The Witch Hunts and Their Critics: Friedrich von Spee (1632)

Abstract

The inquisition and witch hunts were not just a German, but also a European phenomenon. At the end of the fifteen century, Heinrich Kramer (c. 1430–1505) published *Malleus Maleficarum,* the "Hammer of Witches," in Speyer; it was reprinted several times in the seventeenth century. It is a treatise against black magic and in favor of hunting and executing alleged witches and of purging the Christian religion of black (devil's) magic. This point of view was already coming under criticism by contemporaries. Opponents of witch hunts, like Friedrich von Spee (1591–1635), described Germany as the "mother of witch hunts" and advocated a contemporary Catholic Christendom without witch hunts.

Source

Greetings to the reader
Regarding the present second edition

The first edition of this book, which the university printer Peter Lucas previously published in Rinteln with the permission of the law faculty there, created a stir among many pious and also scholarly men and convinced them that the question of the many witches in Germany requires thorough, unbiased examination, and that the authorities, based on the example of Daniel, must in the future rigorously oversee the trials still in process. The book also pricked the consciences of many nations and princes, and they have, after reading and carefully examining it, stopped their trials, especially because they were confronted there with how little many of their commissars and judges follow the *Constitutio Criminalis Carolina* [procedure for the judgement of capital crimes] of Emperor Charles V, especially in certain particularly important points, a fact that almost no one has noticed until now. For these reasons, many people, even including a number of members of the Imperial Chamber Court in Speyer and of the Imperial court, have considered a speedy new edition advisable to prepare the way for further examination and exploration of the truth. That is especially the case, because human lives are involved, as well as the reputation not only of Germany but also of the Catholic faith. Finally, too, all the copies of the first edition sold out so rapidly within a few months, so that no copy is to be had at any price. Therefore, to satisfy the wishes of a broad audience, I have arranged for a new edition at my own expense on the basis of a manuscript passed to me by a friend in Marburg. So enjoy the book, dear reader, and farewell!

Johannes Gronaeus of Austria
I.C. [*jurisconsultus*, i.e., one skilled in the law]

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Question 2
Are there many witches and sorcerers in Germany and elsewhere?

I answer: I do not know. But I would like to briefly say, so as not to waste any time, how I see the matter. Accordingly, it does appear to be the case, and is assumed to be so, that more witches are found in Germany than elsewhere.

This is the reason: It is known that pyres meant to destroy this plague are burning especially everywhere in Germany, and that is certainly convincing proof of how thoroughly everything is considered to be contaminated. That goes so far that the reputation of Germany has lost more than a little luster in the eyes of our enemies, and, as the Scripture says (Exodus 5:21), we have made ourselves odious before Pharaoh and his servants.

The belief in a huge number of witches in our country is fed by two important sources, which are worth noting.

The first of them is the ignorance and superstition of the common people. All the natural philosophers teach that even the phenomena which sometimes deviate somewhat from the usual course of nature and are labeled unusual, for example, torrential downpours, particularly heavy hail or frost, an exceedingly loud clap of thunder, and the like, have entirely natural causes.

Likewise, physicians teach that animals, no less than humans, have their illnesses; that many kinds of new illnesses occur in humans and animals, illnesses that have not yet been sufficiently researched by the physicians; that nature contains many wonders that come to light to the amazement of those who suspect nothing of nature's richness; and that even the greatest scholars of the past centuries have not been able to assess the entire extent of its power. But let something of that sort suddenly reveal itself in Germany, especially in the rural population: the heavens cloud over, and it storms more strongly than usual; the physician does not recognize a new illness, or an old ailment does not go away under his treatment—in short, let any misfortune occur that seems unusual—and God knows what foolishness, superstition, and nonsense take over. People think only of witchcraft and lay the blame on sorcerers. Then they claim to hold the key in their hands. If meanwhile they happen to see someone passing by, to be standing around nearby, or coming close, a person who said or did something (something must always have happened before, during, or afterwards), it is all interpreted as evil, and such being our spiteful nature, the person is declared to be the guilty party, and the worthless suspicion is spread around the entire neighborhood. It is then no surprise when the talk, running more and more rampant, in a few years creates such a vast number of witches, especially as preachers and clerics undertake nothing against it, but instead actually themselves share the blame. Furthermore, as far as I know, no ruler is to be found in Germany who has directed his attention to this deplorable gossip mongering. (On this subject, see also question 35 below.) In other countries, more care is taken, and we should be ashamed to be behind them in this. For when a child or an animal becomes ill, a tree is struck by lightning, the harvest fails, the weather causes hardship, grasshoppers or mice eat a field down to the ground—people seek the source of the disaster in God or in nature, and then attribute to magic only what unmistakably and in the opinion of learned scholars is contrary to the laws of nature.

The second source of the belief in innumerable witches is envy and malevolence on the part of the common people. In every other country, it is conceded that there are often people whom God has blessed somewhat more generously with material goods, who sell their wares faster, shop with more luck, and in short, are more likely to gain influence and wealth than others. But if this happens among the German common people, a couple of neighbors whose luck is less favorable immediately put their heads together and, muttering about witchcraft, send unfounded suspicions into the world. The suspicions are then compounded if one of the people who are envied shows special reverence in church, says his rosary outside church, or perhaps kneels to pray in a field or in his bedroom, and so on. There is no lack of examples, which make me ashamed of the name German. This sort of thing is contemptible and completely unknown in other countries. They have blocked these two sources, and for that reason there are fewer sorcerers there than here. Nonetheless, I do not want to claim that there are no real witches at all here. I concede that there are some, but I state further that a prudent reader will see from what I still have to say that, when the procedure that I will now describe is used, it is unavoidable for there to have been many innocent persons among the vast number of witches burned up to now, and that in Germany

nothing is more uncertain than the number of actually guilty parties.

Question 3
What kind of a crime is witchcraft or sorcery?

I answer: It is an especially monstrous, serious, and despicable crime.

This is the reason: In it the worst offenses come together, such as apostacy, heresy, sacrilege, blasphemy, murder, even patricide, often also unnatural fornication with a creature of the spirit world, and hatred of God, which are the most atrocious crimes imaginable. That is stated in [Martin] Delrio, [*Disquisitionis Magicae*], Book 5, Section 1; however, I will examine that subject more thoroughly in another essay. The question requires careful reexamination, and it could be said, as in Daniel 13:49, "Return to judgment."

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Question 6
Are the German princes doing the right thing by taking harsh action against witchcraft?

I answer: Far be it from me to reproach the rulers for undertaking energetic measures against this crime. According to God's will, they must give orders and we must obey. They also have their reasons for intervening, given to them by their advisors, as follows:

Reason I. They are purging (as they say) the state of a great plague that continues to extend its damage like cancer and spreads by infection.

Reason II. They are preventing many kinds of damage and calamity which these servants of the devil always seek to cause.

Reason III. They are fulfilling their office and calling, for the apostle in Romans 13 says of the ruler, "It is not without reason that he carries the sword, for he is the servant of God, an agent of wrath to bring punishment on the wrongdoer." Therefore, if they fail to punish wrongdoers without legal justification, to the detriment of the state, they sin most grievously and make themselves accessories to the crime (see c. 1 *de office. et potest. iudicis de leg., as well as Innocentius, Baldus, Decius, Barbatius, Panormitanus*, and the other scholars). They are obligated to make restitution for all damages that result to the state or its citizens. That is defined in the law cited, *c. de offic. de leg.,* and conforms to the general teachings of the theologians, [St.] Thomas [Aquinas, *Summa Theologiae*], 2.2, q. 26; Sylvester [Mazzolini], [Thomas] *Cajetan in summa V. restitutio*; Domingo de Soto, *De Justitia et iure*, Book 4, q. 7, art. 3; Medina in *Cod. de rebus restituendis*; and others, all of whom I cannot list here.

Reason IV. They show their zeal to protect God's honor when they proceed with noose and fire against His main enemies. They are thus acting properly and cannot be reproached on that account, especially as the Scripture commands, "You shall not allow sorcerers to live." (Exodus 22:18).

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Source of German translation (from the Latin): Friedrich von Spee, *Cautio Criminalis, oder Rechtliches Bedenken wegen der Hexenprozesse* (1632). German edition by Joachim Friedrich Ritter, Weimar: Verlag

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