

BRATISLAVA INTERNATIONAL SCHOOL OF LIBERAL ARTS

Bachelor Thesis

**Policy of Fear:**

**Phenomenon of Witch Hunt in Early Modern Europe**

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2013/ 2014

BRATISLAVA INTERNATIONAL SCHOOL OF LIBERAL ARTS

Bachelor Thesis

The Policy of Fear:  
Phenomenon of Witch Hunt in Early Modern Europe

Study Program: Liberal Arts

Field of Study: 3. 1. 6. Political Science

Thesis Advisor: prof. PhDr. František Novosád, CSc.

Degree to be awarded: Bachelor (abbr. "Bc.")

Handed in: 30. 4. 2014

Date of Defense: 11. 6. 2014

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**Bratislava, 2014**

## Declaration of Originality

I declare that this Thesis is my own work and has not been submitted in part or in whole elsewhere.  
All used literature and other sources are attributed and properly cited in references.

Bratislava 22. 4. 2014

Alexandra Ballová

## Abstrakt

**Názov práce:** Policy of Fear: Phenomenon of Witch Hunt in Early Modern Europe

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**Kľúčové pojmy:** skoro moderné obdobie, lov na čarodejnice, sociológia, strach, cirkev

Cieľom tejto práce nie je posúdiť morálny význam honov na čarodejnice, ktoré sa masovo rozmohli najmä v období 13. až 17. storočia. Napriek dobe, ktorá ubehla od posledného veľkolepého *autodafé* je upaľovanie čarodejníc stále kontroverznou témou, ktorá stavia ľudí na rôzne strany. Nie je známe ani presné číslo obetí týchto honov, ich počet sa mení podľa toho, kto sa tejto téme zrovna venuje. Avšak existenciu týchto honov nie je možné poprieť a dodnes je možné vidieť miesta, kde sa konali. Ostali tam staré pomníky alebo nápisy, prípadne sa vystavali pomníky úplne nové. Otázne ale je, prečo to bolo nutné. Hlavná línia tejto práce sa bude zaoberať práve otázkou, ako je možné, že niečo také ako hony na čarodejnice vzniklo, uchytilo sa a udržalo ako pomerne dlhoročná tradícia. Tak ako každá problematika týkajúca sa spoločnosti, ani problematiku upaľovania čarodejníc nie je možné vyňať z kontextu a je potrebné všímať si celkovú socio-politickú situáciu v oblasti, kde sa hony uskutočňovali. Väčšina z nich sa uchytila práve na kontinentálnej časti Európy, avšak ani tam nebola ich intenzita rovnaká. Základnou otázkou teda je, prečo tieto hony na čarodejnice vznikli. Odpoveď je viacero a určite je každá z nich svojim spôsobom správna. V období tesne po konci stredoveku prišla jedna z najničivejších vln moru alebo inak Čiernej smrti. Situácia v krajine bola nestabilná pretože choroba v takomto rozsahu ovplyvnila všetky smery ľudskej činnosti. Je možné, tak ako to bolo pri niektorých prírodných javoch, že ľudia hádzali vinu za vtedy nevysvetliteľnú epidémiu na zlo, ktorého perzonifikáciu videli práve v čarodejniciach. Viacero teórií pracuje s veľkým vplyvom náboženstva, a najmä katolicizmu, na túto problematiku. Podľa Biblie mal na prelome tisícročia nastať koniec sveta. Avšak Biblia má viacero možných vysvetlení a preto aj časový údaj tejto predvídanej katastrofy nebol úplne jednoznačný. Zlo mohlo prísť kedykoľvek a odkiaľkoľvek a práve čarodejnice mohli byť zosobením predvoju Antikristovho. Ďalšia teória je zasa racionálnejšieho pôvodu a vraví o vykonštruovanom čarodejníckom mýte, ktorý by udržal cirkevné príjmy v stabilite aj po odstránení

kacířských hnutí. Cirkvev obvykle získala majetok odsúdeného kacíra, avšak keď sa kacírstvo ako hrozba stratilo, bola nútená vytvoriť si nového nepriateľa, aby jej príjmy neklesli.

Každá z týchto teórií obsahuje určitý obraz o chovaní a myslení skoro modernej spoločnosti. A pre všetky je spoločný prvok strachu. Strach z racionálnych vecí, ako chudoba, hlad alebo ťažká choroba sa miešal so strachom z vecí iracionálnych a duchovných, ako zatratenie, posmrtné muky alebo hriešnosť. Niekde na pomedzí mohol existovať aj strach zo samotnej cirkvi, uvedomelý alebo neuvedomelý.

Po rozšírení honov na čarodejnice sa rozšíril strach z inkvizítorov a ich praktík. Existoval strach z toho, že človeka niekto udá. A nakoniec sa všetky strachy mohli prelínať.

Táto práca sa bude zaoberať dôležitosťou prvku strachu v skoro modernej spoločnosti a jeho vplyvu na dlhodobú existenciu honov na čarodejnice. Taktiež bude skúmať významnosť a postavenie katolíckej cirkvi počas celého trvania honov a jej účasť na nich. Výskum bude pozostávať prevažne z analýzy diel historikov ako Robert Muchembled alebo Jacques Le Goff a historických diel, ako napríklad známeho sprievodcu inkvizítorov *Malleus Maleficarum* ale taktiež historických zákonníkov, ktoré sa problematikou čarodejníctva zaoberali.

Práca bude formulovaná tak, aby čo najpresnejšie a najjasnejšie opísala súdobú socio-politickú situáciu v Európe a vysvetlila, prečo sa na niektorých miestach hony na čarodejnice objavovali s väčšou intenzitou a pravidelnejšie, kým v iných častiach Európy sa neobjavili takmer vôbec alebo iba sporadicky. Taktiež sa pokúsi vysvetliť postoj najmä katolíckej cirkvi k celej tejto problematike a jej úlohu v nej.

## Abstract

**Title:** Policy of Fear: Phenomenon of Witch Hunt in Early Modern Europe

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**Key Words:** early modernity, witch hunt, sociology, fear, Church

The aim of this work is not to judge the morality of witch hunts, which expanded widely during 13<sup>th</sup> to 17<sup>th</sup> century. Despite the time that has passed since last great autodafé witch hunt is still a controversial topic. Even the real number of victims is unknown, and is changing in accordance with who is actually examining this issue.

However no one can deny the existence of these hunts and still the places of burning are sometimes visible, in a form of memorials, writings or new built monuments. But the question is why it was necessary to raise them. The main line of this work will focus on how and why witch hunts appeared and became so stable in the society.

As any other social issue, also the issue of witchcraft could not be removed from overall context. It is important to take into consideration socio-political situation from relevant regions. Majority of witch hunts took place on continental part of Europe, although not everywhere with the same intensity. The basic question than is, why these hunts appeared. The whole scale of answers exist and everyone with a piece of truth inside. Shortly after the end of Middle Ages situation in Europe became unstable due to several factors, among which is the Black Death epidemic, unrests inside the Church or flow of new and not-everywhere-desirable humanistic ideas. The then inexplicable plague could be attributed to evil personified in witches. People with magical power could be also blamed for any other social or natural disaster, as it is visible in several historical examples. Other theories work with too influential religion, especially Catholicism. According to the Bible, the end of the world was to happen at the turn of millennium. However the Bible has several explanations and therefore opinions on the date of this disaster varied. What was clear was the fact that it will happen one day and witches might be perceived as the vanguard of Antichrist.

Other theory works on more rational base. It talks about fabricated witch myth, whose aim is to stabilize Church's incomes. Church had a right to confiscate the property of accused heretic. After

the most radical heresies were suppressed, the Church lost its way of easy income. Therefore it was forced to create a new enemy for gaining a new financial resource.

Every single of these theories create certain image of behaviour and thinking of people from early modern society. For every theory there is a common element of fear. A fear from rational things such as poverty, hunger or deadly illness mixed with the fear from irrational things, such as sinfulness or damnation. Somewhere between there could exist even the fear from the Church itself.

Together with the spread of witch hunts, spread also a fear from inquisitors. There was a fear from being denounced. And all these fears were prone to mix.

This work will deal with the importance of the element of fear in early modern society, and its influence on a long- term existence of witch hunts. The position of the Catholic Church and its impact on these hunts will be examined as well.

Research will be based mostly on analysis of works of historians such as R. Muchembled or J. Le Goff and also on historical books, especially *Malleus Maleficarum* or relevant criminal codes.

The formulation of this work will pursue the most precise description of 14<sup>th</sup> and 15<sup>th</sup> century socio-political situation in Europe and the best explanation of why witch hunts appeared and why only certain European areas were hit by them. Also this work will try to explain the attitude of Catholic Church towards the whole issue of witchcraft and its role in it.

## Acknowledgement

I would like to acknowledge the help and support of my thesis advisor, professor Novosád. His advices helped me to get through this work with success, even though history was not the main subject of my university studies.



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## Hypothesis

Witch hunts at their very beginning, in 13<sup>th</sup> and 14<sup>th</sup> century were developed to fill the empty space left in the Church treasury by the destruction of heretics. One of the Church's most feared organs - the Inquisition lost its existential meaning after the most radical and dangerous heretical movements were suppressed at the end of Middle Ages. Therefore, the Church lost means of easy income. Witch hunts served as an alternative to heretics. Moreover, it gave the existential meaning back to the Inquisition.

This theory is supported by the fact that earlier in the pagan times of Europe and even during the Christian Middle Ages, magic and witchcraft were supposed to exist and were not perceived as any kind of threat to society.

However, it is more than likely that the lower Church and social structures believed in this new phenomenon of evil witches. It represented an explanation for natural or social disasters or other occurrences; people themselves were unable to explain. Moreover, the Bible itself contains passages, which could be explained by the existence of an active evil on Earth. This produced not only a high amount of zeal inquisitors, but also people who believed in their magical abilities, as well.

## Introduction

Times had changed since the last massive wave of witch trials in 18<sup>th</sup> century. For nowadays society, with much more liberal opinions and changed values as well as moral feeling, it is not easy to understand the principles which led early modern society into something, what is now by many called one of the first genocides. Although such understanding of this issue depends heavily on the defining of the word „genocide“ itself, with no doubt it can be said that a lot of innocent people were killed during the worst period of witch hunts. Their deaths were justified by their moral values and beliefs.

The witch hunts, so widespread in Early Modern period, cannot be understood as an independent phenomenon. As almost any issue at any time, which concerns society, also this one has its roots deeper in the past. The religious environment as well as the social structure at the turn of 13<sup>th</sup> and 14<sup>th</sup> century had indeed a significant role in shaping of latter witch trials.

This thesis will focus mostly on how such phenomenon could occurred and even got the legitimacy in the sense, that witch hunts and trials were not only agreed, but in many times supported by the monarchs, the churches and by the majority of society. Scattered dissenting efforts or protests were weak and most likely ignored, because they did not seriously disrupt the overall structure. If they were not ignored, they were brutally suppressed and usually their leaders ended at the stake. The next issue on which this thesis will focus is how witch hunts were able to survive for several hundreds of years.

The concept of fear took an important role in whole story of witch trials is both in the name of the thesis and as a recurring concept in the whole work. Fear influenced people's minds, behavior and decisions as well as forced people to decide whether to accuse their own parents for saving their children or lose both. It forced them to support the sentence against their neighbour or to be convicted as an accomplice. This work will try to find out from where this fear originated, how strong it was as an influencing factor and in how many different forms it is possible to identify it.

To answer these and even more questions, the understanding of the early modern society is needed. As a best way to achieve this understanding I decided to analyze the works of nowadays historians as well as the works from 14<sup>th</sup> – 18<sup>th</sup> century, especially *Malleus Maleficarum*, *The Hammer of Witches*.

The visual art of Early Modern period will be important in my analysis, as they were the source of knowledge for the illiterate. Considering the very strong factor of religion in 14<sup>th</sup> century society, this work will deal with the influence of Church in the issue of witch trials. Not to leave out consideration of the influence of worldly rulers, this work will describe the different views of witches and magic throughout the time in the law system of different regions.

# 1. Concept of Witchcraft and Historical View of this Issue

## 1.1. Witchcraft - the Development of Concept

Defining of the basic concept of an issue is the key for every research or analysis. In this case, it is crucial to determine the exact meaning of the term “witchcraft” as well as related terms.

There was a variety of perceptions on witchcraft in different time periods. What is nowadays seen by people as a set of absurd opinions and self - proclaimed facts was proven evidence of magical activities during 14<sup>th</sup> century. However, before the witch trials became so popular, the perception of magic and witchcraft was not so radical.

Magic was present in human world far before the Christianity. Evidence of its occurrence can be seen in literature or visual art of every time period since antiquity - Mesopotamian *Epic of Gilgamesh*, Greek and Roman pantheons of gods with supernatural powers, Greek myths and many other examples. People created their own magical world so they were no longer afraid of unknown, e.g. death, lightning or natural disasters.

The north part of Europe had its own type of pantheon, myths and customs. They were the source for latter early medieval understanding of magic in Europe. Although arrival of Christianity influenced these pagan myths, it did not eradicate them completely. These myths remained for a longer period of time especially in far, rural areas with poor infrastructure. Christianity did not suppress them, because they were significant part of local culture. Vice versa, new religion tried to explain its beliefs and teachings through these pagan myths, so it would be understandable for peasants and farmers who lived there (Bloch, 2010, p. 103). Therefore, during Middle Ages the view of magic and witchcraft was rather tolerant.

At the end of the Middle Ages, during the local wars between heretics and Christians, especially in the Alpine area of Holy Roman Empire the transformation of this concept slowly began. It was this heresy, which was later associated with witchcraft.

According to some Church leaders, those heretics which fled to the hills were calling there for the devil's help. The heretic hunts were slowly changing into witch hunt at the turn of 13<sup>th</sup> and 14<sup>th</sup> century (Chalupa, 2007, p. 126).

Although since the beginning of witch hunt there were several literature works dealing with this issue. The first comprehensive image of witchcraft and witches was given by the authors of *Malleus Maleficarum*, or *The Hammer of Witches*. Sprenger and Institoris, authors of *The Hammer*, describes witchcraft as the devil's activity, however that one which cannot be done without God's permission – as devils are also God's creatures and their power is weaker than his (Lenková, 2006, p.38).

As an English historian Stuart Clark claims, the concept of witchcraft transformed into something radically anti-religion (Clark, 1999, p. 86) and the book *Malleus Maleficarum* became the bestseller of its time and the guide for a good inquisitor.

## 1.2. Historical View of this Issue

### 1.2.1 Scandinavia

The perception of magic and witchcraft in northern Europe was connected with the overall perception of the world as the northerners understood it. Their extensive pantheon of gods covered the whole range of myths, explanations, customs and rules, which were later reflected in some of the Christian traditions. Their world was divided into two sections, so called *mítgardr* and *ásgardr*. In their understanding, the earthly world was just a reflection of the supernal world, where the gods were living (Gurevič, 1972, p. 39). Pagan customs therefore provided a lot of space for several kinds of magic and witchcraft.

Catholicism and Protestantism from continental Europe hit the north of Europe through missionaries or Viking warriors returned from raids. It was relatively late, when the first big witch trials appeared at north. While the rest of the Europe began its fight against witchcraft at 13<sup>th</sup> century, Scandinavia had the first extensive witch trials about three hundred years later. For example, the first known witch trial in Sweden took place in the second half of 15<sup>th</sup> century, much later than witch trials in the rest of Europe (Burns, 2003). Extensive actions and unrest represented by supporting or suppressing the witch hunts, were just mirroring the complicated social situation in current regions. American historian Burns mentioned in his *Encyclopaedia* the troubled transition from Catholicism to Lutheranism in Sweden<sup>6</sup>. The Lutheran reformation took place in 1536. "Witch hunts have often enough been explained in terms of social relations and schisms, particularly in local context (Davies, 2004, p.9)." In this case, the complicated social situation was caused by two different and opposed waves of Protestantism and Christianity at the area of nowadays Sweden, Norway and Finland.

The attitude of Protestantism towards witches was as strict and cruel as the attitude of Catholicism. Scandinavia experienced the most massive wave of executions in 17<sup>th</sup> century, when the rest of the Europe lived at a relatively quiet period.

One of the biggest witch trials, now known as the Vardø witch trials, took place in Vardø, Norway. 91 people were executed at the stake for crimes, typical for witches across the Europe - enchanting animals, harming people, controlling the weather (Artforum, 2011). Smaller event, but still the greatest in Swedish history took place in Torsåker, where 71 people were burned. In both cases, the majority of these victims were women. The material which served as evidence did not really differed from what was considered as evidence in the rest of Europe. Confession after torture or guaranteed devilish sign on witches' bodies was enough to execute a person. Several less significant witch trials

also took place in Sweden, such as those on Åland, Dalarna or Bohuslän (Artforum, 2011). However, no other with as great impact as those two in Vardø and Torsåker.

### 1.2.2. Sacrum Romanum Imperium

The Holy Roman Empire was the area in central Europe, with the centre in Germany. Empire's complicated geopolitical development, affection of both Humanism from Italy and radical Catholicism led to several disorders in governing of the country and its name. The attribute „of the German nation “was added as a result of humanistic impact in mid 15<sup>th</sup> century (Honzák, 2001, p. 420).

Since Middle Ages the Medieval (or Papal) Inquisition was operating there. The first massive witch hunts appeared at the territory of this empire. They transformed from the former fights against heretics, against whom the original Inquisition was established. Heretics used the Alpine area in the middle of the empire as their refuge (Chalupa, 2007, p. 30). Conservative Catholic traditions met at this area with the enlightened thoughts from Renaissance Italy. Cultural and religious factors belonging to different intellectual streams- especially mentioned Catholicism and Protestantism, with Humanism on the other side- have made the Alpine area a relatively unstable region.

Catholic king Charles V., coroneted in 1519 published his *Constitutio Criminalis Carolina* where he dealt into depth with the issue of witchcraft. It was in Germany, where Sprenger and Institoris published in 1486 their infamous bestseller *Malleus Maleficarum*. Holy Roman Empire (of the German nation) became the scene of the largest witch hunts in the history of Europe.

### 1.2.3. England

England was in its attitude towards the witchcraft in comparison to the continental Europe rather liberal. Although several codes were published, the witch hunt in England never reached such dimensions as in continental Europe where several thousands of people were executed. It was rather autonomous and independent, as this kingdom lied on the island. It was the distance between him and the Pope, what firmed Henry VIII. in his rebellion against the Catholic Church. Nor were the kings of England bothering much with witches.

Both Henry VIII. and Elizabeth I. published several laws concerning witches and punishments for the witchcraft, however nor Henry nor Elizabeth were as strict as the Catholic king of Scotland and

England James I. (or VI. of Scotland). He tightened laws concerning witchcraft and during his reign several important witch trials took place, such as Lancashire trials or North Berwick trials.

The witch trials in Lancashire took place in 1612. It supposed to be one of the witch trials with best evidence about its process, probably thanks to the official publication *The Wonderfull Discoverie* written by the judge of accused witches. Ten of eleven suspects were proven guilty and hanged (Poole, 2002, p. 22).

The North Berwick trials are the ones in which king James I. was personally involved. They took place earlier than Lancashire trials, in 1590. King James and his wife Anne of Denmark's were captured in the sea storm supposedly caused by witchcraft and they almost died. The confessions were forced by torture; however King James became personally involved in witchcraft after this experience and wrote a book *Daemonologie* (Scotland's History, n.d.).

## 2. From Heresy to Witchcraft: Development until the Year 1486

### 2.1 Radical Heresies from Alpine Area and the Beginnings of Inquisition in 13th century

According to the Czech historian J. Chalupa, heretics should be defined as those „who, although familiar with the Christian orthodoxy, yet maintain and promote unorthodox views (Chalupa, 2007, p. 9).” The heresy is as old as the Christianity itself. However at the beginning there were not many people, who stand against certain Christian dogmas or beliefs, still there were other religions, and from these, especially the Muslims and Jews represented the issue and were pursued.

The very first person executed for heresy was an Ávilan bishop Priscillian in 4th century (Chalupa, 2007, p. 17). His persecutors were probably influenced by thoughts of St. Augustine, a very influential early medieval Christian theologian. Augustine was very radical in the matter of heresy or any unchristian behaviour. However this process was rather rare and for a long period of time, heresy was not a real problem in Europe.

The radical heresy appeared at the turn of 11<sup>th</sup> and 12<sup>th</sup> century (Moore, 2012, preface). Among the most influential movements belonged Cathars, or “the Pures” who believed in the supernatural base of God and Satan and the never-ending war between them; Bogomils, who inculcated return to the original Christianity, Albigensians, the offshoot of Cathars, against which Pope Innocent III. launched a Crusade and Waldenses. These movements were influenced by each other and many of them pursued similar aims, such as life in piety, modesty and poverty. They condemned the Church’s wealth, and their values may be linked to sooner inner-Church reform, initiated by monastery at Cluny. However, in the latter expansion of witchcraft was the important role played especially by Waldenses. This heretical movement was created by Peter Valdes (Waldo) in France, and they believed in the poverty and modesty of Church (Encyclopedia Britannica, n.d.).

The beginning of witchcraft is connected with the same geographical area as where the Waldenses had begun, and since 1428 the border between these two concepts, namely the Waldenses and witchcraft, had begun to blur, to which contributed also the famous trial with the witches of Arras in 1460 (Muchembled, 2008, p. 51).

The struggle of heretics, especially Cathars, Waldenses and their offshoots, with worldly and religious powers became unacceptable and at the beginning of 13th century commenced its operation the

Medieval Inquisition. Such power apparatus was necessary in then social atmosphere: heretics weekend not only the position of the Church but the position of worldly powers as well, since many monarchs were using Christianity as unifying element (Chalupa, 2007, p. 12). The inquisition started in the same time as the Albigesian wars. These wars, called pretentiously the crusade, „...were so brutal, that it shook even by medieval public opinion, accustomed to apocalypses of any kind (Chalupa, 2007, p. 26).” Heretics thus epitomised unconformity with certain establishment and may encouraged rebellions. The work of Inquisition was to seek for and investigate the heretics; however those were punished by the state power. Although it is generally considered that the torture directed by Inquisition was not as dire as that done by the state, it is possible to find individuals, who not only confuted this argument, but also went far beyond the imagination of state justice.

The Medieval Inquisition dealt with the first heresies and nonconformists with current regime, was later renamed to Sanctum Officium - the Papal Inquisition, when the Pope became the Chief Inquisitor. Majority of its inquisitors came exclusively from Dominican and Franciscan orders, probably because of their loyal attitude towards the Pope. These inquisitors worked so hard that almost nothing remained from bygone heresy in 15th century. However the efforts of Papal Inquisition died down, it was not the end of inquisition as a whole.

La Suprema or the Spanish Inquisition was the invention of Catholic Monarchs Ferdinand II. of Aragon and Isabella I. of Castile, and served mostly as a guardian of the throne. The Inquisition was directed mostly against Jews, probably because of jealousy and envy, which caused the hatred towards this minority in later times. Father of Spanish Inquisition and great persecutor of Jews was Tomás de Torquemada.

In smaller measure the Inquisition was directed also against Muslims, but „Muslims, especially mudéjars excited among Spanish Christians much less hostility than Jews (Chalupa, 2007, p. 45).” Jews were discriminated, veiled into superstitions and expelled to ghettos. Many members of minorities later decided to join the major Catholic Church, even though this did not met with acceptance and many converts were accused of being false. The zeal of Spanish inquisitors provoked waves of different, however strong reactions not only among Spanish public, but through the whole Europe. Although not even the Pope had any power over Suprema, which continued with its bloody work, regularly celebrated by showy *autodafé*, until 1834 and functioned as the only real unified element over the whole Spanish territory (Chalupa, 2007, p. 45).

## 2.2 Changing Perceptions of Devil

The image of devil appeared far before the first Christians. Ancient civilisations in late prehistoric era had their own little devils and demons, latter pagan civilisations on the north of Europe, Normans, Celts, Anglo-Saxons and even pagan religions of Slavs had their own impersonators of evil or unpleasant character traits.

Together with the success of Christianity became a need of harmonising these pagan and natural gods and devils, surviving in oral history and in rural areas, with the one new true God. Such mission was not easy, since the old image of natural deities was deeply rooted in the minds of people and the new religion had to adopt some elements from the old ones as it was already mentioned. It had to combine old with new, and thus the basic concept of truth and good became more understandable.

At the beginning of Middle Ages, when the Christianity was quite new, the image of the devil showed many similarities with its pagan counterpart. The Christianity did not cover the cultural differences with its uniformity. Moreover, the devil did not have any strong position among the divine creatures. The ideas acquire a meaning if they are in accordance with current social needs and power holders and the gradual change of perception of the devil reflects his still greater impact on the society (Kočí, 1973, p. 9).

The Church leaders had certain image of the devil and his power, however this image was not very compact and there were speculations about his physical appearance still led. On the other side, among the masses of ordinary people the devil kept the appearance of mostly stupid devilkin, which is in the power of people and is more funny than terrifying. This devilkin did not have a real power over the people and their will and thus did not represent a symbol of danger or hardship.

This inconsistent and often contradictory image of the devil, which do not yet have any real power started to change from 13<sup>th</sup> to 15<sup>th</sup> century (Muchembled, 2008, p. 20). This change might be associated with the great religious and political changes, when Europe on the one side was exposed to impacts of reformation and counterreformation and on the other need an enemy, to whom could be attributed to all negative, what was happening at that time. As a reaction to current mood and social environment, the devil took the power with all the bestiality and animosity of his and became the personification of sin, pain and damnation. Later on, exactly this image of devil was later connected with witches as his earthly servants. However, according to Institoris and Sprenger,

authors of *Malleus Maleficarum*, devil is unable to do anything without God's permission. This claim, however, did not help to those suspected from witchcraft (Lenková, 2006, p. 39).

### 2.3 First Image of Witch as a Personified Evil

Attitude towards witches and magical creatures was much more tolerant during the Middle Ages, supposedly because their ordinary appearance in everyday life. Magical world was much closer, especially for people in rural areas. Since more was unknown than known, about the nature and outer world in general, people explained many occurrences as a magical intervention or some divine deed. Moreover, inquisitors during the Middle Ages were busy with heretics, which represented the evil and threat for them more than possible magical elixirs or faith in magical creatures.

It cannot be said, that there was not any witch trial during the Middle Ages. One of the first accused witches was in 14<sup>th</sup> century Alice Kyteler from Kilkenny, Ireland, however, this was rare and the real breakout of hysteria started about 200 years later.

The opinions on how and why the witch trials had even begun differ. Chalupa in his book offers the point of view, that by persecuting possible witches; the Inquisition justified its own existence. „...*The witch trials were more than from superstition born from the Church's need to create the image of enemy and continues with Inquisition at any cost (Chalupa, 2007, p. 127).*” On the other side, French historian Muchembled connects the beginning of witchcraft with the fled of those who remained from heretical movements into the hills and forests (Muchembled, 2008, p.49). In 15<sup>th</sup> century the image of the devil started to transform and these fugitive heretics were perceived as his servants, who are running towards their master. It is also possible, that the image of night Sabbath was connected with this. Although at the beginning of 13<sup>th</sup> century it did not have the name, Sabbath was viewed as meeting of his servants with the devil at night and on some far, dark place, in purpose of dark rituals and worshipping. The detail image of Sabbath was changing together with those, who were talking about it, although generally, it includes „*these four aspects - Sabbath, night, distance from other people and direct contact with the devil created the frame of future demonological discourse about the witchcraft heresy (Muchembled, 2008, p. 50).*”

In 1484 Pope Innocent VIII. had published a bull, through which he appealed on the whole Christian world to persecute and to punish those who gave their souls to the devil and by this flout the only true God. Its name was *Summis Desiderantes Affectibus* and it affected lives of many innocent people for a very long period of time.

### 3. The 15<sup>th</sup> Century Turning Point, Witch Mania and Supporting Factors

#### 3.1 1486, *Malleus Maleficarum* and its Predecessor *Summis Desiderantes Affectibus*

Demonology or the science of demons began to enjoy particularly high popularity at the end of 15<sup>th</sup> century. Together with the mass increase in the number of witches, hags, wizards, prophets and other servants of evil, increased the number of their persecutors and so called experts on the witchcraft problem. Not surprisingly, most of these experts were from ranks of the Church. As it was already written in previous chapters, at the end of the Middle Ages and the very beginning of Early Modernity, the majority of heretical movements was destroyed or dispelled. However, people still needed someone, who would take the responsibility for occurrences and actions; which were unable to explain. Plus, since the end of medieval times, image of the devil started to transform radically, and from a little naive devilkin he became the emperor of Hell, however still subordinated to the God. Among many factors, these were very important in shaping the nascent resistance against the witchcraft.

Mighty devil and his earthly servants earned widespread attention, especially at the Alpine area of the Holy Roman Empire of the German nation. First reason was that the most extensive heretical movements formed right there, and after their destruction, those who survived had fled to the hills, where they supposedly continued with practising of their dark rituals. Moreover, the Alpine area served as a channel through which the Renaissance and Humanistic ideas from Italy were spreading to the rest of Europe, especially France, Switzerland and Germany. These ideas did not meet with much acceptance of mostly conservative Catholic population there. Moreover, at approximately same time these territories were hit by Protestant Reformation.

These factors – escape of several heretics, rising power of the devil and spreading of unwanted ideas - caused the gradual merging of heresy and witchcraft. Witches were no more only a part of fiction, memento on pagan times, a way for simple peasants how to explain numerous occurrences. Introduced through ignorance and faith in common existence and actions of supernatural creatures, they became real and dangerous for the whole society. This was at least the claim of clergy and people had no other way than to believe them. Not believing in the existence of personified evil in the form of witches or the power and cooperation of them with the devil was equal to heretical thoughts, as Sprenger and Institoris have warned people in their famous book (Lenková, 2006, p. 40).

Right on their appeal Pope Innocent VIII. published in 1484 the Papal bull *Summis Desiderantes Affectibus*, or "Desiring with Supreme Ardour", in which he called for a stricter persecuting of those, who „band together with devils, vampires, and demons and their incantations, charms, curses...Kill human descendants and young cattle, burn and disroots crops of the Earth, grapes and fruit from trees...(Chalupa, 2007, p. 127).” Sprenger and Institoris can be considered as a very zeal warriors against the plague in a form of witchcraft. Their *Hammer of Witches* earned so much popularity, that from 1486 to 1520 it was published over fifteen times (Muchembled, 2008, p.58).

These two Dominican monks based their opinions and arguments mostly on the Bible and Canonical Texts, as it can be seen in the book itself, where they had made several references on almost each page, especially on St. Augustine. It is not rare, that a valid argument is based on a simple claiming „It is true, because the Bible said so“, what nicely reflects the mentality of medieval and early modern Church leaders and many state power holders as well, as the book was among bestsellers for a long time. Both, Sprenger and Institoris approved using of torture, because „*witchcraft is the highest treason against the majesty of God* (Lenková, 2006, p. 45).” They also approved the punishment for those, who only took an advice from witches or prophets, as they have seen it as an expression of support.

It is interesting, that authors warned against the possibility of condemning innocent people and they suggested a proper judge. However truthful is that most witches had this process; they were nevertheless condemned and burned because most of these processes were designed as vicious circle. Czech historian Kočí described this set of meaningless procedures, when people, even if innocent, were forced to confess. However, if they confessed during the torture, their confession was not considered as legitimate. If they confessed before the torture, their confession should be approved by the torment. And at last, if they withstood the torture, their strength was perceived as evilly supernatural (Kočí, 1973, p. 25). Ordeal of water stood on similar meaningless base.

### 3.2 Mass Witch Trials in Europe in 15<sup>th</sup> and 16<sup>th</sup> Century

Witchcraft was thus widespread all over the Catholic world. A woman once convicted as a witch was already dead; however her way to death was extremely painful. Inquisitors professed the principle that no witch should be executed without her own truly confession. If the confession was forced by torture, it should be confirmed one more time. However, if a convicted person called off her previous words, it was likely that she or he will be tortured again. The probability of just one marauder in the town or village was low, thus the accused witch was forced to tell names of her companions. Through this practice, tens or even hundreds of people were dragged into witch trials only in the borders of one town. High number of accused witches was not strange for public, it only proves that „witches were lurking really everywhere (Chalupa, 2007, p. 130).”

Germany was the area of the Holy Roman Empire (of the German nation) where the witch hunt was most massive and worst. No wonder then, that the majority of processes took place here. Germany was rather conservative and strongly catholic with a high amount of zeal monks and prospective inquisitors. Among the most notable witch trials belonged those in Bamberg, Würzburg, Nuremberg and Cologne (Sibai, 2001, p. 82). It is possible that witch trials were brought to Germany together with the Counter Reformation. Difficult social situation, unrest among people and new intellectual streams might have caused the witch hunts as a form of human need for stabilisation.

Although the relations between Protestants and Catholics were full of contradictions, their opinions on the case of witchcraft were quite the same. Germany, as constituent of Holy Roman Empire recognized the first criminal code considering the witch hunts as a crime; published by Charles V. in 1532 - *Constitutio Criminalis Carolina*. This code significantly influenced latter witch trials throughout the whole empire. Several articles concerned just the witchcraft and familiar actions, e.g. „who presume to tell fortunes by sorcery or other magic arts is to be imprisoned or put to torture (Sibai, 2001, p. 82).”

The witch trials in Bamberg took place in first half of 17<sup>th</sup> century and resulted into deaths of several hundred of people. The number of deaths made these trials one of the greatest and most famous in the world (Sibai, 2001, p. 83). Inquisitors had clearly developed plan how to examine accused witches and how to torture them. Who did not confess was usually put under torture. After it the witch either confessed or been tortured again. In many cases, after several days of torture people just died. Any kind of behaviour was considered as evil. In accordance with vicious circle any kind of behaviour

prior or during the trial was considered either as influence of the devil or as a simulation (in the case the life was lived exemplary). The fear of accused persons was considered as confession, if they were calm, it was only because the devil promised them peace. These people had the same opportunities during torture- to confess or to be endured and perceived as influenced by devil's power (Kočí, 1973, p28).

Approximately at the same time as Bamberg trials, the Würzburg processes with witches took place even more horrifying than their counterpart in Bamberg, as these include also almost half a hundred of children. Complete number of people sent to death was several hundred only in this town (Roper, 2006, p. 160). Panic in this area was so huge, that even the Church leaders were not safe. However, as Roper pointed out, the difference in the number of men and women in this process was negligible, however in several other towns in Germany the difference was much more significant (Roper, 2006, p. 32).

The case of Joan of Arc in Renaissance France was a very unique, and maybe slightly political. Nevertheless, after she was burned to death, she was revived again as a saint, when the Church admitted a mistake.

Another famous witch trial in Germany took place in Cologne. The witch's name was accused from practicing sorcery and black magic. Her name was Katharina Henot and she was cruelly tortured before finally burned to death at a stake in 1627 (The Telegraph, 2012).

Not in Europe however done by Europeans, probably the most famous witch trial in New World took place in Salem, Massachusetts, in that time an English colony. This colony was at that time- at the end of 17<sup>th</sup> century- completely sovereign. This case was unique as 19 people with proven guilt, from one hundred originally accused, were not burned but hanged (University of Chicago Library News, 2012). However witch trials were rare in England, the conditions for superstitions and fear in this little town were rather good. Epidemic, superstitions and rivalry created, similarly to European town, a fertile ground for such phenomenon. It may be considered as quite small trial in comparison with its European counterparts.

### 3.3 To Denounce or to be Denounced: The Role of Fear

The fear was used as a reliable mean to control masses not only by worldly monarchs, but by Church leaders as well. Some might rulers of the past professed the principle, that it is better to be feared than loved if a lord wanted to have his servants under control. This method approved also in the feudal regime. There are several possible sources of fear, some of which were purposely introduced to induce fear and others emerged from the natural state of 14<sup>th</sup> century society. Here are mentioned three most important of these sources - the fear from Antichrist, the fear from the feeling of guilt and the fear of being accused.

Antichrist was a well-known figure during the Middle Ages and especially his role at the turn of two centuries. In accordance with the New Testament and especially the Revelation of St. John, people believed that the world will end with upcoming year 1000, and Antichrist will arrive at the Earth to take the rule for a limited amount of time, as a vanguard of the Last Judgement. *"(God) threw him (Satan) into abyss and sealed the abyss over him, so he will no longer tempt the nations, until the thousand years will pass. Then he will be free for a short time (Revelation of St. John, 20:3)...When the thousands years will pass, Satan will be released from prison and come to tempt the nations...(ibid, 20:7- 8)."* The near turn of 10<sup>th</sup> and 11<sup>th</sup> century caused mass hysteria in various parts of Europe. People were afraid, scared from possible damnation of their souls and wanted to be unburden from their sins.

The role of Church was important in such environment. Mother Church was helping to her sheep, assuring them. Her influence was so strong that when the centuries turned and nothing happened, majority of people celebrated the Church as saviour. However, the shadow of upcoming Judgement was still there, since the opinions about the event from which the thousand years were counting differed, and the traces of fear in the society remained.

The next important source of fear is a feeling of guilt. It is visible even on shown examples, that the psychology of medieval society was very peculiar. Although people had certain individual consciousness, the prevailing system was based on collectivism. Their mental consciousness and understanding deserves a separate work, however without any deeper examination it may be observed how easy they might be influenced.

According to the Bible devil had a physical form, usually deformed with animal features. However, Church did not exclude his non-physical effects on human nature, such as persuading, transmitting of power or influencing of peoples' minds. These effects became important together with rising importance of the devil in 13<sup>th</sup> century when from a little devilkin it became a horrible creature that is tempting people and causing them pain.

Emphasising of devil's power forced people to even more zealously following the God. They were aware of the evil part of their souls and body, the only way through which the devil can tempt them. „The result of emphasising the fear of hell and the devil is probably the strengthening of symbolic power of Church over the Christians (Muchembled, 2008, p.36).” People realized animal instincts within them, expression of their imperfection and sinfulness and their similarity with the devil. They realized their inability not to sin and felt concerns and guilt about it. Simultaneously the fear of the devil raised, strengthened by many horrifying pictures and visions of him and his ability to attack weak human body and sneak into the soul. As a protection against possible temptations, faith and piety was prescribed. The power of soul was praised because only soul was able to resist (Muchembled, 2008, p. 46).

The third mentioned source of fear was the fear of being accused. The apprehension from Inquisition rose after the institution gained enough power and respect through several public trials and autodafés. Although trials were for sure cruel or at least biased and even crueller were the public executions, Inquisitors' methods of investigating were feared more.

Not only during the trials judge searched for accomplices but at the moment of Inquisition's arrival to the town or village, was it told to good citizens and true Christians to report any suspicious behaviour. And here was applied the principle „one, who did not report the suspect, soon became one (Chalupa, 2007, p. 97).” Inquisition has spread the fear all around and many people were investigated and executed unjustly. But many others did not want to take that risk and better reported someone sooner, than someone reported them. Since Inquisition had its helpers in a form of monks, priests or suspicious neighbours everywhere, and the identity of informer was secret, the atmosphere of fear and uncertainty was widespread. Unexpected arrests which took place mostly during the night only strengthen it. This atmosphere sharpened and became worse when the Inquisition gained such power, that no one, however rich or good Christian, was safe.

Inquisition itself spread the atmosphere of secret and mystery around. Firstly by mentioned night arrests, secondly by the fact that arrested persons from day to day just disappeared from the face of Earth (ibid). It is thus logical that no one wanted to meddle with Inquisition and the atmosphere in early modern Europe may be described as either you denounce or you will be denounced.

## 4. Artistic Visions of Witches in Early Modernity

### 4.1 Visual Art

Visual art as a form of communication have been widely used in Europe in the Middle Ages and during the Early Modern times as well. It was an efficient way how to communicate a legacy to illiterate people, in this sense to lieges. Works of art, such as paintings, frescoes, murals and woodcuts were accessible to all kinds of people at the facades of houses, in monasteries, town halls, and especially at churches. Everyone was attending a church, therefore paintings there were able to reach people and get into their minds properly. What were people unable to read by themselves, they have read from images on walls. Influence of these images was even strengthened by sermons.

With a little proper knowledge about the outer world, widespread superstition and with the support of sermons, people were prone to perceive the scenes from frescoes and sculptures of icons as much more real and vivid. They could actually live the scenes of hell's torments or paradise's salvation. These images had an actual power over them, power to terrify, to encourage or to teach. Through visual art, the Church was able to influence and control its sheep.

It was similar also in the case of witchcraft. Through images of witches people were informed about this issue. Moreover, through different scenes, the moral turpitude and sinfulness of these women were presented to them as well as their inevitable after death suffering. As it was in the case of heavenly or hellish scenes, even in the scenes of witches at Sabbath, the intercourse of witch with the devil or of the act of flying on a broom, spade or a pig, a big role was played by human superstition and fantasy. They held the belief in the supernatural and evil forces even against the still advancing rationalisation of life represented by Humanism and Renaissance. In Europe, probably the most influential were several German Renaissance artists. Germany was, as resulted from its geographical and sociological position in the Holy Roman Empire (of the German nation) the centre of the realm and the centre of conservative catholic life. It would not be right to say that there was no influence of Renaissance in the art; however the Catholic Church had also a strong influence.

Witches in the visual art were usually depicted according to their position in the society. They were naked in many cases, with mischievous grin on their face. Majority of images captured them flying, on the Sabbath or with the devil. Not uncommon was paying attention to their physical beauty and charms as a manifestation of their sinfulness.

During the worst European witch hunts many artists made at least one depiction of a witch or Sabbath. However, some of them became fascinated by this issue and devoted their whole work to it. Probably the most famous artist who devoted his art to the topic of witchcraft was German Hans Baldung Grien, the student of Albrecht Dürer (Levack, 2013, p. 143). Baldung became deeply interested in the issue of witchcraft; he „transformed traditional notions of magic by locating the source of this magic in the eroticism of the female body (Levack, 2013, p. 142).” His woodcuts and paintings, such as *The Weather Witches*, *The Bewitched Groom* or several depictions of Sabbath are typical for their nudity and clear connection between the witch and the devil. The issue of sexuality is clearly present in his art pieces. Baldung’s master, Albrecht Dürer has made several depictions of witches as well. In his works, such as *The Four Witches of Witch Riding on a Goat* can be seen similar connection between the female sexuality and witchcraft, as it is in the works of his scholar. However, Dürer’s work on witchcraft never had as great impact as the works of his student.

Leonaert Bramer was a Dutch artist, famous mostly for his iconographic art pieces, where he combined dark colours with effective vivid light (Chilvers, 1996, p. 71). Even though he dedicated his artwork mostly to biblical scenes, he is the author of one of the most famous image concerning witchcraft- *The Adoration of the Magi*, which he painted in the first half of 17<sup>th</sup> century.

Francisco de Goya was a Spanish painter, who also contributed to artworks of witchcraft. *The Concise Oxford Dictionary of Art and Artists* defines Goya’s art pieces as „they feature savagely satirical attacks on social customs and abuses of the Church, with elements of the macabre in scenes of witchcraft and diabolism (Chilvers, 1996, p. 219).” His most famous work on witchcraft includes *The Witches’ Sabbath (The Great He-Goat)*, *Witches’ Sabbath or the Witches’ Flight*.

Almost every town, smaller or bigger, had several woodcuts or minor paintings of witches, usually depicting them being tortured or at a stake. It was not in contradiction with the conventional attitude towards witchcraft - or an attitude applied by force about what is witchcraft - and also had these small works of art direct impact on the town population. Several examples of these minor works with optimal local effects can be found in early modern treaties or books considering witchcraft. One example is *The Witches’ Sabbath on Blockberg*, copperplate made by Michael Herr (Kočí, 1973, p. 178). Other might be the depicting of usual witches’ activities, such as flying or hurting by magic, made by Ulrich Molitor (Kors, 2001, p. 35). Molitor was a 15<sup>th</sup> century artist known for his

woodcuts about witches. Mentioned art piece was published in the Treatise against Evil Women Called Witches, in Augsburg at the beginning of 16<sup>th</sup> century. Another of his woodcuts depicts the witch burning at Rheinstein in 1525. Depictions of actual trials served in two ways - as a reminder and also as a warning. Depictions of Sabbath, not rare among famous artists as well as among smaller, local craftsmen served as an image of sinful behaviour, what had among people arouse anger and contempt.

## 4.2 Literature

Literature was less spread than the visual art, as not every citizen was able to read. The written word usually got only into the higher social structures. Moreover, every book was subjected to a strict censorship, by the Catholic Church. With these limits, majority of published books was written by monks - they were the scholars and they had libraries - or other church dignitaries.

The position of witchcraft and witches in literature during the early modernity is by far influenced by the author's position toward them. Author's positive or negative attitude towards the witchcraft issue and witches was reflected also in his works about them. For example one of the earliest and most famous publications concerning the witchcraft is already mentioned *Malleus Maleficarum*.

This book was written by two monks, belonging to the Dominican order, noted among other things also for its uncompromising attitude toward witchcraft. Moreover both Sprenger and Institoris were inquisitors. It is clear then, that witches in their eyes were not only real, but dangerous and with degenerative effects on the society, in other words witches were unacceptable.

About forty years earlier than *Malleus Maleficarum* was written, influential French poet and cleric Martin Le Franc published his famous poem *Le Champion des Dames* or The Defender of Women, where he deals at almost one thousand lines with the issue of witchcraft. The poem is written as a dialogue between the Defender and Adversary (Kors, 2001, p. 166), and includes not only conventional arguments against women and witches, but also a kind of new point of view on the nature of magic and what is usually considered as a part of witch crafting - flying, Sabbaths or hurting by magic.

The *Formicarius* or the *Anthill* written by Dominican Johannes Nieder is considered to be one of the most important literature works about the witches and the work, which influenced following witch trials the most. However, so as the authors of *Malleus* - and probably because all of them were shaped by the Dominican order- neither Nieder had in any aspect positive view on witches. From the structural point of view, *Formicarius* is similar to *Malleus*; it deals with the issue of witchcraft as a whole, and with the infamous deeds of witches (Clark, 1992, p.572). Unlike *Malleus*, the *Anthill* is written similarly to Le Franc' poem, in a form of dialogue between a theologian and a doubter. Especially the fifth book of *Formicarius* deals with the issue of witchcraft.

However, even during the times of intense persecutions occurred persons, who denied the witches and witch hunts in their current form. Friedrich Spee, the German Jesuit wrote his *Cautio Criminalis*, where he viewed the whole witch mania from a critical point of view, not typical for his time (Kočí, 1973, p.142). He was calling for a reform of witch trials, considering the apparently cruel inquisitors evil, what prompted mixed reactions, since in the case of witches people were usually not interested in the witches' rights and inquisitors had a carte blanche (Clark, 1999, p.242). Spee did not deny the existence of witches, as their existence did not deny other opponents of trials in later times; however he demanded their moderation and rationalisation.

Even though majority of literature concerning witchcraft was theological or in some other way connected with logos, there are some cases when the role of witch or the devil infiltrated into fiction. Among the most known literary works of this kind belongs the German legend *Faust*, brought into fame by Goethe, a poem *Jerusalem Delivered* written by Italian poet Torquato Tasso or Shakespeare's famous *Macbeth*. In each of these three is witch or a devil playing a role of a tempter, trying to misguide her or his innocent victim. Not less known is the fairytale *Hansel und Gretel*, recorded in 18<sup>th</sup> century by the Grimm brothers.

In Goethe's *Faust* the representative of the evil is the devil himself. The main protagonist of the tale sells his soul to the devil in exchange for worldly pleasures. The devil has an active role in this tale; however, not an aggressive and malicious one, as it was used to during the worst witch hunts, when the main aim of every devil and every witch was to harm someone. He rather plays a role of a mediator, who later when the time comes, arrives for his reward. Therefore, a moral lesson can be found in the story of *Faust*, „he (Faust) stands for all of us for, as good Lutherans knew, we must each work out our salvation alone (Roper, 2006, p. 254).

Armida, the witch from *Jerusalem Delivered* also went through a kind of transformation. Although she is malicious, she is not literally evil and at the end of the poem, she even became better.

Shakespeare's *Macbeth* is probably his most famous play associated with the witchcraft. The image of three witches, predicting Macbeth's future is visible throughout the whole play. Historian Burns in his *Encyclopaedia* identifies Macbeth's motives for evil behaving with Satan's, as Macbeth wanted to be „a deliberate chooser of evil rather than a helpless pawn of destiny (Burns, 2003, p. 181).“ The power of the three witches in *Macbeth* can be identified with the power, believed to be the possession of the witches in the early modern witch hunts.

On the other side, the witch from German fairy tale *Hansel und Gretel* is as well malicious as evil. In fact, she is similar to the very first images of malicious devilkin, which are behaving badly toward people; however with the right amount of adroitness it is not hard to beat them. This tale served rather as an moral example for children, where the witch played a role of an universal evil and misfortune, what may happened to those, who do not behave properly.

The image of witch got through a gradual transformation. Began as an innocent herbalist during the pagan times, to the servant of the devil in the early modernity and finally to an example of moral decline at the end of this era. During the last mentioned, even if witch trials still existed, people were more sceptical toward this issue. However, the image of a witch did not disappear completely even in the 18<sup>th</sup> century, as they were still present even in the criminal codes of early modern monarchs and for sure in the minds of lieges.

## 5. The Issue of Witchcraft in Criminal Codes

### 5.1 *Constitutio Criminalis Carolina*

*Constitutio Criminalis Carolina* was a criminal code published in 1532 by Charles V., the emperor of the Holy Roman Empire. Charles V. was a strict ruler, true Christian and a real persecutor of witches. However, his rule over the whole empire was weakened and limited, therefore also *Carolina*, even if unifying in one way, had certain minor regional differences.

As a complex code, dealing with criminal acts in generally, witchcraft was concerning mostly in Article 109 (Burns, 2003). Charles V. in this code introduced one of the strictest punishments not only for witchcraft, but also for prophesying or divination. Witchcraft was considered as a severe crime, what meant legal usage of torture and execution by burning. Supporting the magic, e.g. visiting the fortune-tellers or „ordering “a beneficial charm was also punishable. Here a trace of rationalisation can be finally found, since the witch had to commit a real harm to be executed (Clark, 1999).

### 5.2 Other Codes at the Territory of Holy Roman Empire

The house of Habsburg had published several criminal codes. They did so in effort to unify large areas they ruled to. Until then, the only unifying code for the Holy Roman Empire was *Carolina*, but with many cracks, irregularities, and especially regional differences.

Although Habsburgs introduced several codes, they all had their base in *Carolina* or at least majority of newer laws. It is necessary to take into consideration that it was much easier to update older version of code in accordance with progressing needs, than to write a completely new one.

The most known of Habsburgs' penal codes is probably *Constitutio Criminalis Theresiana*. This code was published in 1768 and it deals with witchcraft in its Article 58 (Kreuz, n.d., p.11). *Theresiana* was in a way a collage of previous Habsburgs' penal codes- *Ferdinanda* from 1656, *Leopoldina* from 1675 and *Josephina* from 1707.

Unlike emperors in the medieval times and in the early 14<sup>th</sup> century, Habsburgs already included humanistic thoughts into their codes. They were dealing not only with many restrictions, descriptions

of torture and such, but also with possible exceptions, situations in which it is possible to relieve the full amount of punishment or when to reprieve.

*Ferdinanda*, the code published by Archduke of Austria Ferdinand III. and *Leopoldina* published by the Holy Roman Emperor and Archduke of Austria Leopold I. had divided the field of legitimacy in accordance with the channel of river Enns (Classen, 2012, p.559). *Josephina*, published in 1707 and gained legitimacy in 1708, was significantly based on *Ferdinanda*. This code widened the field of exceptions, mostly concerning torture. It includes the cases, in which people should not be tortured, such as pregnancy, infancy or old age. In the matter of witchcraft, *Josephina* is fully based on *Ferdinanda*, including the exact formulation of witchcraft and the relation between the witch and the devil (Kreuz, n.d., p.11).

The most important change in the perception of witchcraft has been made by Maria Theresa. She as the real enlightened emperor refused to keep the witch superstition alive ever more. In 1755 Maria Theresa published a patent directed against the belief in vampires or witches, where she emphasized the irrational basis of these superstitions (Kočí, 1973, p.151). She linked the belief in witches to ignorance and in 1756 decided that no witch trial could be opened without her personal permission. She also refused to tolerate torture based on superstition - the whole torture was banned in 1776, according to Kreuz - and with that connected confessions. However the social pressure for recognition of the witchcraft in her code was strong, and she did several concessions, e.g. she includes the claim that witches are real, but defined what exactly mean to be a witch, and which deeds could be punished. Nevertheless the emperor herself never truly recognized the existence of supernatural creatures and since her reign, this superstition, which caused so much pain and suffering, began to retreat.

## 6. Conclusion- Witchcraft: Myth or Reality?

The witch trials are nowadays perceived as a huge injustice and iniquity. With modern conceptions of human rights it is hardly possible to believe that something like these processes actually happened in our past. Nevertheless, until the 18<sup>th</sup> century it was not only real but also legal and the papal Inquisition was officially denied only in 1965 (Chalupa, 2007, p. 157).

As it was already written at the beginning of this thesis, to understand one social phenomenon properly, it is needed to understand also the other, which created the environment. In the case of witch hunts it is important to understand the lives, values and beliefs of early modern society. Only then the witch hunts can be perceived right, as a part of wider social environment, caused by several factors and supported by their cooperation.

The aim of this thesis was to investigate whether the fear was an important factor in creating the whole myth of witches and what was the role of Church in the whole issue. Early modern society was strictly hierarchical but people in this social pyramid were dependent on each other. Farmers and peasant at the bottom provided the physical food and clergy and nobility on the other hand the mental food, so to speak.

The need of the Church as shepherd is the result of a very basic fear from unknown. Church was famous for its schools and libraries. Priests were able to explain things, which ordinary people were not. Their explanations served to rationalize the unknown. Other fear widespread in early modern society was a fear from rational things, such as poverty or fatal illnesses. However, in their world where everything is from its principle good or bad, many such things were not perceived as a result of bad hygiene or social situation, but as a punishment.

The phenomenon of witches appeared after the heretics were defeated. Even though the worldly rulers supported the efforts for their extermination, the main role had clearly the Church. Inquisitions, tribunals and judgements were in its competence; however the final execution became the work of worldly executioner. The Church spread the information, decided about the character traits of witches and about the seriousness of their sins. During the most intense witch hunts, several tens or hundreds people were executed only in one town and this only supported the fear. The conditions were clear: if an inquisitor arrived, he usually convicted somebody. These violent conditions led to violent acts as everyone was afraid that it might be him or his family, who will be arrested the next night. Without such strong oppression and fear it is mostly possible, that witch

hunts, if already existed, would have only a short duration. Still there were tens of past years, when witches and magic was a normal part of lives.

However such a strong oppression had certainly some effect on human subconscious. The psychological effect might caused that people started to believe in some magical forces they possessed. If something unlikely or rare happened to them, or in the case they really wanted to harm someone, e.g. economic competitor. The reasons were usually banal; however, they might have resulted into serious wounds or deaths. Kočí mentioned in his book the case where Jesuits' scholars decided to invoke the devil just out of curiosity, however, with serious consequences. Maria Theresa, the enlightened emperor included this possibility of "placebo witchcraft" into her *Theresiana*, where she stated, that a person could be judge as a witch only if she really wanted to do harm.

Until the enlightened rulers started to rule the phenomenon of witch hunt was strong, especially in the areas where the Church had a strong position. This phenomenon was, finally, convenient for Church as well as for ordinary people, who found victims to blame for tragedies or disasters.

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## Resumé

Táto práca pojednáva o fenoméne čarodejníctva, ktorý vznikol na prelome stredoveku a novoveku. Konkrétnejšie sa zaoberá pôvodom tohto fenoménu, dôvodmi pre ktoré vznikol a pre ktoré sa udržal také dlhé časové obdobie. Za jeden z kľúčových smerodajných údajov v tejto práci je považovaný strach a jeho intenzita a vplyv na konanie ľudí v skoro modernej spoločnosti.

Prvá kapitola sa zaoberá pôvodným významom čarodejníctva a mágie a postupným transformovaním týchto pojmov do podoby, v akej ich spoznala novoveká spoločnosť. Zároveň sú v nej spomenuté prvé prejavy čarodejníctva a reakcia na ne v rôznych oblastiach Európy.

V druhej kapitole je opísaný postupný prechod od mágie ako pozitívnej a nápomocnej súčasti ľudských životov k negatívnemu vnímaniu čarodejníctva a čarov ako prostriedkov diablových. V tejto kapitole je zaznamenaný aj začiatok inkvizíčných súdov ešte počas stredoveku, kedy slúžili najmä na trestanie kacírov. Dôležitou oblasťou sú alpské územia v novovekej Svätej ríši rímskej, kam sa zvyšky kacírov uchýlili a kde sa následne zjavili prvé čarodejnice.

Tretia kapitola sa venuje časovému úseku charakteristickému mimoriadne intenzívnymi procesmi s čarodejnicami. Toto obdobie začína rokom 1486, kedy bolo vydané inkvizitorské dielo *Malleus Maleficarum*. Najhoršie hony na čarodejnice sa odohrali následne, počas 15. a 16. Storočia. Práve v tejto kapitole začína byť dôležitý strach, ako pocit prejavujúci sa v svetských aj náboženských záležitostiach. Skúma sa tu jeho pôvod a vplyv na ľudí a ich reakcie na čarodejnice a čarodejníctvo vo všeobecnosti.

Vo štvrtej kapitole sa kladie dôraz na umenie a čarodejníctvo v ňom. Sú tu prezentovaný umelci-maliari a spisovatelia, venujúci svoje diela prevažne tejto problematike. Najmä vizuálne umenie bolo počas skorého novoveku veľmi dôležité, keďže slúžilo ako písmo pre tých, ktorí nevedeli čítať.

Piata kapitola je stručným súhrnom trestných zákonníkov skoro modernej éry. Spomenuté zákonníky sa zvlášť venovali probematike čarodejníctva ako trestného činu. Podľa datovania jednotlivých zákonníkov je zároveň možné sledovať spoločenský vývin a postupné zmeny v prístupe k téme mágie.