One example of this was the Mainz witch trials, which spilled over multiple different lands and areas in the Holy Roman Empire. The trials ran from 1602 to 1604, and 650 people were executed for the crimes of witchcraft.[151] It was one of the most well-

[145] Robisheaux, "The German Witch Trials," 4.
[146] Robisheaux, "The German Witch Trials," 14.
[147] Robisheaux, "The German Witch Trials," 194.
[148] Robisheaux, "The German Witch Trials," 7.
[149] Robisheaux, "The German Witch Trials," 186.
[150] Robisheaux, "The German Witch Trials," 8.
[151] Robisheaux, "The German Witch Trials," 8.

known large-scale hunts in the Holy Roman Empire. In addition, from 1626 to 1630 around 2,268 people were executed in the German lands of Mainz, Wurzburg and Bamberg due to the chain-reaction witch hunts.[152] It sparked other witch hunts in nearby counties in the years that shortly followed. “These prosecutions not only tore the social fabric but created political chaos” in the Holy Roman Empire and those territories.[153] Figure 4 shows the area Mainz and Wurzburg covered to provide a sense of how the chain-reaction hunts spread.



[152] Robisheaux, "The German Witch Trials,” 8.
[153] Robisheaux, "The German Witch Trials,” 187.

Figure 3. Map of Southwest Germany territories in the Holy Roman Empire from 1550 to 1650

Figure 3 shows a map from Midelfort, H. C. Erik. Witch Hunting in Southwestern Germany, 1562-1684; the Social and Intellectual Foundations. Stanford, Calif.: Stanford University Press, 1972.

The 17th century saw a change in judicial practices in the Holy Roman Empire. German University law faculties pushed for acquittals, instead of pushing for convictions like the faculty members did in the past.[154] This influenced a decline in the prosecutions of witchcraft, but the last official prosecution was in Wurttemberg in 1805.[155] This is possibly due to a shift in the moral philosophy of witchcraft, which affected the wealthier educated members of society. It was also possibly due to the change in cultural understandings of witchcraft on the judicial and intellectual level first.

In contrast to the Holy Roman Empire, England had a more centralized governing body for the country, but also saw similar laws being enacted in the same time frame and with a similar increase in accusations, trials, and prosecutions. While the Holy Roman Empire, and England along with Scotland and Ireland, differ greatly in governing structure, they follow the same increase and decrease of witch laws and trials. Laws in England about witchcraft were uncommon until the 1500s, where they gained frequency and aggressiveness, similar to the Holy Roman Empire. In England, King Henry VIII emplaced a statute in 1542 against witchcraft and the conjuring of spirits and established the death penalty for committing those crimes. In 1563 bewitching, sorcery and any involvement of spirits became a felony and imposed much harsher punishments then the

[154] Levack, "The Decline and End of Witchcraft Prosecutions," 432-436.
[155] Levack, "The Decline and End of Witchcraft Prosecutions," 432-436.

1542 statute.[156] This shows the steady increase in penalties for witchcraft. The 1563 statute was repealed in 1604, and a new statute took its place which allowed the death penalty to be placed on first time offenders of anything perceived as witchcraft. The death penalty was applicable even if the victim of the witchcraft was not harmed or did not die, making this the harshest statute enacted in England for the crime of witchcraft.[157]

This statute stayed in place until the Witchcraft Act of 1735 was enacted, which repealed the laws set in place by the 1604 act, and actually protected accused practitioners from excessive persecution under the law.[158] It focused mainly on those who were fraudulent or pretending to practice witchcraft. It was sponsored by John Crosse, John Conduitt and George Heathcote, and it is theorized that the act was put forth to suppress the Church's power in the government.[159] The focus on fraudulent crimes of witchcraft, instead of actual crimes of witchcraft, shows the change in political, religious, and judicial views leading to the decline in witch trials and executions. The change in how witchcraft was viewed, and the decline in the belief that it was real, changed public opinion, and made it so that believing in maleficium was socially unacceptable.[160]

In England, between 1558 and 1735 in the Home Circuit court, 78% of people accused of witchcraft were acquitted, despite the harsh laws that were in place.[161] The Holy Roman Empire, by contrast, experienced more large-scale hunts within decentralized court systems, leading to much higher numbers of convictions. Figure 5

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[156] Fairfield, "The Supernatural in the Law Courts,".
[157] Fairfield, "The Supernatural in the Law Courts,".
[158] Davies, Owen. "Decriminalising the Witch: The Origin of and Response to the 1736 Witchcraft Act." 218. Vol. 131. 2008.
[159] Davies, "Decriminalising the Witch,".
[160] Davies, "Decriminalising the Witch," 224.
[161] Fairfield, "The Supernatural in the Law Courts," 29-32. This sources lists all of the English laws mentioned.

shows the witch trials across Europe broken down by country, amount of people tried, and amount of people executed, showing the significantly larger numbers of trials and executions in countries contained in the Holy Roman Empire.

Table 1

Witch-trial Activity Across Countries, 1300–1850

Country	Population	Persons tried	Per cent of total	Persons tried per million	Deaths	Per cent of total	Deaths per million
Germany	12,000,000	16,474	38.1	1,373	6,887	42.2	574
Switzerland	1,000,000	9,796	22.7	9,796	5,691	34.8	5,691
France	18,500,000	4,159	9.6	225	1,663	10.2	90
Scotland	700,000	3,563	8.2	5,090	190	1.2	271
Spain	8,500,000	1,949	4.5	229	1	0	0
Hungary	1,250,000	1,644	3.8	1,315	474	2.9	379
England	3,667,750	1,197	2.8	326	367	2.2	100
Belgium	1,383,000	887	2.1	641	378	2.3	273
Norway	500,000	863	2	1,726	280	1.7	560
Finland	200,000	710	1.6	3,550	115	0.7	575
Italy	12,000,000	604	1.4	50	60	0.4	5
Netherlands	1,500,000	369	0.9	246	46	0.3	31
Sweden	1,000,000	353	0.8	353	0	0	0
Luxembourg	117,000	219	0.5	1,872	99	0.6	846
Estonia	125,000	205	0.5	1,640	65	0.4	520
Denmark	700,000	90	0.2	129	0	0	0
Austria	2,500,000	83	0.2	33	13	0.1	5
Ireland	1,043,750	52	0.1	50	1	0	1
Poland	5,000,000	12	0	2	3	0	1
Northern Ireland	206,250	9	0	44	0	0	0
Czech Republic	2,776,500	2	0	1	0	0	0

Notes. Population in 1600 (McEvedy and Jones, 1978). Estonian population in 1630 (Palli, 1980). Populations for England and Wales (individually) are tabulated using total population data for 'England and Wales' by multiplying each country's share of their combined land area by the total population of 'England and Wales'. Identical tabulations are made for Ireland and Northern Ireland, Belgium and Luxembourg, and the Czech Republic and Slovakia.

Figure 4. Table of Witch-trial Activity Across Countries from 1300-1850.

Figure 4 shows a table of the witch trials across Europe. Leeson, Peter T., and Jacob W. Russ. "Witch Trials." Economic Journal 128, no. 613 (2018): 2078.

Table 2 shows a breakdown of the amount of people tried and executed in England including the Isle of Guernsey and the county of Essex, Scotland, and the Holy Roman Empire including Namur. The first numbers listed under the Holy Roman Empire are considered the most conservative estimates of those tried and executed, while the bottom number for the Holy Roman Empire have been calculated by large hunt estimates, but not rural or unrecorded ones. Vigilante justice happened more often in local or village areas, central courts and larger cities did not have this happen as often because the central courts tried to prevent it because it "constituted a challenge to their authority".[162] That is why we see much larger numbers of executions in the Holy Roman Empire.

Table 2. Regional known execution rates from 1500-1700's

Table 2 shows the executions known by region with the calculated percent of execution rates for each region. This has been compiled from multiple sources as noted for each region.

Region	**Tried**	**Executed**	**Percent Executed**
England[163]	790	112[164]	
Isle of Guernsey[165]	78	33	46%
Essex[166]	291	74	24%

[162] Levack, "The Witch-hunt in Early Modern Europe," 74.
[163] Ewen, C. L'Estrange, and Great Britain. Courts of Assize Nisi Prius. Witch Hunting and Witch Trials; the Indictments for Witchcraft from the Records of 1373 Assizes Held for the Home Circuit A. D. 1559-1736. New York: Dial Press, 1929. This number only includes the home/high courts of England, not the rural courts.
[164] Ewen, "Witch Hunting and Witch Trails,". This number is the number executed in home courts of England by hanging specifically. 513 people out of the 790 were indicted, some had fines, jail time, or an unknown or unrecorded punishment.
[165] Levack, "The Witch-hunt in Early Modern Europe".
[166] Levack, "The Witch-hunt in Early Modern Europe".

Scotland[167]	3,069	1337	43%
Namur[168]	270	144	54%
Holy Roman Empire[169]	50,000 100,000[170]	22,500 50,000[171]	50%

The English court system often revolved around the central courts, which was where many of the larger trials took place. Due to a central court system being used, we see far less executions in England than we do in other parts of Europe that relied upon local courts.[172] The central courts of England were more standardized which accounted for less local trials that didn't have oversight, and also fairer trials with lesser punishments. The worst hunts in England were done by local officials without state or central oversight.[173] Central court systems used more caution and were stricter with due process during witch trials due to the fact that they had more educated judges than local courts, as local courts did not require as much legal training as central courts did.[174]

[167] Larner, "A Source-book of Scottish".
[168] Levack, "The Witch-hunt in Early Modern Europe".
[169] Levack, "The Witch-hunt in Early Modern Europe". This is the most conservative estimate for the Holy Roman Empire of the German Nations, as shown by Levack.
[170] Midelfort, H. C. Erik. Witch Hunting in Southwestern Germany, 1562-1684; the Social and Intellectual Foundations. Stanford, Calif.: Stanford University Press, 1972. 180. This was calculated by large hunt estimates, not rural or unrecorded ones.
[171] Midelfort, "Witch Hunting in Southwestern Germany," 180. This was calculated by large hunt estimates, not rural or unrecorded ones.
[172] Levack, "The Decline and End of Witchcraft Prosecutions," 438.
[173] Levack, "The Decline and End of Witchcraft Prosecutions," 438.
[174] Levack, "The Decline and End of Witchcraft Prosecutions," 438.

In 1682 in Bideford, England three older lower-class women were hung under the accusation of witchcraft. The accusations were from a doctor in Bideford against the women being bewitched.[175] Essentially, they treated the doctor's testimony as fact, and prosecuted solely based on that. It was also common practice not to let the accused see the depositions, therefore impeding their ability to mount a decent defense. It was also allowed that anyone could file a felony complaint charge against someone. In 1645 in Chelmsford, England 19 witches were executed at the same time, which is the largest number executed at once in England.[176] Due to a lack of oversight the justices, including the Earl of Warwick, blatantly ignored the laws about allowed evidence. They didn't try to prove or see if any of the events people were accused of actually happened, they used young impressionable children to testify against family members, and they even used dreams as evidence against the accused witches.[177]

In the late 1600s we start to see cases where people who are being charged with witchcraft in England are countersuing with defamation when they are not convicted. We don't see this in the Holy Roman Empire, which could have to do with their lack of structured centralized courts. In 1687 we see the case of Jane Blackburne, who was accused of being a witch by John Richardson. She countersued for defamation of character and won.[178] These types of defamation cases help show a decline in the belief in witchcraft in England, in society as well as the judicial system. We see a distinct change in the judicial, as well as cultural, views on witchcraft which will be further discussed in the next chapter.

[175] Fairfield, "The Supernatural in the Law Courts,"31.
[176] Fairfield, "The Supernatural in the Law Courts," 31.
[177] Fairfield, "The Supernatural in the Law Courts," 31.
[178] Fairfield, "The Supernatural in the Law Courts," 31.

Comparatively Scotland, had a central government that they rarely used in order to prosecute witchcraft trials, it was typically local judges and community trials that prosecuted. This meant that they had a much higher rate of executions and prosecutions for witchcraft per capita than England, and these trials went on for much longer since they were influenced primarily by local belief and superstition then by governmental law and order. [179] Central courts, like the ones we see in England, usually had more educated judges, better due process, less torture, and more acquittals. The Scottish Witchcraft Act of 1563 made it a capital offense to be a witch and allowed for the prosecution of witchcraft under Scottish law.[180] It also required that almost all secular court trials occur under central government oversight, unlike the Holy Roman Empire, but the central court in Scotland was not established enough to make this work.[181] England's central courts were well established, so they had more control over local courts, causing less executions; whereas Scotland had a higher rate of executions due to their weak central government. In 1649 Scotland passed an act that enforced godliness and made it illegal, and a capital offense, to worship any god/s that did not fall under the Christian faith.[182] These acts were repealed by the 1736 Witchcraft Act of England, since in 1707 Scotland became part of Great Britain.[183]

Ireland was technically under British rule in 1542, however, they made their own laws and had their own parliament until 1801. Therefore, they followed England's lead a little for the witchcraft acts they established, but Ireland had complete control in creating

[179] Levack, "The Decline and End of Witchcraft Prosecutions," 438.
[180] Davies, "Decriminalising the Witch," 209.
[181] Levack, "The Witch-hunt in Early Modern Europe," 98.
[182] Boran, Elizabethanne. "The Covenanters and the Scottish Parliament, 1639–51: The Rule of the Godly and the 'Second Scottish Reformation'." 143-70. Routledge, 2006.
[183] Davies, "Decriminalising the Witch," 209.

and utilizing their own set of witchcraft laws. Much like England, though, Ireland saw few trials and executions as they followed a similar judicial style of using a central court. The Irish Witchcraft statute of 1586 was very similar to the English act of 1563, allowing for capital punishment for the crime of witchcraft if it was a second offense.[184] In 1635 an act was passed in Irish parliament that focused mainly on murder charges, but included the crime of witchcraft resulting in death in another county as punishable under this act.[185] Not long after this statute the 1641 rebellion in Ireland took place, which put the country in war and lead to a sharp increase in witchcraft accusations and executions.[186] The Elizabethan Irish Statute of 1586 against witchcraft was repealed in 1821, much later than the 1736 Witchcraft Act in England.[187]

The period between 1560 and 1630 saw a sharp increase in witchcraft prosecutions across Europe.[188] Torture was a way to confirm witchcraft existed and that confirmation was justification for the use of torture.[189] The Holy Roman Empire allowed torture of those charged more frequently than England, Ireland and Scotland, causing more confessions and more convictions. Many were tortured until they confessed, and once they confessed, they were tortured even more until they named other people who supposedly practiced witchcraft. If someone did not confess, then there were still typically punished legally or by execution.[190] It was typical that only once tortured would an accused witch confess to devil worship, confessing and being accused of maleficium

[184] Sneddon, Andrew. Witchcraft and Magic in Ireland. Palgrave Historical Studies in Witchcraft and Magic. London: Palgrave Macmillan UK : Imprint: Palgrave Macmillan, 2015. 27.
[185] Sneddon, “Witchcraft and Magic in Ireland,” 29.
[186] Sneddon, “Witchcraft and Magic in Ireland,” 57.
[187] Davies, "Decriminalising the Witch," 228.
[188] Leeson, "Witch Trials," 2067.
[189] Levack, “The Witch-hunt in Early Modern Europe,” 87.
[190] Kingsley, "Religion and Human Rights Violation in History,” 3062.

often came first.[191] While torture was commonly allowed in the Holy Roman Empire in order to elicit a confession, it was not commonly allowed in England.

In the 16th century in the Holy Roman Empire, judges and magistrates disregarded their own rules when it came to cases on witchcraft and allowed lower standards of evidence and the use of excessive torture to elicit confession.[192] A common form of torture to illicit confessions in the Holy Roman Empire was the witches chair, which was a chair the accused sat in with fire burning underneath it.[193] One well known event happened in Dreissigacher in 1631 where a pregnant woman was being tortured and was told that the laws in place to prevent prolonged torture did not apply to witches, and she would be tortured until she confessed or until death.[194] It was due to these 16th century trials that people started critiquing the use of torture and promoting judicial reform.[195]

The *Malleus Maleficarum,* used often by inquisitors and judges especially in the Holy Roman Empire, specifically talks about the use of promising better treatment or no death penalty to the accused if they confess, then once the confession was obtained to execute them anyways. “For this [torture] should only be resorted to in default of other proofs”[196], especially saying that if they cannot find other proof of the practice of witchcraft then they will resort to torture in order to elicit a confession. This practice was often seen in the Holy Roman Empire and surrounding areas; and while England did use the *Malleus Maleficarum* for reference, they did not use the torture techniques described in it.

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[191] Levack, “The Witch-hunt in Early Modern Europe” 85.
[192] Robisheaux, "The German Witch Trials,” 194.
[193] Levack, “The Witch-hunt in Early Modern Europe,” 85.
[194] Levack, “The Witch-hunt in Early Modern Europe,” 85.
[195] Robisheaux, "The German Witch Trials,” 194.
[196] Mackay, “The Hammer of Witches :a Complete Translation of the Malleus Maleficarum,” 299.

England typically did not use the same torture methods as seen in other parts of Europe, such as the Holy Roman Empire of the German Nation, so their trials were not as sensational, and their rate of executions was significantly lower than other areas. One exception was in the mid-17th century. There were a series of very famous trials in England often referred to on whole as the Hopkins Trails. They were considered the largest witch hunt in England, and it is estimated at least 150 people died, mostly women, however some estimate the number to be significantly higher.[197] It was named after one of the two incredibly famous inquisitors, Matthew Hopkins and John Stearne, that led the witch hunt and trials. It started in Essex but moved to the surrounding counties with the help of Hopkins and Stearne and lasted from 1645 to 1647.[198]

Due to the first Civil War taking place, and heightened political, social and religious tensions, persecution of witches rose, and with that came the Hopkins Trails. These trials had some of the highest rates of torture used in England, and the persecutors withheld food, kept the accused awake for long periods, used sexual intimidation, and much more to elicit confessions.[199] This case has significant sexual discourse and sexualization of the women on trial. Inquisitors and others examined the accused multiple times for hidden witches' marks. They would use the searches as another form of psychological torture for the women, searching for the marks over and over until they found one or the women confessed in order to make the searches stop.[200] We see these types of psychological and sexual torture used consistently in the witch trials spanning

[197] Levack, Brian P. "The Matthew Hopkins Witch-Hunt in Suffolk, 1645." 273-77. 2nd ed. Routledge, 2015.
[198] Levack, "The Matthew Hopkins Witch-Hunt in Suffolk," 273-77.
[199] Garrett, "Witchcraft and Sexual Knowledge in Early Modern England," 60.
[200] Levack, "The Matthew Hopkins Witch-Hunt in Suffolk, 1645," 273.

across Europe, especially in reference to the women who were on trial. The change in moral and philosophical views of torture and the way witches were prosecuted could be a reason for the decline in the witch trials in the 1700s.

The geographic areas focused on show a well-balanced range of judicial processes. England and Ireland have centralized courts that were well utilized, and a low amount of torture allowed, therefore both countries saw a significantly lower amount of trials and executions. Scotland had a central court structure that was weak, causing them to have higher rates of trials and executions. The Holy Roman Empire saw the largest amount of trials and executions due to their lack of a central courts system and their propensity for torture during the trails. Commonly, all four areas saw a rise in witch trials in the 1400s with the rise in cultural and social beliefs of witches, causing more laws about witchcraft to be enacted. Alternately, all four areas saw a decline in witch trials and laws in the 1700s, possibly due to the changing of those views.

Chapter IV.

Decline of the Witch Trails

As was acknowledged in Brian Levack's work *The Decline and End of Witchcraft Prosecutions* very few historians or anthropologists have focused on the decline of the witch trials, and instead have focused on why they began and why they persisted.[201] Witch trials decreased not because of transformations to the witch trials themselves, but because Europeans began to understand magic differently, very similar to why trials increased in the beginning. Gender and sexuality did not have as large an impact on the decline of the witch trials as I previously envisioned. The idea that women conformed more to social standards causing such a large shift into the decline of witch trials is not substantiated enough and lacks evidence. Also, the idea that women gained more rights or changed to less conforming ways is evident in the 19th century, but also lacks evidence, as witch trials declined in the late 17th century to early 18th century. While I do believe gender, sexuality and social norms were causal attributes in the rise of the European witch trials, there is little proof they were contributing factors to the decline. Instead, I found that there was a change in the cultural understanding of witchcraft as related to the rise of skepticism.

Across the whole of Europe during the 17th century, people started to become more reluctant to charge and prosecute witches and there were more acquittals when they were charged.[202] There are various reasons given for the decline of the witch trials, ranging from a change in judicial practices, moral and religious reform, changes in the

[201] Levack, "The Decline and End of Witchcraft Prosecutions," 435.
[202] Levack, "The Witch-hunt in Early Modern Europe," 253.

elite's views and educational and intellectual reform. I believe all of these reasons played a significant part in the decline of witch trials. Initially, I thought that a change in societal views of women and gender would be one thing that led to a decrease in the witch trials, however after further research I believe it was the changing cultural understanding of witchcraft that caused the trials to end. Below I will discuss the various influences on cultural understanding of witchcraft, and how that affected the decline of the witch trials.

One significant reason for the decline in the witch trials was the influence of higher education, which led to more rational thought and a stronger belief in science and a lesser belief in superstition among the elite, this was often called the period of Enlightenment in Europe.[203] The Early Enlightenment period in Europe started in 1690 and progressed into the 1700s.[204] Although this may have had a role in helping to decline witchcraft prosecutions, it is prudent to note that the trials ebbed and flowed throughout the centuries, long before the beginning of the Enlightenment.[205] We must also acknowledge that a decline in witchcraft prosecutions does not necessarily mean it was a permanent decline in all belief of witches and witchcraft across the classes. However, educational reform did lead to the elite questioning more things, including religious mandates and the supernatural.[206] Discussing the decline of witchcraft, Edward Bever writes that:

> This trajectory was directly related to a changing consensus in European culture that first viewed devil-worshiping magicians as a unified threat, then suffered a legal and intellectual crisis of confidence about the demonology, resolved into a pious skepticism about the significance of the threat posed by witchcraft, and

[203] Levack, "The Decline and End of Witchcraft Prosecutions,".
[204] Levack, "The Decline and End of Witchcraft Prosecutions," 436.
[205] Bever, Edward. "Witchcraft Prosecutions and the Decline of Magic." The Journal of Interdisciplinary History 40, no. 2 (2009): 264.
[206] Levack, "The Witch-hunt in Early Modern Europe," 265.

> eventually evolved, at least within the social and cultural elite, into a dogmatic dismissal of any suggestion of magic at all.[207]

It was of popular opinion in the elite class in the 1700s that witchcraft had existed in the past but was no longer existing in Enlightenment England.[208] Belief in scientific explanation grew, such as medical diagnoses for what was previously thought to be maleficium. Judges, doctors, and those who were educated began to believe that all witch-related maladies had scientific and medical explanations, for example people began to realize confessions may have been given due to mental illness, and possession was more likely a case of epilepsy.[209] Supernatural problems were looked at more closely to find logical and natural causes. In 1662 in Scotland a prosecution lawyer, Paul von Fuchs, showed the court that the victim a murder thought to have been caused by witchcraft. could have died of disease instead.[210] Although, Von Fuchs won the case, not much else is known of this particular trial. Another example is in the 17th century when John Webster, a physician from England, believed diseases were naturally, not magically, caused and published a prominent manual about it and his skepticism of witchcraft. The manual was published in 1677 and was entitled *The Displaying of Supposed Witchcraft*.[211]

Essentially, witchcraft did not have the same intellectual appeal in the 17th century as it did earlier; newer more appealing intellectual thought was coming forward like science and medicine.[212] Ian Bostridge discusses the fact that witchcraft and witch trials

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[207] Bever, "Witchcraft Prosecutions and the Decline of Magic," 292.
[208] Davies, "Decriminalising the Witch,".
[209] Levack, "The Witch-hunt in Early Modern Europe," 268.
[210] Levack, "The Witch-hunt in Early Modern Europe," 268.
[211] Levack, "The Witch-hunt in Early Modern Europe," 267.
[212] Clark, Stuart. Thinking with Demons :the Idea of Witchcraft in Early Modern Europe. Oxford: Oxford University Press, 1999. 686.

declined in the 17th and 18th centuries in Europe because it was not socially or intellectually acceptable for the elite to believe in witches anymore, in essence it was just no longer popular.[213]

In the 17th and 18th centuries we saw a drastic change in the belief of witches within elite society across Europe, but little change in lower class societies beliefs in the supernatural.[214] This may have actually fueled the elites skepticism of witchcraft as a way to separate themselves from the silly superstitions of the lower classes, and to show they were more educated and superior, especially with the ever-widening gap between the lower and upper classes.[215] "Skepticism, in other words, became fashionable"[216]. However, this skepticism of witchcraft by the elite had a big influence on the laws, courts, and prosecutions of witchcraft. Yet, without the elite believing in witchcraft initially we would not have seen the large-scale hunts or the legal and judicial procedures in relation to the prosecution of witchcraft.[217] They had a significant impact on the rise, as well as the decline, in witchcraft trials and their changing views on witchcraft is what fueled that rise and decline.

The elite started gradually becoming skeptical about the existence of witches and maleficium which is why we often saw, across Europe, a change in the court's rulings and leniency first. Peasants were often slower to become skeptics, which is why rural trials persisted after higher courts stopped.[218] Eventually though, it became apparent that anyone, regardless of socio-economic standing, could be falsely charged with the crime

[213] Barry, Jonathan ; Hester, Marianne ; Roberts, Gareth. Witchcraft in Early Modern Europe. Cambridge University Press, 1996. 311.
[214] Levack, "The Witch-hunt in Early Modern Europe," 268.
[215] Levack, "The Witch-hunt in Early Modern Europe," 269.
[216] Levack, "The Witch-hunt in Early Modern Europe," 269.
[217] Levack, "The Witch-hunt in Early Modern Europe," 67.
[218] Bever, "Witchcraft, Female Aggression, and Power," 955.

of witchcraft and executed even if innocent, which may be a large reason why lower classes soon began to realize that witchcraft was not real.[219]

The large chain-reaction witch hunts, especially the ones in the Holy Roman Empire, led to a "crisis of confidence in the criminal procedures used to prosecute witches".[220] Once the public, especially the educated and elite, began to become skeptics of witchcraft this led to a decline because people now realized that miscarriages of justice were happening, especially in regards to the torturing of those accused which they especially saw during the large scale witch hunts.[221] This 'crisis of confidence' in the legal system essentially ended the large scale hunts first, but the small ones continued due to rural communities being slower to become skeptics.[222] It led to legal reform, specifically in regards to judicial decisions about witchcraft. Confessions stopped being accepted as primary evidence of witchcraft in the late 17th century, and the realization that you could not prove the crime of witchcraft was even committed became prominent.[223]

Starting in the late 1500s, Michel de Montaigne, a popular philosopher, acknowledged that those who confessed without torture were often delusional and needed medical treatment, not punishment; something we use in our westernized court systems even today.[224] By promoting witchcraft confessions as being due to medical problems, this helped delegitimize the belief in magic and maleficium.[225] It wasn't until the 17th century that judicial representatives and the elite began to acknowledge that torture was

[219] Levack, "The Decline and End of Witchcraft Prosecutions," 445.
[220] Levack, "The Decline and End of Witchcraft Prosecutions," 434.
[221] Levack, "The Decline and End of Witchcraft Prosecutions,".
[222] Bever, "Witchcraft Prosecutions and the Decline of Magic," 272.
[223] Levack, "The Witch-hunt in Early Modern Europe," 261.
[224] Bever, "Witchcraft Prosecutions and the Decline of Magic," 268.
[225] Bever, "Witchcraft Prosecutions and the Decline of Magic," 275.

not a reliable way to gather information, and other written works began to circulate then denouncing torture as a way to elicit confessions.[226] The *Libertins Erudits* was a popular 17th century text that used sarcasm, and ridicule of those who believed in magic, and equated them to lower class superstitions, in order to undermine the belief in it.[227]

The lower class and elite started to become skeptical of confessions obtained via torture, and this in turn made many judges skeptical. Friedrich Spree and Johannes Grevis argued that torture didn't work to illicit true confessions and that it was archaic, which influenced judges through social pressure of not wanting to seem out of touch.[228] Judges started to only accept confessions that were not obtained through torture and where the person confessing did not have a mental issue.[229] The decline of the witch trials came from the eventual rejection of the same demonological beliefs that provided the intellectual footing initially for the witch trials.[230] Some historians disagree with this theory about the decline in witch trials, and maintain that the decline in the belief of magic and superstition happened after prosecutions had been declining already.[231] However, many believe that the restriction of torture in trials led to less false confessions which in turn led to the decline in trials in convictions.[232]

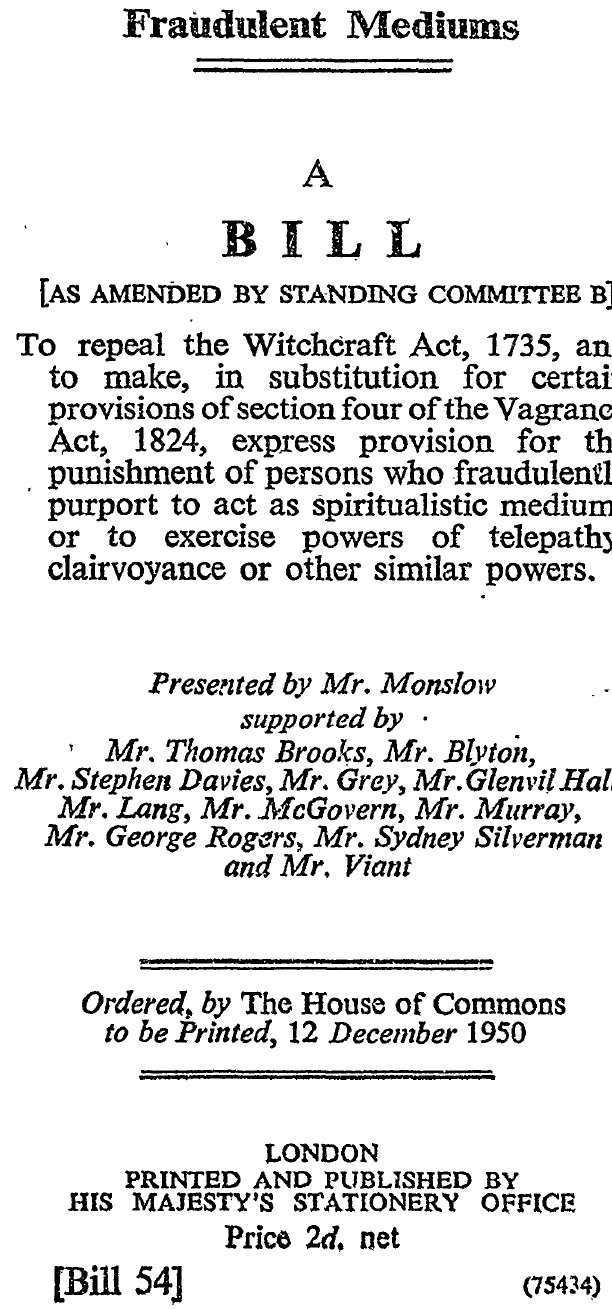
It has also been noted that a decline may be due to the fact that bringing charges against someone for witchcraft was expensive, and judges were not as easily convinced of witchcraft as they were in previous years.[233] Specifically, Edward Bever believed

[226] Levack, "The Decline and End of Witchcraft Prosecutions," 440.
[227] Bever, "Witchcraft Prosecutions and the Decline of Magic," 268.
[228] Goodare, " The European Witch-hunt," 328-329..
[229] Levack, "The Decline and End of Witchcraft Prosecutions," 442.
[230] Levack, "The Decline and End of Witchcraft Prosecutions," 436.
[231] Levack, "The Decline and End of Witchcraft Prosecutions," 436.
[232] Levack, "The Witch-hunt in Early Modern Europe," 254.
[233] Levack, "The Decline and End of Witchcraft Prosecutions," 442.

jurists were the ones who led to the initial decline in witch prosecutions, and were the first skeptics, because they realized the improper legal procedures that were being used to gather evidence, establish witnesses, and conduct torture.[234] Once judges and magistrates began believing that most of the accused couldn't possibly be witches and started acquitting more people during trials, this led to a more widespread and general idea that witchcraft was not a real thing.[235] "Judicial caution expressed itself in acquittals, procedural regulations and reluctance to prosecute."[236]

The 17th and 18th century trials related to magic declined from people being accused of practicing maleficium, to people being accused of claiming to have magic and of committing fraud and swindling.[237] In 1951 in England the Fraudulent Mediums Bill was enacted which repealed the Witchcraft Act of 1735. It was not against magic per say, but instead against people fraudulently claiming to have magic for personal or monetary gain. This coincides with the decline of the belief in witches and maleficium. This act had significantly lower punishments for those charged under it. The largest fine that could be imposed was 500 pounds and the longest prison sentence was two years.[238] Below is an excerpt from the 1951 bill:

[234] Bever, "Witchcraft Prosecutions and the Decline of Magic," 269.
[235] Levack, "The Witch-hunt in Early Modern Europe," 254.
[236] Goodare, Julian. The European Witch-hunt. London ; New York: Routledge, 2016. 322.
[237] Bever, "Witchcraft Prosecutions and the Decline of Magic,".
[238] "Fraudulent Mediums".



Fraudulent Mediums

A

BILL

[AS AMENDED BY STANDING COMMITTEE B]

To repeal the Witchcraft Act, 1735, and to make, in substitution for certain provisions of section four of the Vagrancy Act, 1824, express provision for the punishment of persons who fraudulently purport to act as spiritualistic mediums or to exercise powers of telepathy, clairvoyance or other similar powers.

Presented by Mr. Monslow
supported by
Mr. Thomas Brooks, Mr. Blyton,
Mr. Stephen Davies, Mr. Grey, Mr. Glenvil Hall,
Mr. Lang, Mr. McGovern, Mr. Murray,
Mr. George Rogers, Mr. Sydney Silverman
and Mr. Viant

Ordered, by The House of Commons
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[Bill 54] (75434)

Figure 5. Excerpt from the Fraudulent Mediums Bill of 1951

Figure 5 shows an excerpt from the Fraudulent Mediums Bill enacted in 1951 in England. Fraudulent Mediums. A Bill [as Amended by Standing Committee B] to Repeal the Witchcraft Act, 1735, and to Make, in Substitution for Certain Provisions of Section Four of the Vagrancy Act, 1824, Express Provision for the Punishment of Persons Who Fraudulently Purport to Act as Spiritualistic Mediums or to Exercise Powers of Telepathy, Clairvoyance or Other Similar Powers. I (1950): 699.

In response to the large-hunts that occurred, many central courts sought to assert control over local courts, which were the epicenter of the large-hunts.[239] The Holy Roman Empire made it so judges and local courts were required to be advised by the University law faculties, and since during the 17th century their views shifted, they started to advise more lenient punishments and more acquittals.[240] In the 1660s the University of Tübingen law faculties recommended against torture and acquitted most of the cases they advised on.[241] The Holy Roman Empire experienced a surge in judicial skepticism, especially in Protestant states, which stemmed from University's with law faculty and a common belief from the educated that the witch trials were associated with religious fanatics and were distasteful.[242] In essence, the belief in witchcraft dwindled when laws against witchcraft were repealed.[243]

Thomas J. Schoeneman provides the argument that witch hunts declined in the 17th- 18th century due to Enlightenment affecting religion in Europe. He theorized that there was a decrease in Christian influence and a decrease in the power the Church held, and instead an increase in science became evident.[244] We can see pieces of this when we look at the power the Church held in courts during the witch trials, and the decrease in court power they held in the 17th century. He also theorized that people always found a scapegoat during times of upheaval and cultural disorganization, which would explain the decline in witch trials around 1650 when the 30 years' war ended.[245]

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[239] Levack, "The Witch-hunt in Early Modern Europe," 255.
[240] Levack, "The Witch-hunt in Early Modern Europe," 257.
[241] Levack, "The Witch-hunt in Early Modern Europe," 257.
[242] Robisheaux, "The German Witch Trials," 10.
[243] Davies, "Decriminalising the Witch,".
[244] Schoeneman, "The Witch Hunt as a Culture Change Phenomenon,".
[245] Ben-Yehuda, "The European Witch Craze of the 14th to 17th Centuries,".

Others believe that the decline in prosecutions could have been because of a change in religious belief and the acknowledgement that witch-hunts had no scripture to back them up. Protestants and Lutherans recognized that God would not give a human the power to inflict damage via supernatural means, even under the devil's influence. This shows the reason why witch hunts and trials declined faster in non-Catholic areas versus Catholic areas, specifically in the Holy Roman Empire, and the possible influence of Protestant thinking on the overall decline in the witch trials.[246] Below is an image showing the larger trial numbers in the Catholic areas versus the non-Catholic areas of what would be Southwest Germany in the Holy Roman Empire.

TABLE I

Number of Persons Executed in Witchcraft Trials, 1561–1670, by Religion

Years	Protestant[a] Trials	Executions	Executions per trial	Catholic[a] Trials	Executions	Executions per trial
1561–70	10	91	9.1	11	10	0.9
1571–80	7	23	3.3	60	350	5.8
1581–90	11	17	1.5	46	313	6.8
1591–1600	21	87	4.1	33	223	6.8
1601–10	25	63	2.5	20	139	7.0
1611–20	25	51	2.0	43	586	13.6
1621–30	20	28	1.4[b]	52	591	11.4
1631–40	19	192	10.1[b]	15	52	3.5
1641–50	4	3	0.8	15	40	2.7
1651–60	4	5	1.3	10	13	1.3
1661–70	17	60	3.5	12	16	1.5
Subtotals	163	620	3.8	317	2,333	7.4
Supplements[c]		82			194	
TOTAL EXECUTED		702			2,527	

[a] Figures include only those trials for which the number of persons executed is known.
[b] The contrast between the 1620's and 1630's is less sharp when we realize that 1620–32 saw 36 Protestant trials and 192 executions, or 5.3 executions per trial.
[c] We can supplement our totals with inexact data from secondary literature:

Protestant trials			*Catholic trials*		
1570–1610	Wertheim	72	1561–1648	Rottweil	76
1596–1628	Rammersweier	10	1570–1610	Gengenbach	32
TOTAL		82	1557–1603	Ortenau	15
			1581–1594	Waldsee	6
			1601–1676	Stein a. R.	28
			1615–1629	Weil der Stadt	37
			TOTAL		194

[246] Levack, "The Decline and End of Witchcraft Prosecutions," 439.

Figure 6. Table of people tried and executed, separated by religion, in Southwest German area of the Holy Roman Empire

Figure 6 shows an excerpt from the Midelfort, H. C. Erik. Witch Hunting in Southwestern Germany, 1562-1684; the Social and Intellectual Foundations. Stanford, Calif.: Stanford University Press, 1972.

The German Pietist movement adopted a new school of thought in the 17th century similar to the Protestants and Lutherans; that God was the source of any 'magical' powers and the devil did not have the ability to give powers to a human.[247] It was during that time that a Pietist professor of law, Christian Thomasius, influenced the belief in witchcraft on a massive global scale by denying the existence of witchcraft and witches working with the devil, and using logical, legal, and medical points to back up his claims.[248]

We also see in the late 17th century a decline in the belief of good and evil spirits relating to Christianity for the educated and elite in Europe. They wanted to separate themselves from the superstitious lower classes. The Collegiants was a movement that used rational thought against the ideas of spirits both good and evil and influenced the change in the educated elite versus the uneducated poor, it had ties to the emerging Puritanism.[249] The Collegiants affected 17th century culture for the upper classes and also had a large influence on the Enlightenment period, as they were considered the spark that ignited Enlightenment.[250] They wanted there to be a focus on rational reason and

[247] Bever, "Witchcraft Prosecutions and the Decline of Magic," 276.
[248] Bever, "Witchcraft Prosecutions and the Decline of Magic," 277.
[249] Fix, Andrew. "Angels, Devils, and Evil Spirits in Seventeenth-Century Thought: Balthasar Bekker and the Collegiants." *Journal of the History of Ideas* 50, no. 4 (1989): 527-528.
[250] Fix, Andrew. "Angels, Devils, and Evil Spirits in Seventeenth-Century Thought," 528.

knowledge, and a separation of religious faith and rationale. It started and spread in the Netherlands first, and then began to spread across the Holy Roman Empire and Europe.[251] A famous Collegiant named Balthaser Bekker wrote a book called *The World Bewitched*, which was a best seller in the 1690s that influenced similar writings to be published. It also sparked a public debate on his stance that the devil did not posses people.[252]

In the late 1600s we see a reduction in religious wars across Europe, and a reduction in the intense religious fervor that led to many witch trials and executions.[253] Many people, specifically of faiths other than Christianity such as Jesuit, Protestant, Pietism and Lutheran, began to critique the judicial use of torture.[254] Pietism, a 17th century sect of Lutheranism that believed in a more pious life and originated in the Holy Roman Empire, denied the influence of the devil, which had a huge impact on the decline in belief of witches in that area.[255] In fact, Christian Thomasius, a Pietist known for his work against torture stated that it did not embody Christian values and was not found in scripture and that the "tyrannical papacy had used it to strike down their enemies under the pretext of heresy and witchcraft"[256]. Many believe that this form of radical religious views helped influence the period of Enlightenment, as well as the decline in witch trials and the belief in witches, and that there was a "connection between radical Puritanism and the emerging modern world view"[257].

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[251] Fix, Andrew. "Angels, Devils, and Evil Spirits in Seventeenth-Century Thought," 530.
[252] Fix, Andrew. "Angels, Devils, and Evil Spirits in Seventeenth-Century Thought," 534-536.
[253] Levack, "The Witch-hunt in Early Modern Europe," 270.
[254] Levack, "The Witch-hunt in Early Modern Europe," 258.
[255] Levack, "The Witch-hunt in Early Modern Europe," 272.
[256] Levack, "The Witch-hunt in Early Modern Europe," 258-259.
[257] Fix, Andrew. "Angels, Devils, and Evil Spirits in Seventeenth-Century Thought," 547.

There was a massive shift in religious doctrine and outlook in the 17th century, which provided an equal influence on the rich and poor, and the educated and uneducated.[258] The Church announced through the *Canon Episcopi*, and other texts, their skepticism of magic.[259] The 14th through the 16th centuries saw religion and policies working together in relation to witchcraft laws and trials. The Chuch's laws and doctrine and judicial laws were in sync, and ecclesiastic courts and secular courts often worked together, with their officials intermingling. However, the 18th century shows a distinct difference with professionals, lawyers, and doctors influence on politics and legal sectors growing while religion did not maintain that same influence on legal sectors.[260] "It is no coincidence that the decline of witch-hunting came during the later seventeenth century, when states ceased to regard the enforcement of universal godliness as there business".[261] We start to see a decline when the Church and judicial sector before more separate, and when the Church doesn't have as much influence over judicial matters. As a whole, it wasn't just a change towards rational thought, it was also a social and cultural pressure, specifically for the elite, to not look silly for believing in superstitions.

As shown in this chapter higher education, the influence of the elite, changes in legal proceedings and views on torture, changes in moral and philosophical beliefs, and changes in religious influence and belief all influenced the change in the fundamental cultural understanding of witchcraft, which led the decline in the prosecution of witches. The reason many causes can be found for the decline are because they all work together in causing a cultural shift in how witchcraft is perceived, understood, and prosecuted.

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[258] Levack, "The Decline and End of Witchcraft Prosecutions," 445.
[259] Bever, "Witchcraft Prosecutions and the Decline of Magic," 265.
[260] Bever, "Witchcraft Prosecutions and the Decline of Magic," 292.
[261] Goodare, "The European Witch-hunt," 329.

Conclusion

Cultural reform was a major influence on the decline in witchcraft prosecutions and trials. It can be applied to religious changes, moral and philosophical reform, education, changes in elite views, economic growth, political and judicial reform, and widespread dissemination of information and contradicting viewpoints.[262] One of the best ways to achieve cultural reform is through education, and education is truly one of the most effective ways to change views and push forward logic. We can see this prominently in the Holy Roman Empire, that the first and most ardent skeptics were University law faculty and students, who, through legal and medical education, learned that the trials were unfair, unreliable, and had alternative and more logical explanations.[263] Poisons could now be explained chemically and medically, instead of through magic and maleficium.[264] The Holy Roman Empire saw the most trials and executions in Europe, therefore the change and decline in that area is more marked than it is in England, Scotland or Ireland.

I initially hypothesized that social and cultural perceptions of how females should act changed and progressed socially and culturally, and that is why there was a decline in the witch trials. It would stand to reason that since societal views on female sexuality did have a causal attribute in the rise of witch trials, then its reformation would have an impact on the decline. Instead, I found that the trials decreased due to many reasons, most

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[262] Bever, "Witchcraft Prosecutions and the Decline of Magic," 292.
[263] Robisheaux, "The German Witch Trials," 11.
[264] Robisheaux, "The German Witch Trials," 11.

notably the rise in skepticism and rationalism and the changing cultural understanding of witchcraft, which was shaped by the influence of religious reform, changes in judicial views and procedures, the change in views and the influence of the elite, and the increasing belief in medical and scientific explanations for the unknown.

Women were unfairly and undoubtably targeted for a majority of the crimes associated with witchcraft, so it would be prudent to understand that gender and sexuality played a role in the rise of the witch trials, but not necessarily the decline. There cannot be one singular reason for the decline in the witch trials, it was a combination of a variety of factors and influences that made superstitions diminish and rationality and reason prevail. We still see witch trials, often targeted towards women, happening in our society today, and they are frequently are influenced by the very same factors. If associations between the reasons for an increase in witch trials are obtained, additional research should be conducted into witch trails spanning the globe and their relation to female sexuality. By studying the rise and decline of the witch trials in relation to women and their sexuality, we can attempt to stop the repetition of this bloody history.

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