

A confession being extracted and recorded during torture in a strappado. From the *Bamberger Halsgerichtordnung*, 1508.

Heartland of the Witchcraze:

More witches were executed in the German-speaking territories than in any other part of Europe. Why was the German witch-hunt so assiduously and successfully prosecuted?

H. C. Erik Midelfort

MAXIMILIAN I, HOLY ROMAN EMPEROR and the 'last knight of the Middle Ages' kept a magician, Johannes Trithemius, Abbot of Sponheim, at his court. On one occasion, the Emperor asked him to settle empirically the rival claims of the pagan and biblical worthies by bringing them back to earth. We do not know what the famous humanist abbot made of this imperial request; nor can we tell what spectacles and illusions he produced to

entertain the court at Innsbruck. What we do know is that Trithemius had a reputation as a learned necromancer.

But was his art witchcraft, a demonic gift made possible only by a pact with the devil? No one in the early sixteenth century seems to have thought so. Indeed, Germany was alive with learned magicians in those years, men whose neo-Platonic convictions led them to harness the magical forces of the cosmos. Henry Cornelius Agrippa of Nettesheim and Theophrastus Bombastus von Hohenheim, known more simply as Paracelsus, flourished in the early sixteenth century

and tried to bring magic to the aid of philosophy and medicine. Dr. Johann Faust may even have given himself to the devil before his death in 1540, thereby engendering a myth that has firmly linked Germany and the devil together ever since. And yet it is worth noting that none of these magicians was ever even prosecuted for witchcraft. Theologically, they all deviated from Christian orthodoxy, but even dabbling with demons did not endanger their lives. Later in the century, David Leipzig might actually sign a pact with the devil and receive a punishment no more severe than expulsion from his university.

In a court of law all of these men might have been convicted of witchcraft, but the interesting point is that no-one thought of bringing charges against them. In 1563, in his famous *De Praestigiis Daemonum*, Johann Weyer complained bitterly that these *magi infames* got off scot free while deluded old women were convicted and executed by the hundreds. Weyer's sense of outrage illustrates the important point that, regardless of what the theologians and jurists might say, witchcraft in Germany was not simply a crime of mental or spiritual deviation; it was not primarily heresy or apostasy or learned diabolism. Rather, witchcraft was mainly a social offence: the use of harmful magic by a secret conspiracy of women. The German prosecutors who assumed the task of rooting out the godless witches knew whom they were looking for. And they were so successful that they made the German-speaking territories the classic land of the witch-hunt. It is certain that the Holy Roman Empire and Switzerland executed far more witches than any other parts of Europe. How can we account for this?

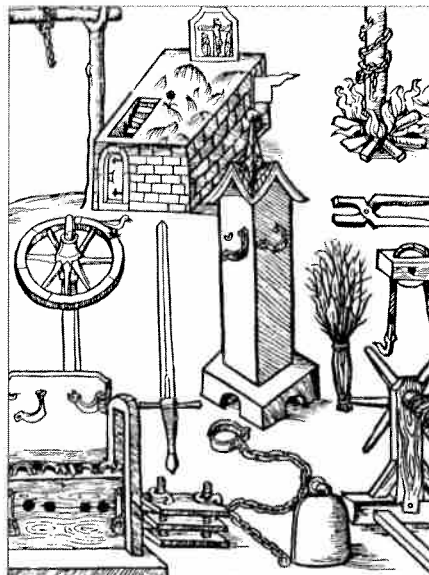
Recent studies have illuminated the important extent to which witchcraft trials remained popular in inspiration or became subject to learned influence and interference. It has become clear that down to 1550, and probably much later, the common folk of the village feared witchcraft not as a demonic conspiracy but as a practical threat to the fertility of their fields, flocks and families. Witches were popularly imagined as solitary sorcerers, practicing their malific magic through the manipulation of cursing tablets, ointments, charms, and all the mysterious rubbish that could be combined in a *Hexentopf*. Their baneful poisons could cause hailstorms and untimely frosts; sickness in man and beast; impotence, miscarriage and death. These were everyday threats to country life, and it is not surprising that common people accused the local crone of enviously casting evil spells. Indeed it is probable enough that some of the locally accused were guilty as charged of at least *trying*



An early conception of the Sabbat, dating from 1489.

to harm a neighbour or secure his affection with love magic. Throughout the centuries of the witch-hunt these locally inspired and locally controlled sorcery trials continued to be common. They usually ended as abruptly as they had begun, with the execution or banishment of one or two witches. There was nothing peculiarly German in this procedure and nothing to cause the panic that the great witch-hunt inspired. But the true panic did not remain rooted in these rural concerns and did not rest content with the extermination of one or two geriatric outcasts.

To have some understanding of the difference we may look with profit at some of the frightful trials that became characteristic of Germany, especially in the prince-bishoprics and ecclesiastical states of central Germany. Between 1587 and 1593 the Archbishop-Elector of Trier sponsored a witch-hunt that burned 368 witches from just twenty-two villages. So horrible was this hunt that two villages in 1585 were left with only one female inhabitant apiece. In the lands of the Convent of Quedlinburg, some 133 witches were executed on just one day in 1589. At the Abbey of Fulda, Prince Abbot Balthasar von Dernbach conducted a reign of terror in the first decade of the seventeenth century: his minister Balthasar Ross boasted of having sent over 700 witches to the stake, no less than 205 of them in the years 1603-05 alone. At the *Fürstprobstei* of Ellwangen, ecclesiastical officials saw to the burning of some 390 persons between 1611 and 1618, while the Teutonic Order at Mergentheim executed some 124 in the years 1628-30. The Prince Bishopric of Würzburg endured a frightful panic during the 1620s: in just eight years Bishop Philipp Adolf von Ehrenberg executed some 900 persons including his own nephew, nineteen



Instruments of torture used in the Bamberg witch-trials of 1622-33.

Catholic priests, and several small children. In the Prince Bishopric of Eichstätt some 274 witches were executed in 1629. At Bonn, the Archbishop Elector of Cologne supervised the execution of his own Chancellor, his wife and his secretary's wife. The worst ecclesiastical excesses may well have occurred in the Bishopric of Bamberg, where Bishop Johann Georg II Fuchs von Dornheim is said to have eliminated 600 witches during his reign of ten years (1623-33), including his own Chancellor and one of the burghers of Bamberg, Johann Junius.

Although these ecclesiastical territories were the most ferocious exterminators of witches, secular territories were not always far behind them in their zeal to purge the commonwealth. The tiny county of Helfenstein killed sixty-three witches in 1562-63. The Duchy of Braunschweig-Wolfenbüttel executed fifty-three between 1590 and 1620, while Duke

Pope Innocent VIII who ordered German ecclesiastical and secular authorities to co-operate with Heinrich Institoris in his witch-hunt.



A fifteenth-century depiction of maleficium: a witch lames a peasant.

August of Braunschweig-Lüneberg eliminated seventy between 1610 and 1615 in the tiny district of Hitzacker. The County of Lippe tried 221 witches between 1550 and 1686 and another 209 in the town of Lemgo. All told the Duchy of Bavaria probably executed close to 2,000 witches, and the secular territories of south-western Germany very likely accounted for another 1,000. Even the imperial cities hunted witches in sizeable numbers, both among their own burghers and among the peasants of their outlying hinterlands.

When we ask who these witches were, the German evidence agrees closely with that from most of the rest of Europe: they were women, usually old and poor, often widows. Overall, some 80 to 90 per cent of the accused were female, and one cannot begin to understand the European witch-hunt without recognising that it displayed a burst of misogyny without parallel in Western history. Scholars are still far from agreement as to the sources of this hatred and fear of women, but it is clear that the major trials sprang from fears that were no longer rooted merely in the vagaries of peasant misfortune. The thousands executed in these chain-reaction trials may have had to confess to harmful magic, but their chief crime was one of which peasants were generally unaware: the obscene worship of the devil. Where and how had this idea penetrated the German-speaking lands?

The first massive persecutions in Germany are inseparably connected to the author of the famous *Malleus Maleficarum*, the Hammer of Witches, published in 1487: Heinrich Institoris, OP. In 1484 Institoris obtained from Pope Innocent VIII a bull (*Summis desiderantes*) urging German secular and ecclesiastical officials to co-operate with Institoris and his associate, Jacob Sprenger, OP, in the hunting of witches. Theologically, this bull con-

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tained nothing that previous popes had not said; but the bull had considerable importance because it seemed to sanction the subsequent activities of these two Dominican inquisitors. Reprinted with every edition of their *Malleus*, the bull seemed to bestow papal approval on their inquisitorial theories as well. So successful was this stroke of advertising strategy that the authors hardly even needed the approval of the Cologne University theologians, but just for good measure Institoris forged a document granting their apparently unanimous approbation. Armed with the bull, Institoris began a campaign in the diocese of Constance and executed forty-eight witches between 1481 and 1486. Although these efforts finally ran into the effective opposition of the bishop of Bressanone, Institoris assembled enough practical experience to enliven the manual he and Sprenger composed in 1486.

The *Malleus Maleficarum* is a remarkable treatise that actually reveals how far Germany still was from a full-fledged witch-hunting panic. True enough, the two Dominicans injected so much misogynist venom into their pages as to construe witchcraft almost exclusively as a crime of female lust. True, too, the *Malleus* recommends a degree of judicial terror and deception that helps us understand why those accused of witchcraft often found that they had no real chance to defend themselves. But it is also true that the *Malleus* repeatedly mentions

popular incredulity. In the late fifteenth century Germans were still far from unanimous in their acceptance of the fine points of demonology. In fact, the *Malleus* itself is innocent of the most important detail of late medieval witchcraft theory: the witches' dance or sabbath. Institoris and Sprenger spent so much time working out the way that witches co-operated with the devil that they neglected to spend any attention on the single feature that made massive, chain-reaction trials possible. Indeed it was another 75 to 100 years before the orgiastic ritual of the sabbath had worked its way into the obsessions of the learned and the imagery of the artists. It is noteworthy that German artistic representations of witchcraft in the late fifteenth century agree with

A woman resists the advances of the Devil.



(Below) *Witches' Sabbath* painted by Frans Francken, 1606.



the *Malleus* in portraying a basically solitary crime. The famous prints of Hans Baldung Grien and Albrecht Dürer enliven the theme with visual jokes, playing changes on the theme of the classical muses, but their figures are still far from the lusting, turbulent, populous scenes of the late sixteenth and seventeenth centuries.

The *Malleus*, for all its wealth of corrupt and confused argument, cannot be viewed as the final synthesis of witchcraft theory. In its own day it was never accorded the unquestioned authority that modern scholars have sometimes given it. Theologians and jurists respected it as one among many informative books; its peculiarly savage misogyny and its obsession with impotence were never fully

accepted. Emperor Charles V promulgated a criminal code for the Empire in 1532 (the *Carolina*) with a witchcraft clause that was still far from reflecting the spirit of the *Malleus*. Article 109 read simply:

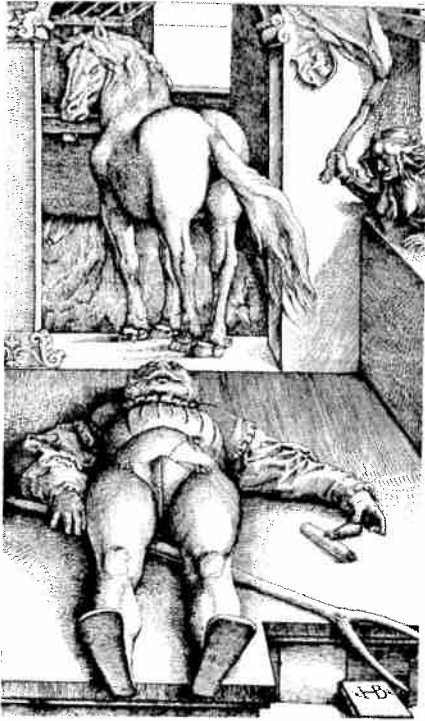
When someone harms people or brings them trouble by witchcraft, one should punish him with death, and one should use the punishment of death by fire. When, however, someone uses witchcraft and yet does no one any harm with it, he should be punished otherwise, according to the custom of the case; and the judges should take counsel as is described later regarding legal consultations.

This article preserved intact the Roman legal distinction between harmful and harmless magic, a distinction that appeared impious to the authors of the *Malleus*. As long as courts insisted that witchcraft prosecutions be closely tied to actual cases of harm and loss, there was little chance of a chain reaction trial breaking out.

Unfortunately, the witchcraft article of the *Carolina* did not make full theological sense, for it seemed to permit a more lenient treatment of the most diabolical magic so long as it harmed no one. Through the middle and late decades of the sixteenth century in Germany, one can mark

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(Left) *The Bewitched Stableboy*; engraving of 1544 by Hans Baldung Grien. (Above) *Four Witches* by Albrecht Dürer.

the advance of two notions, both fateful for the development of the German panic trial; gradually, the witches' sabbath became a common obsession among the ruling élite; and, just as gradually, territorial laws were altered to allow for the execution of witches whose only crime was association with the devil, regardless of harm (*maleficium*) to anyone. In 1572 the Criminal Constitutions of Electoral Saxony declared, for example, that 'if anyone, forgetting his Christian faith, sets up a pact with the devil or has anything to do with him, regardless of whether he has harmed anyone by magic, he should be condemned to death by fire'. With a law such as this, one could proceed to torture a suspect until one had not only

an admission of guilt but a list of the names of others seen at the witches' dance. These persons could then in turn be examined and tortured if necessary. A panic might be under way.

To return to our earlier question, it seems clear that the German holocaust of witches depended both on torture and on the learned obsession with the sabbath. But where had local courts and the petty princes of Germany obtained their notions of the sabbath? And let us make no mistake that it was an illusion: no careful researcher has discovered even a trace of a true witch-cult with sabbaths, orgies, black masses and devil worship. So how did this inquisitor's nightmare become part of the secular law of hundreds of German jurisdictions? Here the notion of the peculiarly German reception of Roman Law is useful again. For

An elaborate mid-seventeenth-century depiction of a witches' sabbath by Michael Heer.



as Roman procedures replaced traditional ones in the sixteenth century, local judges were frequently at a loss as to how to proceed. Roman procedure dictated the rational device of seeking learned counsel, as we have seen in the witchcraft article of the *Carolina*; and, beginning in the mid-sixteenth century and with regularity in the seventeenth century, local districts turned to the juridical faculties of the German universities. In this way local procedures all across the Holy Roman Empire were tied to the Roman legal theories of the professors - but, just as fatefully, local witchcraft theory was now dependent as never before on the demonological illusions of learned jurists. In requiring ignorant petty judges to take counsel, the *Carolina* in effect undercut its own prudent Roman witchcraft doctrine, and opened the door to the possibility that the panic about the witches' sabbath could spread beyond the learned studies where it had first taken root.

The Holy Roman Empire thus became the classic land of the witch-hunt, not so much because of the 'German temperament' as because of the German legal system, a system that allowed bishops and other ecclesiastics an unparalleled degree of influence in their territories, and permitted university professors to become full members of the judicial mechanism. Episcopal and professorial fantasies still need close investigation, but at least it seems clear now where we need to look in order to understand how popular and peasant notions of merely harmful magic were perverted into the witchcraft delusion. We may find that the full panoply of demonology never became deeply rooted in the villages, that local accusations almost always stemmed from some local misfortune. At any rate it appears that small-scale witch-trials could survive long after the chain reaction panics had disappeared. Across the Empire the mass trials proliferated between *c.* 1570 and *c.* 1630. Some regions had flare-ups again in the 1670s, but by 1630 in most places the worst was over.

How shall we understand this decline? A common answer has been that the magistrates and learned élites of Europe finally gave up their belief in witchcraft. Without their support, trials were no longer possible. This may help explain why even the small, local trials withered away in the eighteenth century; but by then the large, chain trials had been dead for a generation or more.

One reason for the disappearance of large trials is that during the seventeenth century they came increasingly to involve children. Most of the huge trials after 1625 featured children as accusers and even as the accused. In several cases it was finally recognised, if not by learned university jurists then at least by local

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officials, that the testimony of minors was simply not credible. Critics of witchcraft trials, from Johann Weyer in the sixteenth century to Friedrich von Spee in the seventeenth, had long maintained that tortured evidence was equally unreliable. Slowly but surely the territories of the Holy Roman Empire put on the brakes, becoming much more cautious in the use of torture than they had been. Already in 1603 the Protestant Archbishop of Bremen, Johann Friedrich, published an *Edict Concerning Witchcraft* that made continuation of the trials almost impossible. In 1649 Queen Christina of Sweden put an end to witchcraft trials in Verden, which was controlled by her country after the end of the Thirty Years' War. Bishop Johann Philipp von Schönborn ordered the end to trials in Würzburg in 1642 and carried this caution to Mainz when he became Elector and Archbishop there in 1647. Similarly Prince Bishop Christoph Bernhard von Galen, put a stop to trials in Münster. By the 1670s the legal faculties of Tübingen and Helmstedt were urging extraordinary caution in the application of torture. Although the enlightened Professor Christian Thomasius of Halle won renown for his dissertation *De Crimine Magiae* (1701) and for his other attacks on the witchcraft theory and demonology of the learned, by then the true age of witchcraft trials was over.

A glance at witchcraft in Denmark can serve as a comparative check on the picture presented here of the Holy Roman Empire. The Lutheran Bishop of Sealand, Peder Palladius, urged vigorous prosecution of witches in 1544 and reported that successful trials were uncovering 'swarms' of witches in Malmø, Køge, and Jutland, and that at Als and in the nearby islands a chain reaction trial had sent fifty-two witches to the stake as 'one of them betrays another'. But all of these trials dealt with specific cases of *maleficium*, and in general the Danish trials never developed the fascination with the devil and the sabbath that one finds just to the south. The main reason for this surprisingly 'backward' condition (one much like that of England) was the promulgation of two laws in 1547. The first forbade the use of testimony from those convicted of infamous crimes, such as theft, treason, and sorcery, against others. The second held that 'no person shall be interrogated under torture before he is sentenced'. These two rules effectively cut off the spread of massive chain trials like those of 1544. It was no longer possible to torture suspects into confessing their horrible misdeeds or into naming those whom they had seen at the witches' dance. From beginnings that seem similar to those in Germany, Danish trials were thus steered into an English path. Even without ideas

of the sabbath, the best recent estimate suggests that the Danes tried some 2,000 persons and executed something less than 1,000. A further reason for the Danish 'mildness' is that after 1576 all death sentences had to be appealed to the high court (*Landsting*), which often proved more cautious than the local courts. After 1650 cases dropped off dramatically to just a few per annum. As in the Holy Roman Empire, however, the popular fear of *maleficium* survived long after the élite had put an end to actual witchcraft trials.

In the rest of Scandinavia, however, the picture was somewhat different. In Norway, where the records of about 750 trials survive between 1560 and 1710, torture was seldom used and only one-quarter of those accused (mostly those convicted of causing the death of a person or an animal) were executed. But in Sweden, although the use of torture was infrequent in the sixteenth century, church leaders convinced the government that all found guilty of making a pact with the Devil should be sentenced to death. From 1668 until 1676 a major witch panic gripped northern Sweden (with repercussions in Finland until 1684): thousands were accused, interrogated and tortured; over 200 were executed. After 1672, persons accused by several witnesses were executed even if they did not confess.

The burning of the witches of Mora, Sweden, in 1670.



The panic only abated in 1676 when several child-witnesses involved in a major Stockholm trial admitted that their stories of Sabbaths and Covens were entirely false.

These Scandinavian trials all serve to point up the extremely pernicious effects of legalised torture and the idea of the sabbath. Wherever the testimony of witches and the possessed could be excluded, trials remained small and manageable; but whenever these restraints were relaxed, the Scandinavians rapidly imitated the legal excesses of the prince-bishops of central Germany. Local suspicions of *maleficium* seem to have flourished throughout northern Europe for centuries, certainly surviving long into the nineteenth century, and even into our own. By themselves, however, these suspicions never led to more than a few trials or lynchings. It was the fateful intervention of learned and thoughtful lawyers and theologians with their panicstricken demonology that sent thousands of women to their deaths. It is a legacy for the learned to ponder.

NOTES ON FURTHER READING

K. Baschwitz, *Hexen und Hexenprozesse. Die Geschichte eines Massenwahns* (Munich, 1963); H. C. E. Midelfort, *Witch Hunting in Southwestern Germany, 1562-1684. The Social and Intellectual Foundations*, Stanford University Press (Stanford, USA, 1972); G. Schormann, *Hexenprozesse in Nordwestdeutschland* (Hildesheim, 1977).