

Witch-hunts! ©

This article looks at some of the long, sad history of anti-witch laws in England and Wales and takes a peek also at the situation today elsewhere. Can't look at everything, but this is an eclectic view of laws, case studies and practice. The real start was in Ireland, in Kilkenny with Petronilla de Meath, who was burned at the stake for witchcraft and heresy on 3 November 1324, but she was the only recorded such burning in Ireland. It's probably worth looking at this case in more detail as she was executed as the scapegoat for her employer – have a look on www.headstuff.org/history/terrible-people-from-history/petronilla-de-meath-irish-witch/.

Henry VIII passed the **Witchcraft Act 1542** against the following crimes:

"... use, devyse practise or exercise, or cause to be devysed practised or exercised, any Invovacons or conjuracons of Sprites witchcraftes enchaumentes or sorceries to the intent to fynde money or treasure or to waste consume or destroy any persone in his bodie membres, or to pvoke [provoke] any persone to unlawfull love, or for any other unlawfull intente or purpose ... or for dispite of Cryste, or for lucre of money, dygge up or pull downe any Crosse or Crosses or by such Invovacons or conjuracons of Sprites witchcraftes enchaumentes or sorceries or any of them take upon them to tell or declare where goodes stollen or lost shall become."

This law was repealed by Edward VI in 1547, only to be replaced by the **Witchcraft Act 1563** by Elizabeth I. This act made it a capital crime to *"use, practise, or exercise any Witchcraft, Enchantment, Charm, or Sorcery, whereby any person shall happen to be killed or destroyed."*

In 1566, a 63-year old Essex woman was the first person in England to be executed for witchcraft, under the **Witchcraft Act 1563**. The unfortunate victim was from Hatfield Peverel and was one of three women accused of summoning demons or casting curses upon neighbours. Two of the women were acquitted, but another confessed to casting malicious spells and also to two murders. As you might expect, she was found guilty of both murder and witchcraft and was hanged on 29 July 1566.

King James I and his legacy

We've looked at the reign of James I before, most notably in the text on *Witchcraft at the time of Macbeth*. The Scottish legal treatment of witches was much harsher and James I (James VI of Scotland) was influenced by this culture. In 1487, the *Malleus Maleficarum* had been published with a foreword/ endorsement from Pope Innocent VIII and this work did much to transform social attitudes to witches from wise healers to consorts of demons.

Then, in 1590, this book was reinforced by a work written by James I of England - *Dæmonologie*, which set out ways of identifying witches by physical marks of demonic origin. The king used parts of the *Malleus Maleficarum* for his work, also a quote from Exodus 22 and his own dreams or advice from courtiers – loads of good quantitative facts – but he was the king and people believed in the divine right of kings.

What happened next, as they say, was the introduction of the **Witchcraft Act 1604**, ie a year on from James I becoming king in England. The strap-line (if you like) to the 1604 Act was to forbid, “*Conjuration, Witchcraft and dealing with evil and wicked spirits*”

It was this law that gave the mandate to the so-called Witchfinder-General, Matthew Hopkins (see below), but it is important to note that the two acts (1563 and 1604) made witchcraft into a crime. One legacy, then, was that accused witches could be tried in normal courts rather than ecclesiastical courts and burning at the stake was not a usual sentence here – though you could still be burned at the stake if you were convicted of witchcraft and treason. However, most convicted witches were put to death by hanging after 1604. Minor witchcraft sentences involved a short time in prison for a first offence and hanging for a repeat offence.

The time of Cromwell

So now, we move onto the infamous period of 1645-46 and the activities of Matthew Hopkins. Much of his activities took place in East Anglia, where people were anti-Catholic and strongly Puritan. Hopkins was a failed lawyer who appointed himself as Witchfinder-General and investigated all accusations of witchcraft in the region. Starting in Essex and Suffolk, he was responsible for 68 trials ending in death for the accused witches in Bury St Edmunds and 19 deaths in Chelmsford. Then, he moved his operations north – his MO was to:

- listen to gossip about possible witches
- arrest the accused
- use torture for confessions
- have rigged show trials
- ensure death sentences ensued.

Much of his evidence depended upon the discovery of the demonic marks and a series of tests to determine witchcraft. An example included a jabbing needle to see if a wart or mole was insensitive to pain (the needle could be retracted into the handle during the torture, so no pain was inflicted) – guilty as charged! Another test was to tie up the accused and throw the victim into a river – drowning proved innocence and floating proved guilt.

Think on this fact – in 1646, the average daily pay was nine pence. The local authority in Aldeburgh paid Hopkins £6 for clearing the town of witches. In Kings Lynn, he received £15 for the same job and £23 from Stowmarket. In Great Yarmouth, Hopkins brought 16 suspected witches to trial and 5 of them were sentenced to death.

Hopkins died in 1647, having made a good living from witch-finding and after bringing some 300 witch trials that had led to the deaths of 100 or so victims. In fact, estimates of the number of witches put to death in England are about 400 – 90% of them were women – and Hopkins was responsible for over a quarter of the total.

The end of it in England

The last witches executed in England – Temperance Lloyd, Susanna Edwards and Mary Trembles, all of Bideford, Devon— were all hanged on 25 August 1682. Alice Molland of Exeter was sentenced to death for witchcraft in 1685, but there is no official record of this sentence being carried out. However, the last witches executed in Britain were six people in Paisley in Scotland in 1697. Thirty people were accused, on the word of a supposedly-possessed 11-year-old girl and 6 were hanged.

I guess you might say that the big change in law towards witches in England started in March 1712 with the case of Jane Wenham at the Lenten Assizes in Hertford. Wenham was charged for offences under the **Witchcraft Act 1604** for conversing familiarly with the Devil in the shape of a cat. The judge was very sceptical about the evidence – when one witness testified that Wenham was able to fly, the judge replied that there was no law against flying. Nevertheless, the jury found Wenham guilty.

She was the last person to be convicted for witchcraft in England and was sentenced to hang. Luckily (for her), she was pardoned by Queen Anne - and lived out the rest of her life in the care of local gentry until her death in 1730. This trial was the last of the witch trials in England, but more was still to come.

Problem was that many people still believed in witchcraft and there was an outcry over the pardon given to Jane Wenham. In 1808, a mob took the law into its own hands in Great Paxton (Cambridgeshire) against Ann Izzard. Ann was accused of causing a farmer's cart to overturn by magick and of causing fits and depression in several village girls. The mob beat Ann with clubs and prepared to use the Hopkins ordeal by water (see above), but she was able to escape to another village. What did Ann do next? She brought her own legal proceedings against the mob members, resulting in the prosecution of 9 villagers at the next assizes.

After the Wenham case, there was another law passed – the **Witchcraft Act 1735**. We'll deal with this act in more detail on another occasion, but the main point was that both the 1563 and 1604 acts were repealed completely, as was the **Scottish Witchcraft Act 1649**. And there was more to come.

1. Court sentences were given for those who pretended to be witches.
2. People who claimed they could cast spells, foretell the future or talk to spirits were classed as tricksters, subject to fines or prison.
3. The act applied to the whole of Britain.
4. It remained in force until its repeal in 1951.
5. A new act appeared – the **Fraudulent Mediums Act 1951**.
6. This was also repealed in 2008, when the whole practice of mediumship was placed under consumer protection law on unfair sales and marketing.

Conclusion

This article has been an overview of statutes, cases and bits and pieces relating to witch-hunts in Britain, prior to 1951. However, there's still a lot of anti-witchcraft law around the world and I thought we could look at just a few examples.

1. In **South Africa**, the **Witchcraft Suppression Act 1957** is based on our 1735 act and there were 577 witchcraft-related murders between 1990-98.
2. In **Indonesia** in 1998, anti-witch mobs attacked and killed 153 people, suspected of being witches.
3. In **Brazil**, it was reported that black magick priests had sacrificed 26 boys in November 2001.
4. Same year, but a little later (December) – the **Romanian** Parliament passed new witchcraft laws to regulate witches and their magick.
5. **Saudi Arabia** has an official anti-witchcraft unit in its religious police department – sentences range from flogging to the death penalty (the most recent execution was in 2007).
6. **India** saw the death of two women in June 2015, who were believed to have murdered several children through witchcraft. The police arrested several people suspected of participating in the mob.
7. In **Tanzania**, some 600 elderly women were killed on charges of witchcraft in 2014. On the other hand, some Tanzanian witches are true kasaphs (in the ancient Hebrew sense), making huge profits from herbal cures and exorcisms.
8. And so, to **Nepal**, where a mob burned an accused witch to death in 2015 after a shaman had confirmed the sorcery. Another witch was beaten to death in 2016 for casting a spell for supposedly casting a spell on a young girl.