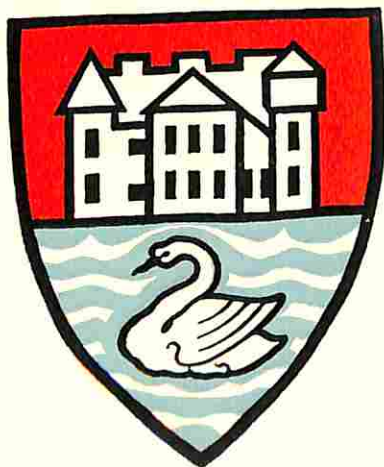


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Attitude of the Jesuits in the Trials  
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ALFRED E. P. RAYMUND DOWLING, B. A., OXON.

London.

## ATTITUDE OF THE JESUITS IN THE TRIALS FOR WITCHCRAFT.

### I. BEGINNINGS OF WITCH PERSECUTION.

IN the whole history of the human race there is scarcely anything more gloomy and more saddening than the trials for witchcraft and the wholesale execution of supposed witches. It is indeed humiliating to think that the so-called civilized world for centuries was enslaved by a fatal belief which surrendered thousands of innocent victims to frightful tortures and a horrible death. We find instances of trials for witchcraft during the Middle Ages, but they are relatively rare until the end of the fourteenth century. Then they became more and more numerous; and about 1450 the systematic persecution of witches was in full swing, particularly in the Alps, whence it spread like a fierce epidemic over France and Germany.<sup>1</sup> Unfortunately, these sad proceedings were at first carried on chiefly by the Inquisitors. They accepted the most absurd popular beliefs as a reality. Especially two Dominicans, the Inquisitors Institoris and Sprenger, became notorious for their credulity and blind zeal in extending the trials for witchcraft over Germany. When several bishops opposed them, they appealed to Rome. Pope Innocent VIII., acting on their uncritical and misleading informations, issued in 1484 the Bull *Summis desiderantes*, commonly styled the "Witchcraft Bull." It proved most disastrous, as it furnished the Inquisitors and other persecutors of the witches with a Papal document with which they could justify their cruel measures.<sup>2</sup> A

<sup>1</sup> See especially Hansen: "Zauberwahn, Inquisition und Hexen-Prozess im Mittelalter." Munich and Leipsic, 1900. This book is based on a false supposition in denying the existence of evil spirits, and consequently leads to wrong conclusions. However, as a distinguished Catholic scholar writes: "It proves that in the matter of witchcraft the one-sided *a priori* treatment of the scholastics was fatal; and it would be well if the book were studied by Professors of Philosophy and Theology." Based on Hansen's work and of a similar character is the article of Dr. Joseph Kaufmann, "Die Vorgeschichte der Zauber-und Hexenprozesse," in the "Neue Jahrbücher für das Klassische Altertum, Geschichte und Deutsche Litteratur," 1901, Heft 4, pp. 283-306; Heft 5, pp. 335-352.

<sup>2</sup> It is evident that this Bull is in no way an *ex-cathedra* decision. Döllinger contended that it was such, but even the Protestant Professor Hinschius, of Berlin ("System des Katholischen Kirchenrechtes VI.," Berlin, 1897, p. 402), says that Döllinger "goes too far when he designates this Bull as an *ex-cathedra* utterance of the Pope; for neither the contents nor the occasion on which it was issued warrant such an assumption."

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few years after the publication of this Bull, the two aforesaid Inquisitors wrote conjointly the *Malleus maleficarum*, or "Witch-hammer," a book full of startling and horrible stories. In this work most rigorous measures against the witches are advocated, and later zealots for the persecution of witches based their arguments chiefly on this publication.

However, it was not until after the outbreak of the Protestant Reformation that the persecution reached its full height. The religious and social disturbances that followed this movement, and above all the teaching of some of the Reformers, contributed much to the increase of the belief in witchcraft, and this belief added fuel to the persecution. In the catechism of Luther the power ascribed to the devil over man's body and soul, life and property, amounts almost to omnipotence. Luther sees devils everywhere and in everything; "man is the devil's slave and wills and does only what his master bids him." The friends and followers of Luther shared these views fully, and it was soon noticed, according to the testimony of Protestant contemporaries, "that the preachers spoke more of the devil than of Christ, and that old and young believed more in the devil than in God and His holy Gospel."<sup>3</sup>

We cannot be surprised, therefore, to learn that soon after the Reformation the trials for witchcraft were carried on with renewed vigor. In many countries and districts persecutions of witches are heard of only after the introduction of the new doctrine. Even after the excitement had abated in Europe, Puritan New England saw the hanging of witches at Salem.<sup>4</sup> On the whole it is impossible to decide whether more victims suffered in Catholic or Protestant countries.

Since 1520 the secular power took the persecution of witches into its hands.<sup>5</sup> The excitement reached its highest pitch between 1570 and 1640. During this period the human mind seemed to have lost its balance. Diseases, fire, famine, storms and hail, wars, great wealth and losses, disappointment in love, striking beauty and remarkable ugliness, extraordinary knowledge and excessive stupidity, melancholy and mirth, all were ascribed to the influence of the devil. If a person was negligent in his religious duties, it was a sure sign that he had bartered his soul to the devil; if he was very pious, he was suspected of hypocrisy, in order to conceal his dealings with the evil one. Under the frightful pains of the torture the names of ever

<sup>3</sup> Diefenbach, "Der Zauberglaube des 16. Jahrhunderts," pp. 12-24; further details in Janssen-Pastor, "History of the German People," Vols. 7 and 8. Luther wrote: "With witches I would have no mercy; I would rather burn them myself." "Many devils are around us that might kill us any hour." Kaufmann in "Neue Jahrbücher," pp. 286-292. On Luther's belief in *incubus* and *succubus*, see the same author, p. 304.

<sup>4</sup> See Bancroft, "History of the United States," Vol. III., ch. 19.

<sup>5</sup> Hansen, l. c., p. 524.

new witches were revealed; no one was safe; children of tender age were tortured; they frequently denounced their parents; parents testified against their children. No rank was secure against accusation; Mayors of cities, priests and religious were denounced and executed. But we cannot dwell on these horrible scenes. They may be read in special works on this subject, or in Janssen's "History of the German People" (Vol. VIII.).

## II. DIFFERENT VIEWS AS TO THE ATTITUDE OF THE JESUITS.

During the most violent period of the persecution for witchcraft the Jesuits exerted a powerful influence as professors of philosophy, dogmatic and moral theology, as writers, as confessors and preachers at the courts of Princes. Consequently they had to take attitude towards this persecution, and it is evident that their verdict for or against the trials was of the greatest weight. For the last few years a warm controversy on this very point has been going on in Germany, chiefly between Professor Riezler, of Munich, and the Jesuit Father Duhr. We intend to give the results of the controversy in the present paper. Father Duhr laid down his contentions in a number of articles in the "Zeitschrift für Katholische Theologie" (1900 and 1901), the "Historisches Jahrbuch" (Munich, 1900), in the pamphlet "Attitude of the Jesuits in the Trials for Witchcraft in Germany" and "The Biography of Frederick Spe."<sup>6</sup> In the preface to his first work Father Duhr says that "the attitude of the Jesuits in the trials for witchcraft has sometimes been painted too favorably for one-sided apologetical purposes, sometimes too darkly from a one-sided hostile tendency." Indeed we can find the statement in Catholic works that the Jesuits were a glorious exception in that excited age, and manfully opposed the mad fury of the persecutors of the innocent. On the other hand, they are charged by some historians with having fanned the flame of that disastrous conflagration. One writer went even further. "The ablest of the historians on witchcraft (Soldan-Heppe) has charged their order with using witch persecution as a cloak for the punishment of heresy, and seeking to burn as witches those whom, under the law of the Empire, they could

<sup>6</sup> "Stellung der Jesuiten in den deutschen Hexenprozessen," Cologne, 1900. "Frederick Spe," von Johannes Diel, S. J. Zweite, ungearbeitete Auflage Freiburg, Herder, 1901. We have also used several other works: Janssen-Pastor, "History of the German People," Vol. VIII.; Diefenbach, "Der Zauberglaube des 16. Jahrhunderts nach den Katechismen Dr. Martin Luthers und des P. Canisius," Mainz, 1900; "The Fate of Dietrich Flade," Putnam's Sons, New York, 1891. By Professor Burr, of Cornell University; reprinted from the papers of the "American Historical Association," Vol. V., No. 3, July, 1891. Professor Burr is considered one of the first authorities on the subject of witchcraft and is highly spoken of by German scholars. Thus Professor Pastor, in Janssen's "History of the German People," Vol. VIII., p. 583, speaks of "the American George L. Burr, to whom all students of the history of witchcraft are deeply indebted." Professor Burr's publication on Dietrich Flade is a model of accurate historical research.



no longer burn as heretics; and he bases this charge largely on the history of the persecution at Trier." So far Professor Burr, of Cornell University; but he adds: "After a careful study of the documents left us, I find as yet no reason to share his view." The severest charge is made against several distinguished Jesuit theologians, especially Delrio, Gregory de Valentia and Laymann, and against the preachers at the courts of Princes.<sup>8</sup> What is the truth concerning the attitude of the Jesuits?

Before we examine the historical evidence bearing on this question it will be well to make a few preliminary remarks. There undoubtedly exists, what the Germans call *Zeitgeist*, a spirit of the age, which affects all, for good or ill, which influences theologians as well as others, and even the supreme rulers of the Church in their private opinions and decisions which do not possess the character of *ex-cathedra* definitions. It is unfair and narrow-minded to look down with superciliousness on those who have gone before us, because they held many opinions which are now rejected by all enlightened minds. We must endeavor to judge men by the circumstances in which they lived. However, this cannot prevent us from deploring the existence of some of their opinions and the disastrous results to which they led. It cannot be denied that the credulity of mediæval chroniclers and the lack of historical criticism on the part of great theologians of former ages was, to say the least, a most unfortunate feature; and in a matter of practical consequences, like that of witchcraft, it has proved extremely disastrous. That many theologians were at fault in these sad proceedings cannot be denied. We know this from a witness whose testimony is unimpeachable: the Jesuit Father Spe, the noble champion of the victims. He asks in his famous *Cautio Criminalis*:<sup>9</sup> "Who are they who spur the authorities on to new executions?" He divides them into four classes. "First, some theologians and prelates who are devoted to their studies and enjoy peace and tranquility in their study rooms. They have not the slightest idea of what is going on outside, no idea of the filth of the prisons, of the rack, of the cries and sorrows of the poor victims. To visit the prisons, to speak to the poor sufferers and to condescend to listen to their complaints, would be against their dignity and would disturb their studies. To this class I add certain holy and pious men, who, totally ignorant of the reality of things, consider all inquisitors and judges in these trials as saints. These pious men deem it criminal not to venerate all the sentences of these

<sup>7</sup> "Fate of Dietrich Flade," p. 52.

<sup>8</sup> See "Historische Zeitschrift," 1900, Vol. LXXXIV. There it is said that "the Jesuits are not as guilty of the horrors of witch persecution as the Dominicans, and on the whole not more guilty than the Protestant clergy," p. 249. We do not intend in any way to incriminate the Dominicans, but merely quote the statements of historians, without endorsing every detail.

<sup>9</sup> "Dubium" 15

judges as infallible. When such good people read certain stories, no matter how silly, or hear of the confessions forced from the victims by torture, they regard them as gospel truth, and allow themselves to be carried away by zeal, rather than be ruled by discretion. They cry out: such crimes must not be tolerated, the world is full of witches, the authorities must proceed against this pest with all diligence, etc. Oh, these good and holy men! What can you do with them, as they wish only the best? If they knew how much wickedness and imprudence prevail in these trials, they would exclaim with Christ: 'Let both grow until the day of the harvest.' But now these good people are incapable of enlightenment."

"The second class is made up of jurists, who find these trials a profitable business. On a sudden they have become pious and frighten the authorities, who are tardy in proceeding against the witches. To the third class belong those who seek to gratify their jealousy, enmity and vengeance. If the authorities do not listen to the mob, they clamor that the judges are afraid for themselves or their families, or are bribed by the rich, as charges of witchcraft can be made against members of even the wealthiest families. Unfortunately, there are priests and religious who, instead of checking, foster such clamorings. To the fourth class belong malefactors, who, in order to conceal their own crimes, most zealously demand the punishment of witches. Among these malefactors I reckon even those inquisitors who wanted to torture Father Tanner."<sup>10</sup>

This candid statement proves that not a few priests, religious and secular, were carried away by the credulity and mad excitement of the age, and actually added fuel to the fire. Now can it reasonably be expected that the Jesuits were so far ahead of their time, so enlightened, so free from the *Zeitgeist*, that none of them should have shared the all-prevailing superstition? It would be a miracle. The Jesuits were children of their age and acted accordingly. Indeed, there were Jesuits who advocated severe measures against the witches; but on the other hand we find among them noble champions of the innocent victims, especially the most strenuous opponent of that atrocious persecution, the brave Father Frederick Spe.

### III. ATTITUDE OF THE EARLY JESUITS.

"The order as such never assumed any official attitude towards the persecution. The name of wizard or witch is not to be found either in the constitutions of the order or in the decrees of the Generals; nor is there even mention of possession and exorcism. As regards the Inquisition, the order asked and obtained special

<sup>10</sup> Duhr, "Stellung," p. 15. "Spe," pp. 76-77.



Papal privileges (1584), to the effect that its members should "never be forced to accept the offices of the Inquisition. The order thought that the office of Inquisitor was not in accordance with the spirit of its constitutions."<sup>11</sup>

The first companion of St. Ignatius, Father Peter Faber, acted according to this spirit of the Society. When he heard that a Jesuit in Louvain occupied himself with exorcisms, he wrote in 1545: "I cannot approve of these exorcisms. The Father should know that they are open to many deceptions. He ought to expel the devil from the *souls* of men, as this is the office of priests, and should leave it to the exorcists to perform their work."<sup>12</sup> Father Faber's disciple, Peter Canisius, was not so reserved in this matter. Owing probably to his study of mysticism in early youth, he was inclined to follow the course disapproved by his master, Peter Faber. Father Paul Hoffaeus, vice provincial of the province of the Upper Rhine, writes, in 1569, to the General of the Society, Francis Borgia: "Father Canisius must be warned not to meddle so much in cases of possessed persons, and not to create difficulties for us; much time is wasted, and the proceedings are not according to our mode of acting." Determined as he was in other matters, Father Hoffaeus was also resolute and fearless in this. He told Father Borgia that members of the noble house of the Fuggers had taken two possessed girls to Rome and Loretto, in order to find relief for the girls. The Fuggers wanted Father Wendelin Volk as companion; but the General should not allow it under any condition, for "there is a great deal of credulity in all this. It is said that they learned from a revelation or from an utterance of the evil spirit, that whoever would prevent Father Wendelin from accompanying them, would meet with a severe corporal affliction. I, for my part, am not afraid of anything." In 1570 Canisius was warned by the General: "He should not lose a single hour with the possessed, as such an occupation was alien to the institute of the Society and liable to hinder more useful work."<sup>13</sup>

In another line Peter Canisius showed himself much more prudent; namely, in his catechisms. It has been said, and not without reason, that Luther's catechism did very much to spread the belief in witchcraft. In his Greater Catechism the name of the devil occurs sixty-seven times, that of Christ sixty-three times.<sup>14</sup> But of still greater importance is the *influence* ascribed to the devil. The evil one does great harm to the bodies of men, kills many, is the cause of wars, storms, plagues, etc.<sup>15</sup> As early as 1568 more than

<sup>11</sup> Duhr, "Stellung," p. 22.

<sup>12</sup> Ibid., p. 23.

<sup>13</sup> Documents in Duhr, "Stellung," pp. 24-25.

<sup>14</sup> Diefenbach, l. c., p. 5.

<sup>15</sup> Ibid., p. 7.

100,000 copies of this catechism were scattered all over Germany.<sup>16</sup> Even in Catholic districts many agitators, teachers and priests who secretly adhered to Luther's tenets, spread his catechism and his doctrines. In a letter to Duke Albert V. of Bavaria, Peter Canisius deploras the fact that in many Catholic cities the teachers are not Catholics, but adherents of the Reformation, and instruct the young in the heresy of Luther.<sup>17</sup> May not Luther's teaching of the all-powerful devil have caused the spread of the belief in witchcraft, even in Catholic countries? Professor Riezler himself admits that before 1591 scarcely a single witch was burnt in Bavaria, and in the Electorate of Trier and the bishopric of Bamberg the persecution of witches began only after the spread of Protestantism.<sup>18</sup>

Widely different are the famous catechisms of Peter Canisius from those of Luther. Professor Riezler renders the smaller catechism, intended for the people, the favorable testimony that it makes no particular mention of witchcraft. He says: "Luther's catechism, in the explanation of the first commandment, mentions the objects and effects of the league with the devil in detail, although not exhaustively, whereas the large Roman catechism, written at the bidding of the Council of Trent, and the smaller catechism of Canisius, intended for the people, do not even mention the word witchcraft."<sup>19</sup> In fact, in the smaller catechism of Canisius the name of Christ occurs six times, that of the devil not once. The middle catechism has the name of Christ thirty-two times, that of "Satan"—for he always uses this word, not the more popular word "devil"—three times; the large catechism contains the name of Christ one hundred and three times, that of Satan only ten times.<sup>20</sup> In Luther's large catechism we found the very opposite proportion. But not only in the number of times in which the names are mentioned does the catechism of Canisius favorably differ from that of Luther, but more so in the power ascribed to the evil one. Luther dwells particularly on the devil's power over the body and the property of man. Canisius speaks of Satan only as the tempter to sin.

In 1583 a sensation was caused in Vienna by an exorcism performed on a girl. The Emperor ordered the bishop to have the girl exorcised. The bishop went to the college of the Jesuits and commanded, as far as he could, the rector to perform the task. At last the rector yielded and several fathers began the exorcism which lasted no less than eight weeks. This affair soon became the topic

<sup>16</sup> Ibid., p. 15.

<sup>17</sup> Ibid., p. 20. Braunsberger, S. J., "Epistolae B. P. Canisi," Vol. II., p. 269.

<sup>18</sup> Diefenbach, p. 211.—"There is every internal evidence that the case of Eva of Kenn (1572) was the first witch trial in its (Trier) region." Burr, l. c., p. 10, note: "In the Lutheran county of Sponheim, lying just east of Trier, and cutting the Electorate nearly in two, we hear, in 1573, of several witches imprisoned and tortured at the Wartelstein, near Kirn." Burr, ib., p. 10, note 3.

<sup>19</sup> Riezler, p. 129; quoted by Duhr, "Stellung," p. 75.

<sup>20</sup> Diefenbach, l. c., pp. 38-39.



of conversation, and so many misrepresentations were made that Father Scherer thought it necessary to deliver a special sermon "on the recent liberation of a girl who was possessed by 12,652 devils." Sacchini relates the story in his "Historia Societatis Jesu" (Pars. V., lib. 3, p. 125), and emphasizes the fact that the rector was simply forced. He expresses, however, no doubt as to the truth of the confessions made by the girl and her mother. Father Scherer accepts with perfect faith all the silly stories about witches and exhorts the Mayor and the City Council to prosecute witches and wizards, as it was God's will *ut tollatur malum de medio*. Not all the Jesuits approved of this sermon. The provincial of the Upper Rhine, Father Bader, writes to Father General Aquaviva, "that those fathers who at my bidding read the sermon, were of the opinion that it scarcely merited the 'imprimatur' of the Society. . . . I cannot understand how such unripe productions are published."<sup>21</sup>

#### IV. PROCEEDINGS AT TREVES.

Nowhere in Germany did the frenzy of witch persecution run so high as at Treves (Trier), one of the oldest towns in Germany, and indeed throughout the whole archdiocese. The highest officials, mayors, canons, deans, parish priests, chaplains, fell victims to the persecution. Woe to the priest who dared to raise his voice in defense of the accused; there was no surer sign of his own guilt than such pleading.<sup>22</sup> The trials at Treves have been treated with special interest by various historians.<sup>23</sup> The Jesuits were in various ways connected with the trials in Treves. Their Annual Reports for 1585 say: "Often have our priests been summoned to the witches, whose number here is very great, and have attended them even to the place of punishment; and through God's goodness it has been brought about that with great grief for their sins, they have died piously even amid the torments of the flames."<sup>24</sup>

In the same year, 1585, Father Gibbons, the rector of the Jesuit college at Treves, writes to Father Aquaviva: "Here and in the whole country around none of the witches—who are very numerous—are burnt without some of ours being called to instruct them and lead them back to Christ. The Archbishop sent us a boy of eight years who used to beat the drum at the nightly meetings of the witches. He knows all the arts of sorcery and has revealed many witches—one of whom was burnt five or six days ago. One night,

<sup>21</sup> Duhr, "Stellung," pp. 25-28.

<sup>22</sup> Janssen-Pastor, "Geschichte des Deutschen Volkes," Vol. VIII., p. 637.

<sup>23</sup> In the following we are indebted particularly to Professor Burr's extremely interesting publication. The author has examined the documents in Treves, especially the "Litterae annuae" (annual reports) of the Jesuits. In the Stadtbibliothek (City Library), which is in the old Jesuit College, there is a precious collection of nearly all the years from 1573 to 1590. See Burr, pp. 16, 17, note 3.

<sup>24</sup> Burr, l. c., p. 17.

while sitting as prisoner in the Archbishop's palace, he was visited by the devil, who carried him off through the air to an assembly of witches. There he was accused and scolded for having gone to the Jesuits, to which he answered he could not do otherwise."<sup>25</sup> The Archbishop had sent him to the Jesuits that he might be taught his catechism, for he was completely ignorant of Christian doctrine, and did not even know the Lord's Prayer.<sup>26</sup>

Father Thyraeus, rector of the College of Mentz, wrote to Father Aquaviva, in 1587, that "a boy was kept in the college at Treves who denounced many women. This could easily bring the college into bad repute. I have warned the rector, etc." To this the General replied that the boy should under no condition be left in the college. If he was to be instructed in catechism, this might be done in the Archbishop's palace or elsewhere.<sup>27</sup> Other Jesuits also must have written complaints to Rome about the conduct of their brethren in Treves. For in 1589 the General Aquaviva writes to the provincial superior: "We have heard that Ours in Treves seem to meddle too much with the trials of witches and urge the Prince to punish them. Your Reverence must forbid it and give the following instructions: It may be allowed to advise the Prince in general to apply a remedy against sorcery, which is said to be common in that region, and in given cases they may admonish the witches that, when questioned in court, they are bound in conscience to denounce their accomplices. For the rest, Ours should not meddle with the *forum externum*; further they should not urge the authorities to punish any one."<sup>28</sup>

In 1591 the provincial superior had again to write to the General Aquaviva: "In this college (of Treves), Father John Macherentius delivered some sermons in which he spoke rather sharply about the neglect of justice in regard to witches. The consequence was that the *tribus* (guilds) went to the Most Reverend Lord and asked that justice should be administered. I have warned Ours according to your directions, so that, as I hope, nothing of the kind will be attempted by them." Now it is not quite clear in which sense the "neglect of justice" is to be taken, whether the preacher claimed justice for the poor witches or urged the Archbishop to a more relentless persecution. Father Duhr thinks that the latter is meant, as the Jesuits of Treves had repeatedly been denounced to the General by their own brethren for having encouraged these proceedings.<sup>29</sup>

<sup>25</sup> Duhr, "Stellung," p. 31, from original documents kept in the archives of the German Jesuits.

<sup>26</sup> Burr, p. 17, who gives the same story from the "Litterae annuae."

<sup>27</sup> Duhr, "Stellung," p. 32.

<sup>28</sup> Duhr, "Stellung," p. 32. Latin text in Janssen-Pastor, VIII., p. 654.

<sup>29</sup> "Stellung," p. 34.



The trial which has acquired most fame is that of Dr. Dietrich Flade, the sad story of which is admirably told by Professor Burr.<sup>30</sup> Who was this Dietrich Flade? He had held the highest positions in Treves, as rector of the University, councillor to the Archbishop-Elector and Acting Governor (*Schultheiss*) of the city. His wealth was proverbial. The Jesuit Brouwer, who lived at the time in Treves, where he was for some time rector of the college and where he died in 1617, writes in his "Annales Trevirenses:" "By his civic zeal, and by his proved loyalty to his sovereign, he had earned the position of judge in the city; learned in public and private law, greatly valued for his counsels, he had won favor and fame as well among the Princes of the Empire and had gathered to himself riches."<sup>31</sup> As City Judge, Flade had himself pronounced sentence against some witches. However, he must not have been overzealous in such work; for Brouwer writes that "Flade heard his sentence from the very court whose severity he himself as judge had for many years restrained."<sup>32</sup>

In 1587 it was whispered that an attempt had been made to bewitch the Elector. A boy had confessed the plot. Johann Zandt von Merl, who had succeeded Flade as Governor of Treves, arrested the boy, brought him to Treves, where he was for a time quartered in the electoral palace, and then by order of the Archbishop brought to the Jesuit college. This boy denounced the Judge of the city, Dr. Flade, as a wizard, and said that the Judge had attempted to poison the Elector. The new Governor had a hand in this denunciation. A woman from a village under the jurisdiction of Zandt, and a month later a man from the same district, who had both been arrested for witchcraft, accused Flade of the same crime. Both witches were burnt. Zandt now started formal proceedings against Flade. He collected more evidence, and at last the confessions of a number of witches were laid before the appointed commission. The case of the sickly old man became desperate. He attempted flight, but was overtaken and brought back to Treves. Under the legal maxims of the day this flight went far to prove Flade's guilt. After a second attempt and a despairing appeal to the Elector, the unfortunate man was tortured. At first he remained firm, but by frequently repeated tortures the confession of his own guilt and the

<sup>30</sup> "Fate of Dietrich Flade." For a long time it was thought that the original acts of this famous trial were lost. They were discovered by Professor Burr. "Glancing through an old book catalogue, issued late in 1882 by Albert Cohn, of Berlin, my eye lit on the title of this manuscript (the minutes of Flade's trial). I laid it before President White (Dr. Andrew White, of Cornell), who at once, spite of an inaccuracy in the name, divined that it was the trial of Dr. Flade, whose case he knew well through his researches in this field. We ordered it forthwith, and were overjoyed both to secure it and to find it what we had hoped." Burr, p. 4. Since 1883 the manuscript is in the President White Library at Cornell University.

<sup>31</sup> Burr, p. 20.

<sup>32</sup> Burr, p. 43.

names of a number of accomplices were wrung from him. On the 18th of September, 1589, he was first strangled and his body then burned to ashes.<sup>33</sup>

On the morning of his execution, Flade was present at Mass and received the sacrament at the hands of the Jesuit Father Ellentz. This good Father had rendered much and faithful service as confessor of the witches. A pamphlet of the year 1603 says: "There is now no superstition as common and dangerous as the fear of witches. And it is to be wondered at that pious and merciful priests, especially those of the Society of Jesus, dare to go so much to the poor martyred witches in the prisons, to comfort them and to accompany them to the stake, as I have seen with my own eyes at Treves, where they spoke to the witches words of consolation in the name of Jesus Christ our Redeemer."<sup>34</sup> Father Ellentz spent whole nights with the victims in the filthy prisons. Shortly before his death, in 1607, he informed the provincial that he had accompanied at least two hundred of these unfortunate persons to the stake.<sup>35</sup> Similar reports were made of Fathers in Braunsberg, Ellwangen, Fulda, Paderborn, Speier, etc. In some places, as in Paderborn, the opinion was spread that those who had once sold their souls to the devil by compact, had no hope of salvation. The Jesuits did not share this view, but everywhere assisted the poor victims before death. In many cases they succeeded in liberating the condemned or accused persons.<sup>36</sup> We have ample testimony that this service of administering the last consolations of religion to witches was most dangerous, as the zealous priests themselves fell under the suspicion of witchcraft.

As we have heard, Soldan-Heppe has charged the Society with using the persecution of witches as a cloak for the punishment of heresy. He bases this charge largely on the history of the persecution at Treves. "Can we doubt that the great persecution for witchcraft which broke out at Treves in 1586 was in part only a continuation of the persecution of Protestantism, and was one of those means which the sagacity of the Jesuits had invented for accomplishing the task for which they had been called into the land?"<sup>37</sup> This is a most serious charge, but there is not a shadow of proof to substantiate it. Professor Burr says: "After a careful study of the documents left

<sup>33</sup> Burr, pp. 21-43.

<sup>34</sup> Janssen-Pastor, Vol. VIII., p. 641.

<sup>35</sup> Ibid. From "Litterae annuae" of 1607.

<sup>36</sup> Duhr, pp. 72-74.

<sup>37</sup> Soldan-Heppe, "Geschichte der Hexenprozesse," 1880, Vol. II., p. 37; quoted by Diefenbach, p. 85. Kaufmann ("Neue Jahrbücher," 1901, p. 286) considers it "a great fault of Soldan's work that he partisan-like inculcates the Catholic Church and attempts to exonerate the Protestant, whereas it is unfortunately an incontestable fact that countless Protestant preachers yielded nothing in blind fanaticism to Catholic priests, and in this faithfully adhered to the tradition of the old Church."



us, I find as yet no reason to share his view. The heretics were indeed not yet rooted out at Trier. Persecution for heresy went on side by side with persecution for witchcraft. It would have been strange, in sooth, if the two Satanic crimes were never associated in fervent minds; . . . but that this suspicion was actually felt, or that the Jesuits ever consciously confused the two crimes, I find scant evidence. . . . At all events, Dietrich Flade was no Protestant. . . . All his life he had been a leader of the Catholic party; and his most devoted friend till death was apparently his Jesuit confessor, Father Ellentz."<sup>38</sup>

The charge made by Soldan-Heppe has been repeated by various writers, quite recently by Pastor Längin, of Karlsruhe.<sup>39</sup> Professor Riezler had also spoken of a connection between the counter-reformation and the persecution for witchcraft. Attacked by Father Duhr on this point, he defined his position more accurately by stating "that he never maintained the existence of a *general* or *regular* connection between the Catholic restoration and witch persecution; but what he defended and still defends is, that in *certain territories* the counter-reformation and witch persecution went hand in hand."<sup>40</sup> To this Father Duhr answers: "Considering the harsh opinions held by some Jesuits, much was possible in single cases, therefore Riezler's latest statement cannot be rejected *a priori*."<sup>41</sup> But neither Professor Riezler nor any one else has furnished the least proof for the charge against the Jesuits that they ever used witch trials for persecuting Protestantism.

The Jesuits at Treves are evidently to be blamed, not only for their credulity in regard to witchcraft, a sentiment which they shared with nearly all their contemporaries, but especially for allowing themselves to be deceived by the ambitious and intriguing Governor Johann Zandt. Professor Burr remarks: "If it seems strange that men so subtle as the Jesuit Fathers could be played upon by the boy accomplices of Johann Zandt, one must remember that a Justus Lipsius (the famous archæologist and critic) was even then standing sponsor to the witch code of a Delrio."<sup>42</sup> The Jesuits of Coblenz and of Mentz did not approve the actions of their brethren at Treves. If it is asked whence this difference arose, it seems very probable that the latter were under the influence of their friend, the Coadjutor-Bishop Peter Binsfeld. This Bishop had studied in the Collegium Germanicum at Rome from 1570-76; thus he was a pupil

<sup>38</sup> Burr, pp. 52-53. Professor Burr's judgment is accepted also by E. P. Evans, in "Beilage zur Allgemeinen Zeitung," Munich, 1893, No. 102.

<sup>39</sup> See Diefenbach, *passim*. Kaufmann, by no means partial to the Catholic Church, says that "Längin speaks rather as a Protestant theologian than as a historian." ("Neue Jahrbücher," 1901, p. 286.)

<sup>40</sup> "Historische Zeitschrift," 1900, I., 247.

<sup>41</sup> "Stellung," p. 77.

<sup>42</sup> Page 53.

of the Jesuits. In 1589 he published a book which had a disastrous influence on witch persecution. He strongly defended the credibility of the witch confessions. In his opinion: "The confessions of witches are either always or nearly always true." He casts strong suspicions on those who make themselves "advocates of the great evil," and he urges most strenuous proceedings against the witches, "who are nowhere to be tolerated, but to be extirpated entirely; such is the will of God."<sup>43</sup> In consequence of such principles the torture was used unsparingly, until all the confessions were extorted which the judges wanted. However deplorable the proceedings at Treves were, a remark of Professor Burr should not be overlooked: "It ought, in justice, to be added that, while the *Kursächsische Kriminalordnung* (1572) of Lutheran Saxony, and the *Kurpfälzisches Landrecht* (1582) of the Calvinist Palatinate, with the lesser Protestant codes based upon them, went beyond the Carolina<sup>44</sup> in making witchcraft, *even without material injury*, a capital crime when it involved dealings with the devil, Catholic Trier, spite of clerical and Jesuit influences, was from first to last, as to witchcraft, content to abide by the Caroline code."<sup>45</sup> We do not wish to examine how far this "spite of" is justified; one thing seems to be certain, that "clerical and Jesuit influences" succeeded in keeping the witch trials at least within legal bounds. As the work of Bishop Binsfeld has been mentioned, our attention is naturally called to works of Jesuit theologians who treated of witchcraft and its prosecution. We have to speak of some Jesuits who, unfortunately, shared too much the views of their times and, in their works, advocated energetic measures.

#### V. GREGORY DE VALENTIA AND MARTIN DELRIO.

In 1590 Duke William V. of Bavaria asked the theological and legal faculties of Ingolstadt for their opinion about the extirpation of witchcraft, which began to threaten Bavaria. Duke William was determined to adopt all means to overcome this evil. The verdict of the two faculties was to the following effect: "The judges should study the witch trials of the Bishoprics of Augsburg and Eichstätt, further the *Malleus maleficarum* and the book of Binsfeld; the Duke should make it a penal offense not to denounce every one suspected of witchcraft; the torture could be applied more promptly than in other trials." The judgment is signed by four jurists and four theologians. Among the latter are two Jesuits, Matthias Mairofer and Gregory of Valentia.

"Of the distinguished theologian, Gregory de Valentia, we possess

<sup>43</sup> See Burr, p. 12, seq. Duhr, "Stellung," pp. 29-30.

<sup>44</sup> The imperial code of Charles V., which provided that torture should be used.

<sup>45</sup> Page 11.



other utterances on this subject which do him no credit."<sup>46</sup> Born and educated in Spain, he taught philosophy in Rome and theology for twenty-four years at Dillingen and Ingolstadt, and was very influential at the court of Munich. In 1595 appeared his work on theology which gave him the name of one of the greatest theologians of the sixteenth century.<sup>47</sup> He treats on witchcraft in the third volume of his work.<sup>48</sup> The chapter bears the title: "On the Duty of Magistrates Concerning the Punishment of Witchcraft." The introduction says: "From the very outset it cannot be doubted that magistrates are strictly obliged to examine and punish witchcraft." He endeavors to prove this obligation from Scripture (Exodus xxii., Deuteronomy xiii., Romans xiii.). "Especial diligence is necessary when the evil prevails in the neighborhood. If the magistrates are careless, the evil can quickly assume immense proportions to the incredible detriment of individuals and the whole state. It will be most useful for the judges to examine the minutes of witch trials conducted in the neighborhood. Besides, it will be most beneficial to study books written on this subject, above all the *Malleus maleficarum* and the work of Peter Binsfeld on 'witch-confessions.' As this evil is of common occurrence and, on account of its gravity and difficulty, often causes trouble to the consciences of magistrates and judges, I wish to treat of a few points in detail.

#### 1. How shall the judicial inquiry be conducted?

When it is thought that this evil exists in a certain locality, it is first of all expedient to make a *general* inquiry, and command all by public edict, and under a definite penalty, to denounce within a certain time what they know, what they have seen or heard. Then a *special* inquiry can be made by examining in particular those who have been denounced or are otherwise suspected, or by interrogating witnesses about such persons. But in order to conduct this special inquiry legally, some points must necessarily be observed. According to law, no one can be examined unless he is suspected of this offense, either on account of public *infamy* for this very crime, or on account of semi-sufficient evidence (*semiplenam probationem*), or on account of grave indications (*indicia*). The infamy must be based upon the opinion of several upright men. The semi-sufficient evidence exists when the incontrovertible testimony of one man, *omni exceptione maius*, is added to the deposition of the accuser or informer. The *indicia* must be such as can of themselves create the suspicion of this offense. . . .

<sup>46</sup> Duhr, "Stellung," p. 36.

<sup>47</sup> "Commentariorum Theologicorum Tomi Quattuor." The edition used is that of Lyons, 1603.

<sup>48</sup> Vol. III., columns 1615-1622. (Disput. VI., quaest. XIII., punctum quartum.) See also Duhr, "Stellung," pp. 37 seq.

#### 2. How can witchcraft be recognized?

A witch can be recognized (1) from her own confession, if she admits the performance of acts pertaining to witchcraft; (2) from the confessions of those who are guilty of the same crime and have informed on others; (3) from the admitted possession of a writ which hands over the soul to the devil, after the person has renounced her faith in Christ; or from the impression of a certain mark (*stigma*) which is usually conferred on witches; (4) from the possession of certain poisons, sacred hosts, toads, human limbs, waxen figures pierced with needles; (5) from having been convicted of habitually invoking the devil; for having threatened evil to another, such as a disease or a certain spell that later on befell that person; (6) from the testimony of witnesses who saw the accused besmear animals, which afterwards died, with poison or a salve; for having done the same to children or others. These tests are given by Bodinus, Spina and Binsfeld. A prudent and diligent judge can add other signs,<sup>49</sup> especially from former witch trials and from the *Malleus maleficarum*.

But as witchcraft is practised secretly, the guilt of witches is more easily recognized from their own confession legitimately extorted by inquiry or by torture, or from the testimony of others, or, lastly, from the denunciation obtained by the use or threats of torture. However, torture is not to be employed unless several denounce the same person, or unless other evidence is added to the denunciation of one informer. In the trials the judges must abstain from the use of illicit means, such as false promises of immunity, if the accused should confess; from false statements, such as the assertion that the accused has been previously denounced by other witches; most of all from the so-called water test<sup>50</sup> or other superstitious means.

#### 3. What are the signs and presumptions that suffice for imprisoning and torturing a person?

The above mentioned signs or tests are here enumerated.

#### 4. How are persons to be denounced, arrested and punished?

Towards the end of this paragraph, Gregory says: "When the judicial process has been observed and the guilt according to law and custom sufficiently established, the sentence is pronounced. Such criminals are rightly condemned to death, according to canon law?"

#### What is the nature of the proceedings?

"First, the same method is to be followed as in other causes in which there is question of life and death: the accused is to be given an advocate. Secondly, whilst witches are detained in prison spir-

<sup>49</sup> This was a fatal clause, as it opened the door to arbitrary decisions of the judge.

<sup>50</sup> The witches were thrown into water, hands and feet closely tied; if they swam, it was a proof of guilt.



itual remedies should be at hand against the attacks of the devil: holy water, crucifixes, etc.; priests should exercise their functions to reconcile them to God. Thirdly, after the death sentence no denial of the condemned is to be accepted. Fourthly, before execution they should be diligently prepared to receive the sacraments worthily."

This is a short extract of Gregory's principles concerning witch prosecution. In nearly every detail he quotes the authority of Binsfeld, on whom he absolutely relies. His doctrine sounds frightful to us, and proves what sway the superstition held over the minds of men. How otherwise could a man, known as a profound thinker, give such advice? In justice to the man, however, it must be added that several of his principles, for instance, that a defense is to be admitted, that the witnesses must be trustworthy, that the denunciation of one witness is not sufficient for employing torture, unless other proofs strengthen the case, were considered too lenient by most judges. It is certain, therefore, that Valentia did not wish to advocate injustice. Still it must be said that his expositions proved disastrous.

Worse was the book of another Spanish Jesuit, Father Martin Delrio. Born at Antwerp in 1551, he was for some years a zealous student of ancient and modern languages; then he devoted himself to the study of law, in which he received the doctorate at Salamanca, in 1574. Called to Belgium, he was made Vice-Chancellor and Procurator-General of Brabant. In 1580 he entered the Society of Jesus and taught later on philosophy and theology. In 1599 he published his "*Disquisitiones Magicae*," of which about twenty editions appeared within one hundred and fifty years.<sup>51</sup> This notorious work exhibits wide reading and extensive learning, but betrays an almost incredible lack of criticism. The silliest witch stories are believed without any critical examination. It is sufficient that the story is told by a pious man to make it credible.<sup>52</sup>

To give an instance: "Hear, O reader, another quite well-founded certain story. In the year 1587 a soldier on guard shot into a dark cloud, and lo, a woman fell to his feet. Now what do those say who deny that witches ride to meetings? They will say that they do not believe it. Let them remain incredulous, because they will not believe eye-witnesses of whom I could adduce many," etc. We might laugh at such silly credulity, if it had not borne such sad consequences. Delrio states that zeal for the glory of God led him to write the book. He says: "Judges are bound under pain

of mortal sin to condemn witches to death who have confessed their crimes; any one who pronounces against the death sentence is reasonably suspected of secret complicity; no one is to urge the judges to desist from the prosecution, nay, it is an *indicium* of witchcraft to defend witches, or to affirm that witch stories which are told as certain are mere deceptions or illusions. One does not avoid what one defends. In fact, such protectors have mostly been found out to be accomplices of witchcraft, as, for instance, Flade,"<sup>53</sup> whom Binsfeld had so stoutly opposed. Indeed, Binsfeld had expressly said in the first edition of his book (1589) "that he prints it in the hope of dispelling a skepticism which hindered the punishment of witches in his own home."<sup>54</sup>

Delrio tells us that he wrote his book above all for the benefit of the judges, "*ut iudicibus consulam*." His advice must have been most welcome to many eager witch persecutors, who now heard that they were on the right track; whilst others, who were more inclined to leniency, were frightened by the thought of neglecting their duty and running the risk of being personally suspected. Yet even Delrio advocated some mitigation of what was commonly practised. He exhorts the judges to proceed carefully lest the innocent should suffer; it were better, he says, that one hundred culprits remained unpunished than that one innocent person should be condemned; every judge should remember that there was a higher judge above him, who one day would judge him.<sup>55</sup> The torture is to be applied only when the evidence is quite conclusive. He rejects the validity of certain evidence commonly accepted, as the fear and trembling of the accused; he condemns as cruelty the distinction made by Sprenger in the *Malleus maleficarum* that the repetition of the torture was merely a continuation of it. The torture was to be used, at the most, only three times. No new cruelties were to be invented.

A comparison with the description which a Protestant theologian, Meyfart,<sup>56</sup> gives us of the exquisite cruelties practised at his time, when people were burnt with sulphur, seething oil, etc., makes it evident that Delrio's recommendations amounted to a considerable mitigation of the usual proceedings. Most important were the following principles: "1. The confession wrung from a person by torture is null and void, and a death sentence cannot be based on it. 2. The testimony of accomplices, no matter how numerous, cannot alone be the basis of a condemnation. I know that the opposite view is held more commonly. 3. By all means a counsel for defense must be granted; the witches are mostly illiterate people, who cannot defend themselves, therefore others must defend them." Protestant

<sup>53</sup> Duhr, "*Stellung*," pp. 39-43.

<sup>54</sup> Burr, p. 47.

<sup>55</sup> Janssen-Pastor, VIII., p. 613.

<sup>56</sup> *Ibid.*, 616.

<sup>51</sup> Professor Burr discovered an earlier and much briefer draft of the work at Brussels, dated 1596. Janssen-Pastor, VIII., p. 603.

<sup>52</sup> He accepts as true all the stories related in the *Malleus maleficarum* and by Binsfeld. Burr states that Delrio draws his stories, at least the more modern one, largely from the "*Litterae annuae*," p. 16, note 3.



jurists at Coburg who followed this more lenient course, and granted a defense, were on that account attacked by the Coburg Protestant preachers. Then the jurists appealed to Delrio's work, which advocated this mitigation. In many courts the torture was used eight, ten or twelve hours, whereas Delrio forbids the use of it beyond one hour.

Still all these circumstances did not prevent the book from being most baneful in its principal tendency, and from being the source of unspeakable evil, as appears from hundreds of trials, in which Delrio is referred to as the recognized author who declares legitimate the harsh measures used against witches.<sup>57</sup>

Diefenbach endeavors to extenuate the charge against the Catholic theologians, Sprenger, Binsfeld, Delrio and others, by saying that their works were written for the learned world and in Latin, whereas Protestant preachers wrote mostly in the vernacular, addressing themselves directly to the people.<sup>58</sup> This palliation can hardly be admitted.<sup>59</sup> Works in the vernacular evidently did more to spread the *belief* in witchcraft among the people; but the witch *persecutions* were not popular outbreaks, but systematic proceedings of the authorities. If the clergy and the jurists had been more critical in their inquiries, we might have heard of occasional outbreaks, of wild acts of barbarous popular fury, like lynching in this country, but there would never have been systematic witch persecutions. And if Catholic priests and Protestant preachers had strenuously combated the popular ideas, the superstition would never have assumed such horrible dimensions. Now the said Latin theological works were addressed to theologians and still more to the jurists, consequently to the men in whose hands it lay to stop the persecution. And as in those times the opinions of theologians were decisive for the jurists, it may be said that Princes and courts of justice would not have prosecuted the so-called witches, if Catholic and Protestant theologians and preachers had not defended the most exorbitant forms of belief in witchcraft.<sup>60</sup> The two Jesuit theologians are to be blamed severely for propounding this disastrous belief with a whole scientific apparatus. But even Professor Riezler says: "The greatest part of the responsibility lies on the Inquisitors, especially on the Dominicans who wrote the *Malleus maleficarum*, a work which forms, directly or indirectly, the basis (of the systematic defense of witch persecution) for the succeeding centuries."<sup>61</sup> In another place the same historian writes: "Whereas, on the part of

<sup>57</sup> Riezler, "Historische Zeitschrift," 1900, I., 249.

<sup>58</sup> *L. c.*, p. 35.

<sup>59</sup> We abstract from the fact that Binsfeld's work appeared in a German translation, 1590 and 1591.

<sup>60</sup> If thus limited, Professor Riezler's position ("Historische Zeitschrift," 1900, I., p. 245) could perhaps be accepted.

<sup>61</sup> *Ibid.*

Catholics, the Jesuits indeed urged witch persecution, whilst such conduct was exceptional in the secular clergy, we find this dismal activity (of urging the persecution) more frequently among Lutheran preachers."<sup>62</sup> That it is an unwarrantable generalization to say "*the Jesuits*" will appear from the next paragraphs, where we shall meet Jesuit theologians who, even at a great personal risk, strenuously combated the witch persecution. And one of them, the heroic Father Frederick Spe, did more than any other man to put an end to the horrible trials.

#### VI. ADAM TANNER AND PAUL LAYMANN.

The two Spanish Jesuits, Gregory de Valentia and Delrio, were soon opposed by the most distinguished Jesuit theologian of the age in Germany, Adam Tanner. Born at Innsbruck, 1572, he taught in Ingolstadt, Munich, Vienna and Prague. His "*Theologia Scholastica*" appeared in 1624. In treating of the angels in the first volume he mentions witches. He asks: what is to be thought of "witch sabbaths?" He adduces two opinions; the one, that witches could not ride out at all; the other, "the common and true opinion of Catholic theologians," that witches were sometimes carried by the devil to nightly meetings. But against Delrio Tanner holds that women, who say or believe that they have been taken to witch sabbaths, suffer in most cases from illusions. He proves this especially from the fact that such women pretend to have been changed into cats, mice, birds. "This is evidently absurd, as neither angel nor devil could transform man into an animal."<sup>63</sup>

Tanner treats more fully of witchcraft in the third volume. He warns emphatically against the hasty and uncritical proceedings manifested in trials. He firmly maintains the falseness of the objection advanced by several theologians, especially Binsfeld and Delrio, that God would not permit the condemnation of innocent persons. He attacks in several paragraphs the dangerous practice of accepting the confessions of tortured witches as grounds for indicting those whose names were thus revealed. Here again he vigorously assails Binsfeld, Delrio, Gregory de Valentia and others, and says that this pernicious practice caused many innocent persons to be tortured and condemned. "For it is morally certain that, under the agony of the torture, the accused say anything to be relieved from their frightful sufferings."<sup>64</sup> Tanner does not deny the existence of witchcraft in some cases, nor does he condemn the witch trials as such. But he condemned the trials as they were conducted, and he demanded so many modifications and so much caution, that, if his

<sup>62</sup> See Diefenbach, p. 35.

<sup>63</sup> Duhr, "Stellung," pp. 45-47.

<sup>64</sup> See Duhr, *l. c.* 47-53.



principles had been followed, few, if any, witches would have been burned. He demands that penitent witches should not be burnt, but receive ecclesiastical penances, like those imposed in the early Church; he advises all to have recourse rather to spiritual weapons: profession of faith, prayers, good education of children, Christian instruction by sermons and catechism, suppression of cursing and bad talk, etc. By such means, he says, witchcraft could be extirpated much more effectively than by trials. It would be unfair to blame Tanner for not having absolutely condemned trials for witchcraft.<sup>65</sup> On the contrary, we must admire him for daring to advocate such moderation against so many theologians and jurists. Binsfeld, Delrio, Carpzov (the famous Protestant jurist in Saxony) and others declared such advocates of leniency suspect of witchcraft. Indeed Father Spe writes that two inquisitors of a powerful Prince threatened to place Tanner on the rack if they should lay hold of him.<sup>66</sup>

Tanner was considered by the Jesuits as "one of their best and most pious theologians. None of his brethren opposed his work."<sup>67</sup> Undoubtedly his views exercised a most salutary influence on the Jesuits who came in contact with the author or his book.

This influence was soon noticed in the work of another German Jesuit, Paul Laymann, a distinguished writer on moral theology.

Laymann, like Tanner, did not deny witchcraft, nor did he absolutely condemn the trials, but he said much to prevent judicial murders. He refutes especially Binsfeld's theory that the denunciation by several witches proved the guilt of the accused. "It is never lawful," he writes, "to put a person to death for having been denounced by others, no matter how many they are who make the denunciations. This principle can be proved by a double argument: First, witches who have confessed their own guilt are for this very reason unworthy of being believed; besides the hatred they bear to others invalidates their deposition. Secondly, though the depositions of several witches may all point to the same person, they are usually not at one as regards the circumstances. Consequently their denunciations do not create an adequate certitude, one that is clearer than daylight, as is required for a judicial condemnation to death."<sup>68</sup> The judges of the time hardly ever admitted a retraction after a

<sup>65</sup> We find that the greatest men of the time could not rid themselves of these opinions. Thus the great Astronomer Kepler, a Protestant, who only with the greatest efforts saved his own mother from the torture and the stake (1615), writes in the strongest terms against the cruelty of the witch trials, and yet he expressly admits that witches can cause preternaturally diseases, etc. Janssen-Pastor, VIII., p. 668.

<sup>66</sup> "Cautio criminalis, dubia," 9 and 18. Duhr, "Spe," p. 73. Janssen-Pastor, VIII., p. 657.

<sup>67</sup> Janssen-Pastor, VIII., p. 659.

<sup>68</sup> "Theologia Moralis," lib. iii., tract. vi., cap. v., sec. I. "De Sagis;" quaestio duodecima; "Dico III."

denunciation had been wrung from the witches by torture. Laymann is altogether against this practice. "When a witch asserts that, from hatred or from fear of torture, she has denounced innocent persons, the confessor must tell her that she is under the gravest obligation to retract her false denunciation before the judge, although she may fear to be tortured again on account of her inconstancy. However, she must not be urged to retract if there is no hope that the judge will believe her retraction. For ordinarily the judges do not listen to any such retraction. As to the question whether the judge is bound to consider these retractions, Binsfeld, Delrio and the majority of authors answer in the negative. They say such a retraction, made outside of court, cannot invalidate the solemn denunciation made under torture and confirmed before the judge and a notary. Against this line of argument I say: Either you believe that the retraction is true or not. If the retraction is true, the denunciation must be false. If you do not believe that the retraction is true, you must admit the great inconstancy and levity of the woman who, at the very point of death, dares to lie in so important a matter. Therefore, besides being a witch she is a convicted liar and perjurer; hence she does not deserve to be believed."<sup>69</sup> Laymann reprehends the judges for committing witches to the torture, as soon as they are arrested; "for then they are much frightened and almost despairing, so that they are inclined to confess a crime which they have not committed, in order to escape by death the ignominy and misery into which they have fallen." Further, "a confession made after the judge threatens with torture, or has applied it, must be considered null. A denunciation is valid only if made voluntarily, without any fear of torture. If the accused has freely denounced any one, she is to be tortured to see whether she confirms the denunciation."<sup>70</sup> If this course had been followed, instead of the opposite, very few witches would have been denounced and burnt. Laymann says also that "it is a Christian custom to put a bag of powder around the breast of the condemned when they are burnt, that thus they may not be tormented too long and without any relief."<sup>71</sup>

In many other passages Laymann argues with Tanner against Binsfeld and Delrio, and pleads for a milder treatment. Wherever he upholds what to us appears shocking, he follows these two authors and the writers of the *Malleus maleficarum*. In one passage he earnestly exhorts the judges to use all caution lest any innocent person be condemned. "It is better to let go unpunished some who are guilty than to condemn unjustly any who are inno-

<sup>69</sup> Ibid, quaestio iii., n. 24-26.

<sup>70</sup> Ibid., qu. xi., n. 48.

<sup>71</sup> Ibid, qu. xiv., n. 59.



cent. Hence Christ said: 'Let the cockle grow with the wheat, lest perhaps gathering up the cockle, you root up the wheat also together with it.'<sup>72</sup> From these and many similar passages in Laymann's work it appears that Professor Riezler is not justified when he says: "This Munich Jesuit does not deserve the honorable place among the opponents of witch prosecution which superficial knowledge has assigned him. . . . Where Laymann expresses his own opinions—in the first two editions of his 'Theologia Moralis' and in his 'Juridicus Processus Contra Sagas et Veneficos'—he adopts, on the whole, the prevailing abominable system, and, in doubtful cases, inclines even towards the severer view."<sup>73</sup> It is true, he accepted in great part the prevailing system, but even in the first two editions of his "Theologia Moralis" he considerably modified it, and went still further in those which followed.

It is not true, however, that, in disputed cases, he inclined towards the severer view; the very opposite is true. Besides, Professor Riezler's charge rests on a false supposition, viz., that Laymann is the author of the "Juridicus Processus Contra Sagas." This "Juridicus Processus" furnished indeed arguments against Laymann, until a few months ago this difficulty was solved by Father Duhr in an unexpected manner. In the year 1629 Laymann published the third edition of his "Theologia Moralis," in which he requires caution in the trials even more emphatically than in the first two editions. But in the same year appeared a work in Aschaffenburg, by Quirin Botzer, whose full title was "Tractatus Novus de Processu Contra Sagas et Veneficos," that is: A juridical process against witches and sorcerers, with great diligence and solid arguments composed in the Latin language by Father Paul Laymann, Theologian of the Society of Jesus and Doctor of Canon Law. Now rendered into German for the benefit of judges, also *augmented* by stories and other material, and *divided* under sundry titles." In the same year another edition of this work was printed at Cologne, which differs from the Aschaffenburg edition only by the first words of the title: "Juridicus Processus" instead of "Tractatus Novus de Processu Juridico." Indeed in this work the severer views are advocated throughout, the value and necessity of torture are insisted on, and Tanner's appeals for leniency are combated.

Father Duhr points out the *intrinsic* contradictions between this work and the "Theologia Moralis" of Laymann, even in its first and second edition, and much more in the third. Is it not altogether unintelligible, nay, a monstrosity, to think that a man of known honesty published two works in the same year, advocating in one leniency against the prevailing practices, and in the other urging the

pernicious practices which he had condemned in the first? Besides, the Latin original of which the "Juridicus Processus" is supposed to be a translation has never been found. Further, the work is, according to the title, *augmented* and *divided under sundry titles* in the translation. But it is not even suggested that translation, additions and division are Laymann's work. From these and other reasons Father Duhr concluded that Laymann could not be the author of the "Processus Juridicus Contra Sagas," although all the Bibliographies of the Society, also that of Sommervogel, ascribe it to him. Careful research brought forth weighty *extrinsic* reasons which corroborate this conjecture.<sup>74</sup> Professor Riezler then attacked Father Duhr and said that all his objections against Laymann's authorship of the "Processus" were insignificant. ("Hist. Zeitsch., 1900, p. 256.) Still a striking discovery proved the correctness of Father Duhr's position.

Father Duhr had conjectured that a second edition of the "Processus" existed, probably without the name of Laymann. Many libraries were searched, especially those of Berlin and Munich. At last a copy was found in the City Library of Mentz. It is of the very year 1629, published by the same Quirin Botzer, and is called the "Posterior et Correctior Editio." What is most remarkable is the fact that the *whole correction consists in the omission of Father Laymann's name*, both on the title page and in the dedication. The first edition says: "Carefully and diligently written in Latin through P. Paulum Laymann, Societatis Jesu Theologum et Juris Canonici Doctorem." This is left out in the second edition. Consequently Father Duhr concluded: 1. Father Laymann never wrote a Latin work, "Processus Juridicus Contra Sagas." 2. The German work under that title was not written by Laymann, but by some other author, who frequently quotes Laymann's authority. 3. The publisher used Laymann's name as an advertisement, as he was the most renowned writer on Moral Theology at the time. Against these conclusions Professor Riezler argued negatively: "If this had been the case, Father Laymann would have protested against this abuse of his name either in the later editions of his 'Theologia Moralis' or somewhere else." Such a negative argument holds good only if we possess all the relative documents, especially all the letters on the subject. But something must have happened shortly after the publication of the first edition; for the second edition appears in the same year by the same publisher as "Editio Correctior," omitting merely the name of Father Laymann as author. The publisher would not have taken this step except for most weighty reasons, as the name of the distinguished theologian was the best recommenda-

<sup>72</sup> Ibid., qu. xiii., n. 56.

<sup>73</sup> "Hist. Zeitschrift," l. c., p. 251.

<sup>74</sup> See Duhr, "Stellung," pp. 56-59, and "Innsbrucker Theologische Zeitschrift," 1900, pp. 585 foll.



tion of the book. What is more natural than the conclusion that the protest of Father Laymann, or of his friends, was the reason for dropping the name and putting an end to the fraud?<sup>75</sup>

In the meantime the author of the book seems to have been found. Professor Binz publishes a notice in the "Historische Zeitschrift" (1900, vol. 85, pp. 291 foll) that, according to the "Bibliotheca Coloniensis" (1747) of the Jesuit Hartzheim (p. 182), the "Processus Juridicus" was published "anonymously by Dr. Jordanaeus, Canon and Pastor in Bonn, by order of the Prince-Archbishop, at Cologne, 1629." Based on these facts, Father Duhr's latest conclusions are: 1. A Latin edition of the "Processus Juridicus" never existed. 2. The German book under that title must definitely be struck from the list of Laymann's works.<sup>76</sup>

Professor Binz, assuming Laymann's authorship of the "Processus" wrote in 1885 and 1896: "Laymann cannot be reckoned among the few that had more enlightened views about witch prosecution. His merit is only to have strenuously advocated caution. But even this means something in the century of Carpozovs."<sup>77</sup> As the "Processus" can no longer be attributed to Laymann, he now undoubtedly ranks higher amongst the opponents of witch prosecution.

#### VII. THE CAUTIO CRIMINALIS OF FREDERICK SPE.

In the year 1631, at the time when the persecution had reached its height, a little book of four hundred pages appeared under the title: "Cautio Criminalis, seu de Processibus Contra Sagas Liber: Caution in criminal processes, or a book on witch trials, at this time necessary for the magistrates of Germany, and most useful for counsellors and confessors of princes, inquisitors, judges, lawyers, confessors of the accused, preachers and others. Written by an unknown Roman Theologian." The author was the Jesuit Frederick Spe, a distinguished German poet, but much more famous as the brave opponent of witch prosecution. In order to appreciate this work, we must briefly sketch the author's life.

Frederick Spe (or Spee) von Langenfeld<sup>78</sup> was born 1591 at Kaiserswerth, near Düsseldorf, Rhineland. He was the scion of an

<sup>75</sup> "Innsbrucker Theolog. Zeitschrift," 1901, p. 168.

<sup>76</sup> "Innsbr. Theol. Zeitsch.," 1901, p. 168.

<sup>77</sup> Duhr, "Stellung," p. 59, note 4. The Lutheran Carpozov, called the "lawgiver of Saxony" (1666), declared that not only witchcraft, but the denial of the reality of diabolical facts should be severely punished. It is said that he pronounced twenty thousand death sentences in witch trials. Although there is no foundation for this assertion, it is certain that he sentenced a very great number. His juridical works exerted a far-reaching influence. The biographer of Carpozov says of those who blame the famous jurist for his severity: "The critics that judge from the viewpoint of modern ideas do not apply a fair criticism." (See Duhr, "Stellung," p. 21, note 2.) Should not men like Soldan, Riezler, Hansen and others, who censure the theologians so severely, have remembered this principle and applied it to the theologians as well as to the jurists?

<sup>78</sup> Duhr, "Spe," pp. 3 foll.

old noble family, of which one branch survives in the Counts von Spee. Twelve or thirteen years old, Frederick was sent to the Jesuit College at Cologne. After having completed the course, he entered the Society of Jesus, 1610, nearly twenty years of age. The motive of this step is expressed in a letter to Father Mutius Vitelleschi, General of the Society. In touching terms he explains his desire to go on foreign missions: "From early childhood a secret fire consumes me, which, in spite of all attempts to smother it, breaks forth again and again: India has wounded my heart. In my boyish games this thought occupied my mind; my parents sought in vain to divert me from it. This thought, and hardly anything else, has led me to this Society. . . . On my knees I write this letter, begging, for the love of Christ, to be sent to the place where my heart is; but only, if it be the will of God, which I seek to fulfil with such burning love that I cannot imagine anything so hard, so low, so painful, which I am not willing to bear under His guidance." Another mission awaited him, in which pain and suffering should not be wanting.

Spe was a novice of the Society at Treves, 1611-1612, studied philosophy at Würzburg 1613-15, then taught four years in Jesuit colleges. In 1620 he went to the University of Mentz to study theology. His zeal could not be satisfied with this study and he began to write, but the General of the Society advised him to postpone the publication of these works. After his studies Spe taught Moral Theology at Paderborn, Cologne and Treves.<sup>79</sup> From Paderborn complaints were repeatedly sent to Rome against Spe, and in 1631, in the middle of the scholastic year, he was deposed from his office by the rector of the college, without sufficient investigation into his conduct.<sup>80</sup> Spe complained to the General, and it seems that nothing of importance could be found against him, as the general wrote to Spe: "I think you have been unjustly denounced to superiors." It was, however, not the last difficulty Spe was to find within his own order. That misunderstandings happen also among men of the same religious order cannot surprise any one who has a knowledge of human nature. "It is especially the lot of sharply marked characters to offend others and to be misunderstood, particularly by such as, caring more for smaller concerns and trifles, easily lose sight of higher viewpoints."<sup>81</sup> Father Reiffenberg, who

<sup>79</sup> His lectures on moral theology were kept for some time in manuscript, but are now lost. They are embodied in the famous work of Father Busenbaum (1638), who says in the introduction to his "Medulla Theologiae Moralis": "I have followed the most approved authors, eminent among whom are Hermann Nuning and Frederick Spe, to whom I owe very much." Thus Spe's notes are indirectly a source for St. Alphonsus and most modern moralists. See Father Blötzer, S. J., on Frederick Spe; in "Wetzer and Welte's Kirchenlexikon" (2 ed.), Vol. XI., 577.

<sup>80</sup> Duhr, "Spe," pp. 24 foll.

<sup>81</sup> Duhr, "Spe," p. 28.



wrote a history of the province to which Spe belonged, says that "through God's permission Spe had always superiors, whose opinions differed from his, who censured many of his doings and never allowed him to make the Profession."<sup>82</sup> He experienced, like St. Francis Regis, that such struggles are the most difficult of all."

From 1632-35 Spe was Professor of Moral Theology at Treves. Here he had begun his life as a religious, here he was also to end it. It was during the Thirty Years' War, the period of greatest humiliation for Germany, that the Archbishop-Elector of Treves had treacherously surrendered the city and the Electorate to France, and nominated Cardinal Richelieu as Coadjutor and successor in the Electorship. The Imperial army entered Treves, a fierce battle ensued in the streets of the city. Spe hastened to the scene, administered the sacraments to the dying, carried the wounded on his shoulders to places of safety, dressed their wounds, begged alms for the captured soldiers and secured liberty for many of them. Then a pestilential fever broke out in the city. Spe was indefatigable in the service of the sick and dying, brought them food and carried water from the public fountains to the hospitals and the houses of the sick. No hovel was too wretched, no sick room too revolting, no prison too gloomy for him; neither filth nor danger of infection could deter him from assisting the poor and the sick in their spiritual and bodily wants. At last he was seized by the fever, and died August 7, 1635, a victim of his zeal and charity. He was buried in the "Jesuit Church," where the place is marked with the humble inscription: "Here lies Frederick Spe."

German literature owes to Spe one of the best poetical productions of the seventeenth century. His little volume of poems, "Trutz-Nachtigall," "Dare Nightingale,"<sup>83</sup> contains many exquisite songs full of warmth, sweetness, power and devotion. Its great merits are admitted by competent critics of the most different schools, Protestants as well as Catholics.<sup>84</sup> Another little prose work has met with great praise, "Virtue's Golden Book" (*Güldenes Tugendbuch*). It is a devotional work which gives instructions on "Faith, Hope and Charity, the essence of perfection." It breathes a spirit of faith, a burning love for God and man, which can only come from a heart deeply imbued with the principles of Christianity. No less a man than the great Protestant Leibniz was an enthusiastic admirer of this little work. He writes: "It is a wholly divine book (*liber plane divinus*), and I wish it were in the hands of all Christians. In my opinion it is one of the most solid and most touching devotional books ever written."<sup>85</sup> In this beautiful little work Spe

<sup>82</sup> The last solemn vows of the Jesuit.

<sup>83</sup> Spe explains this title by saying that his book "sings sweetly as a nightingale."

<sup>84</sup> See Duhr, "Spe," pp. 38-56.

<sup>85</sup> Duhr, "Spe," pp. 30-31.

gives expression to his compassion for the poor victims of witch persecution. He describes vividly the torments of the innocent persons, and then addresses to his soul the question, whether it be not willing to render them consolation and assistance. The answer is: "Certainly, most certainly. God knows how grieved I am for not being able to help them. Methinks I would fain kneel down and offer mine own head to be struck off, if therewith I could save them. Oh my most merciful Lord! how canst Thou suffer that Thy creatures are thus tormented? I implore Thee through Thy holy blood which flowed in Thy tender body, come and help all the innocent and oppressed, that they may not despair. Enlighten those placed in power that they may diligently see how they judge, and that justice be not turned into cruelty and ungodliness. Would that I were able to go around to all creatures and visit the poor prisoners! Oh my God! how I should like to do this and to comfort all heartily, to encourage them, and to render them all service and love for the sake of Christ my Lord!"<sup>86</sup> These were the sentiments which prompted Spe to write the "Cautio Criminalis."

A man, burning with such heroic love for his fellow-men, must have been deeply moved at the horrors of witch persecution. At Paderborn, perhaps for a short time also at Würzburg and in other places, Spe had heard the confessions of witches and accompanied them to the stake.<sup>87</sup>

In his "Cautio"<sup>88</sup> he says: "I assert and confirm under oath that I never found one of the accused guilty; the same I have heard from two other theologians; and yet I have taken all possible pains to ascertain the truth." Leibniz writes in a letter that one day (probably in the year 1627), Philip von Schönborn, Canon at Würzburg, later on Bishop of that city, asked Spe why his hair had turned gray before the time. The father replied: "It comes from the witches whom I have accompanied to the stake." When Schönborn expressed his surprise at this answer, Spe explained: "In spite of all investigations I could not find that one of them was guilty. I possessed their perfect confidence, and all complained with heart-rending sobs about the wickedness and injustice of the judges, and in their last needs they called on God as witness of their innocence. This frightful, oft-repeated spectacle has so shocked me that I have become prematurely gray."<sup>89</sup>

The "Cautio" contains fifty-one *Dubia* or questions. He answers them by referring frequently to Tanner's opinions, and very often

<sup>86</sup> Duhr, "Spe," p. 125.

<sup>87</sup> In most historical works it is said that Spe acted as confessor of the witches chiefly at Würzburg. But this is hardly possible, for as priest he spent only a very short time at Würzburg. See Duhr, "Spe," pp. 21 and 57.

<sup>88</sup> "Dubium," 30.

<sup>89</sup> Duhr, "Spe," p. 21.



argues against Binsfeld and Delrio. We can call attention only to a few of the more characteristic questions.<sup>90</sup>

*Dubium 7.* Can witchcraft be extirpated by severe measures? I answer: No. The princes never will come to an end, unless they burn everything. If the mild measures of the Jesuit theologian Tanner were adopted, the princes would gain their object.

*Dubium 8.* What caution is to be taken in witch trials? These trials demand exceptionally great caution, conscientiousness and prudence, because once the prosecutions are begun, they increase the number of the accused without end. The execution of so many innocent persons is a disgrace not only to noble families, as Tanner has well remarked, but to the Catholic religion, which is belittled by its opponents, if even men, distinguished for their piety, are swept away by that torrent. I have heard that in some places one is suspected if he says the rosary more devoutly, prays more fervently in church and manifests other signs of devotion. It is said they perform such works of piety because they are tormented by the devil. Thus it has come about that in the dominion of a certain prince every one avoids carefully all appearance of piety. Priests, who formerly used to say Mass daily, now omit it altogether, or celebrate secretly, lest the people denounce them as suspect of witchcraft. In some places the jurists and lay inquisitors who conduct the witch trials receive a certain sum of money, four or five *thaler* (dollars), for every guilty person. How easily can justice be violated on account of avarice!

*Dubium 9.* Do princes escape the responsibility by leaving all care to the officials? Not at all; for princes cannot always rely on the knowledge and conscientiousness of their officials. The princes take personal care of financial affairs, of hawking and hunting. They are certainly not excused, if they do not personally examine cases in which the lives of men are at stake. If the princes saw the wretched condition of the accused, if they beheld with their own eyes the barbarous cruelty of the torture, there would soon be fewer witches. The princes do not hear the truth from their officials, as these are interested in the prosecution. In some places they banquet together with the confessors who also receive a sum of money for each condemned person. Other people will not tell the princes the truth, for they would immediately be suspected as patrons and protectors of witchcraft. I remind the reader only of Father Tanner. His prudent and reasonable warnings were a sufficient evidence for certain inquisitors and jurists to threaten so great a theologian with torture. Even confessors of princes are either not allowed or do not care to warn their penitents. Three times I have

<sup>90</sup> The following summary is taken from Father Duhr's biography of "Spe," pp. 68-114.

taken the pen in my hand to utter an emphatic protest; three times I dropped it, for what business is it of mine? But woe, that so many others whose business it is, are silent.

*Dubium 11.* Is it credible that God has permitted innocent persons to be condemned? Against Binsfeld and Delrio I answer with Tanner and other learned and pious men: there is no doubt that God has allowed it. My own experience proves it. I have heard confessions of witches in various places and not even found one who was guilty. As I could not go against the courts, it is easy to imagine how I felt at seeing these innocent persons die. Also for other reasons it is certain that many innocent people were burnt, on account of the imprudence or wickedness of the judges, the cruel application of the torture, the inane evidences, etc.; and in spite of all this we are to believe with Delrio that God will soon reveal the innocence of any one who has been condemned unjustly? True enough, He reveals their innocence, but after they have been burnt to ashes!

*Dubium 12.* Trials in which there is any danger for innocent persons are to be stopped.

*Dubium 13.* I repeat with Tanner Christ's parable: "Let the cockle grow," etc.

*Dubium 17.* Is a defense to be allowed? I am ashamed of putting the question, but I am forced to do so. The answer is evidently affirmative, as natural law and reason give every one the right of defense, and this the more, the greater the crime of which one is accused. How many innocent people have been executed, because no opportunity for defense was given them!

*Dubium 15.* Who are they that urge the authorities to persecute witches? Answer as above (p. 478).

*Dubium 16.* How can injustice be prevented? Above all by appointing learned, prudent, upright judges, who not only look at the letter of the law, but follow reason, and in doubtful cases, always decide in favor of the accused. But now the judges presuppose the guilt of the accused and try to prove it by right or wrong means. Besides no extra fee is to be given to the judges, and the property of the accused must not be confiscated by the princes. Now the saying is: "The easiest means of becoming rich is the burning of witches." Further, as the Caroline Code is not satisfactory, a new Imperial Law must be made which leaves as little as possible to the discretion of the judges. For the drawing up of this law not only jurists are to be consulted, but also theologians and physicians.<sup>91</sup>

<sup>91</sup> This is one of the most remarkable and most enlightened demands of Father Spe. We know now that some strange phenomena which in former ages were ascribed to diabolical influence, are really the effect of bodily or mental diseases. It seems as though Father Spe precluded what only in recent times has received due attention: "Pastoral Medicine" and "Legal and Pastoral Psychiatry." At all events, there can be no doubt that this man was far ahead of his age.



. . . If this is not done, nothing is left but to abolish the trials altogether, on account of the many innocent persons whose blood cries to heaven. A last means is the punishment of unjust judges.

*Dubium 18.* Therefore defense is not only to be granted but to be facilitated in every manner. But what is done? Not long ago a priest showed the judges from the minutes of the trials the injustice of their proceedings. The consequence was that the accused were executed, and the priest was once for all forbidden to enter a prison. The same is said to have happened to several other priests. If one dares to admonish the judges, he is suspected himself. For this reason I do not publish this work which I have written long ago, but give it only to a few friends; however, they must conceal my name; for the example of Tanner, whose worthy and prudent treatise has enraged so many, terrifies me. A trial without defense is null, and judges and princes are bound to make restitution for the damage done. Also councillors and confessors who fail to give warning of this duty are guilty.

*Dubium 19.* Priests should not press the accused to make confession of their guilt. I hear some ignorant, imprudent, indiscreet priests do so. What a responsibility, not only for such priests, but also for those who commission them with this dangerous office of hearing the confessions of witches. Lately at a banquet, a famous jurist praised a priest (who had accompanied to the stake nearly 200 witches) for having obtained from all accused persons the promise that they would acknowledge everything in confession that they had stated on the rack, as otherwise he would not hear their confession, and they would have to die like dogs, without the sacraments. Thus many persons were compelled to utter falsehoods even in confession. A worthy pair united, such a judge and such a priest! When I went to the prison I remembered the words which Father Tanner quotes from Ecclesiastes (iv., 1): "I turned myself to other things and I saw the oppressions that are done under the sun, and the tears of the innocent, and they had no comforter; and they were not able to resist their violence, being destitute of help from any. And I praise the dead rather than the living."

*Dubium 20.* What is to be thought of the torture? It is evidently a frequent danger for the innocent and fills our land with witches. (Spe then describes the frightful cruelties, practised in violation of the laws of Pope Paul III.) The torments are so great that the accused rather acknowledge any crimes than suffer longer. Recently a religious asked some jurists how a person innocently accused could save himself? They gave an evasive answer, but pressed hard by the religious, they finally said "they would think it over." Thus, the judges who lighted so many pyres do not know how an innocent

person could save himself. The authorities do not know. Oh, the blindness of the wise! But they sit snugly at home and philosophize about torture. If they were tortured for only a few minutes, they would stop philosophizing childishly about matters of which they know nothing. I agree with a friend of mine, a man of high rank, who repeatedly uttered this jest: "Why do we seek so anxiously for witches? Ye judges, put the Capuchins, the Jesuits and other religious on the rack; they will confess. Do you want more? Torture the prelates, the canons, the doctors; they will confess. For how could these poor delicate persons persist in denying! If you want still more, I will torture you, and you afterwards shall torture me; we all shall be witches."

*Dubium 28.* The torture is to be abolished, or is to be changed, in such manner that, with moral certitude, all dangers for the innocent are prevented.

*Dubium 29.* The confessions made under torture are invalid. I scorn the silly arguments brought forward for the opposite opinion. This is a matter of conscience for princes, their councillors and confessors. Human blood is not to be trifled with and human heads are no playthings, like balls which may be tossed about at pleasure. If before the eternal judge an account must be given for every idle word, how about the account for human blood? "Charity presses me," and burns within me to oppose with all zeal the burning of witches.

*Dubium 30.* Special caution is necessary in confession. To confessors I say: Be kind, charitable—the hangman's work is not yours.

*Dubium 35.* The authorities must severely punish such as denounce innocent persons.

*Dubium 39.* One who persistently denies guilt cannot be condemned. Unfortunately the contrary is most commonly done.

*Dubium 43.* "Witch marks" are no proof. I did not see any and do not believe in them, and deplore the shameful credulity of so many distinguished men in this regard.

*Dubium 44.* Against Binsfeld and Delrio I maintain that no denunciation of witches warrants the arrest or torture of the denounced, no matter how many have made the denunciation.

*Dubium 51.* The superstition, envy, calumny that exist among the Germans, and especially—I am ashamed to confess it—among the Catholics, are incredible. These vices create the suspicion of witchcraft. . . . Unexperienced, impetuous priests are sent to the prisons, who harass the accused until they confess themselves guilty. The judges are most diligent in preventing more discreet and more learned priests from visiting the victims, as they fear nothing more



than that such priests should make revelations in favor of the innocence of the accused. For *this reason men whom the whole world charges with the education of children, and to whom princes themselves entrust the care of their consciences, are prevented by the inquisitors of the same princes from directing the consciences of the accused.* Nay, such inquisitors said recently that these men should be banished from Germany, as disturbers of justice." These men are evidently the Jesuits; for at the time they had in their hands the education of youth nearly in the whole Catholic world, and many confessors of princes were Jesuits. Professor Riezler<sup>92</sup> admits that "the Jesuits are meant, in the first place Spe himself, and perhaps one or other of his brethren, at any rate only a few." The whole passage in its obvious sense points to the fact that more than "a few" must have shared the views of Spe. Spe concludes his book with these words:

"I cannot say more for grief and sorrow; I cannot publish this little book, nor translate it into German, which would not be without great benefit. Perhaps others will do this from love of their country and the innocent."<sup>93</sup> One thing I ask of all educated, pious, prudent critics, and I ask it by the judgment seat of the Almighty God, to read carefully and ponder over these lines: All magistrates and princes are in great danger of eternal perdition, if they do not turn their closest attention to this matter. They should not wonder that at times my warnings sound vehement. I do not wish to be one of those whom the prophet styles "dumb watch-dogs that do not bark."

May the authorities take care of themselves and the whole flock for which God will one day call them to account."

In an appendix the author draws a comparison between the Christians burned under Nero and the victims of witch persecutions. In both cases there were horrible accusations and frightful tortures, and yet it is certain that the Christians were innocent; the Catholic Church honors them as martyrs. The application to the witch trials is self-evident. These are the scanty outlines of a work which has been called "one of the most meritorious that ever appeared in Germany." Protestant critics are at one with Catholics in praising the work. Even Soldan-Heppe writes: "Under Spe's hands the belief in witchcraft dwindles down into so small dimensions and the trials are so thoroughly transformed that, if his principles had been followed, Germany would hardly ever have seen a single witch burnt."<sup>94</sup> The Protestant jurist Christian Thomasius (1728), who seventy years after Spe opposed the prosecution of witches, praised it most highly. Among other things he says: "Spe sets forth so clearly the injus-

<sup>92</sup> "Hist. Zeitschr.," 1900, p. 251.

<sup>93</sup> A German translation appeared 1649; Leibniz says "the 'Cautio' was translated into many languages." Sommervogel mentions French, Dutch and Polish translations.

<sup>94</sup> Duhr, "Stellung," p. 20.

tice of witch prosecutions that he justly puts to the blush those Evangelicals who defend these trials." Leibniz, too, speaks in high terms of the book, and the Protestant theologian David Hauber, in 1741, calls it "a work, used by Divine Providence to put an end to witch trials."<sup>95</sup> A modern Protestant critic (Professor Binz) says: "Spe cries out to the world with the voice of a prophet of old who reproaches the people of Israel for its abominable sin, and with the deep emotion of a man who has seen personally, day after day, all the terrors and abominations."<sup>96</sup> "It is a book," says Dr. Cardauns, "in which the highest literary gifts, the fulness of Christian charity and the whole power of his moral energy unite in a soul-stirring harmony; it is the triumph of reason and humanity over superstition and brutality, the monument which he has erected for himself, around which to-day mankind stands in gratitude, not excepting those even to whom his creed is a folly and his religious garb a scandal."<sup>97</sup>

How was the book received by Spe's brethren, the Jesuits? Here arises a great difficulty. The book appeared without the approbation of the superiors and without Spe's name. Professor Riezler writes: "The merit of the noble Jesuit Spe is indisputable, but it is altogether individual and in no way to be attributed to the order, as Spe, owing to the spirit prevailing in the order, saw himself obliged to publish the work anonymously."<sup>98</sup> Professor Riezler has overlooked several circumstances. Spe attacked most vigorously the credulity of his contemporaries, especially of pious men, priests and theologians; he assails the opinions and arguments of the distinguished Jesuits Gregory de Valentia and Delrio; he fearlessly exposes the injustice of princes, magistrates, judges and of the confessors of the princes. Now many of these confessors were Jesuits. Can we wonder that some of these Jesuits, as also such theologians as held the opinions of Delrio and Valentia, turned against Spe? One theologian, Peter Roestius, a Jesuit at Cologne, censured the book severely and threatened to have it put on the *Index of Forbidden Books*. On June 19, 1603, Father Vitelleschi, General of the Society, writes to Spe "he should not worry about the censures of Father Roestius, for his book would not meet the fate which that Father intended for it." And on June 22, of the same year, the General wrote to the Provincial: "I hear that Father Roestius causes Father Spe some trouble by too severe criticisms of his book, and that he even threatens to have the book put on the *Index*. As such behavior is against religious charity, I beg your Reverence to ad-

<sup>95</sup> Duhr, "Spe," p. 122.

<sup>96</sup> *Ib.*, p. 123-124.

<sup>97</sup> Quoted by Duhr, "Spe," p. 68.

<sup>98</sup> "Hist. Zeitschr.," 1900, p. 250.



monish Father Roestius to desist from censuring the book and from molesting Father Spe any further."<sup>99</sup>

These letters prove that the General was not opposed to the character of the book. But new and bitter complaints were soon made against Father Spe, so that the General on August 28, 1632, wrote to Father Goswin Nickel, at that time Provincial, to dismiss Father Spe from the Society, unless he had taken his last vows in the meantime. If it was not advisable to dismiss him, the Provincial should see how the storm of opposition which threatened on account of his book, could be met. Father Nickel was opposed to Spe's dismissal. In 1634 the General expresses his delight that Father Spe is in the best disposition and determined to be faithful to the Society and its constitutions. That there were Jesuits who from the very first spoke favorably of Father Spe's work is evident from the Annals of Father Turck, rector of the College at Treves (1669). He writes *ad annum* 1630: "Whilst others urged to greater hatred against witches, Frederick Spe, a priest of the Society, distinguished for piety, learning and nobility of birth, advocated milder measures by publishing a most useful book, the 'Cautio Criminalis,' which was received with great applause by many. Although the tyrannical judges violently opposed these warnings, the book brought it about that in many places a milder and more cautious course was adopted."<sup>100</sup>

On the other hand, it is easy to explain the anxiety of the Jesuit superiors about the effect of the book. Great difficulties were likely to arise from it for the whole order, because Spe had unsparingly attacked judges and princes. It is known that some of the jurists, even before the publication of this work had demanded the expulsion of the order from Germany, for "protecting the witches." Of the princes who were most zealous in the witch persecution, not a few were protectors and benefactors of Jesuit colleges. The Society had to expect their wrath, if a member of the order censured them so severely. For this reason Spe could not publish the work under his name. Besides he was deterred from doing so by the example of Father Tanner, whom certain lay inquisitors had threatened with torture, and yet Spe's invectives against witch prosecution were far more scathing.

Spe had given his manuscript to friends, as he states in the "Cautio" (*Dubium* 18). Knowing the author's zeal to stop the crying injustice, these friends could conclude that the publication of the work would be welcome to him. Thus they put it in print. It is not certain whether Father Spe actually consented to this step. That he was suspected of having given his consent appears from a letter

<sup>99</sup> Letters (in Latin) from the Archive of the German Province, in the "Historisches Jahrbuch," 1900, pp. 344 foll.  
<sup>100</sup> Duhr, "Spe," p. 118.

of the General to the Provincial, Goswin Nickel, July 19, 1632. The General wants to know from Father Nickel "*quantum ipsius Patris Friderici in eo culpa deprehenderit*, how far he finds Father Spe guilty, for he seems to have acted surreptitiously, *aliquid dolo factum in eo negotio*." If this was the case, it was a serious transgression of the rule forbidding the publication of a book without the approbation of superiors. Father General calls it "a dangerous and bad example," *res pravi et periculosi exempli*. If Spe had connived at the publication, it was all the more aggravating in his case, as, owing to other previous complaints, his solemn profession had been postponed.

If for these reasons it is asserted that the book in no way does credit to the order, the precarious conditions which prevented the Society from openly endorsing Father Spe's views must be taken into consideration. It would have meant the suppression of many colleges and other persecutions. More than once the Jesuits had been publicly denounced as defenders of the witches and participants of their crimes. In 1599 the Protestant preacher Melchior Leonhard wrote: "The Jebusites [abusive appellation for Jesuits] often espouse the cause of the witches and demand mercy for this fiendish brood, for no other reason than that they themselves may not be summarily dealt with and handed over to the torture." And as early as 1575 another Protestant preacher, Seibert, had written: "The Jebusites practise dreadful sorcery, they anoint their pupils with secret salves of the devil, by which they so entice them that they do not want to be separated from these wizards and long to go back to them. Therefore the Jesuits must not only be expelled, but must be burnt as witches. Without this well-deserved punishment they cannot be gotten rid of. They are not only witches themselves, but teach witchcraft in their schools. The Jesuits use also certain secret charms to accelerate the progress of their pupils."<sup>101</sup>

All this explains fully the reserved and anxious attitude of the Society towards a publication of the character of the "Cautio Criminalis." In spite of this reserve we maintain that the Society justly claims for herself the man whom she educated from his twelfth year. Is it possible that he imbibed such humanitarian views if his whole surroundings were altogether in favor of witch persecution? Besides it is significant that the author to whom he refers almost continually for supporting his views is the Jesuit Tanner. Thus the Society may point to Spe's work as a full off-set for the deplorable blunders committed by Delrio and Gregory de Valentia.

One thing is beyond all doubt, that, considering the circumstances under which Spe wrote, we must admire not only his critical spirit,

<sup>101</sup> Janssen-Pastor, VIII., 650-652.



and his burning love for the persecuted victims of a sad superstition, but also his heroic courage. He evidently deserves a place among the great heroes and benefactors of mankind; and if he committed a fault by handing over the manuscript to friends, may we not call it a *felix culpa*?

#### VIII. ATTITUDE OF VARIOUS OTHER JESUITS.

Father Spe mentions repeatedly the confessors of princes, and that not in terms of praise. He censures them especially for being silent, for not warning the princes against the injustice of witch trials. He also reproaches preachers who urge princes to persecute the witches. Among these were some Jesuits, for instance, the Fathers Contzen and Drexelius. Father Adam Contzen, confessor to the Duke of Bavaria, wrote in 1628 a political romance, in which he advocates energetic proceedings against witches.<sup>102</sup> Similar opinions were held by Father Jeremias Drexelius, preacher at the court of Munich. He was a pious man, renowned as an ascetical writer, and Balde, the "Horace of Germany," celebrates him in one of his odes (I., XVI.). Drexelius treats of witchcraft in a place where one should hardly expect it. In a work on "Almsgiving," published in 1637, he enumerates the reasons for giving alms; one of them is that it "protects against witchcraft." On this occasion he writes: "Who could have the effrontery to accuse of error and injustice the judges who, with fire and sword, proceed against this pestilential crime of witchcraft? Nevertheless there are cold Christians, scarcely deserving of the name of Christians, who with might and main oppose the extirpation of this vice, lest perhaps, as they say, the innocent might be endangered. O ye enemies of Divine honor! Does not the Divine law expressly command 'Wizards thou shalt not suffer to live?' (Exodus xxii., 18). Here I cry as loud as I can, at the Divine bidding, that Bishops, Princes and Kings may hear it: 'Witches ye shall not suffer to live.' With fire and sword extirpate them. To you, Princes and Kings, the sword has been given, etc."<sup>103</sup>

Probably Drexelius had not read the "Cautio" of Spe. There he would have found himself faithfully depicted among the "holy and pious men who, carried away by zeal rather than by discretion, and, totally ignorant of the reality, deem it criminal to question the justice and honesty of the judges."<sup>104</sup> About the same time another Jesuit, Caspar Hell, opposed the Bishop of Eichstädt in his witch persecution. The Bishop was greatly vexed and complaints were

<sup>102</sup> Duhr, "Stellung," pp. 67-69.

<sup>103</sup> Duhr, "Stellung," pp. 67-71. In Janssen-Pastor, VIII., 653, it is stated: "The only German Jesuit who, as far as can be ascertained, urged the authorities on to witch persecution is George Scherer." It is now known that, aside from Delrio and Valentia, who were Spaniards, Contzen, Drexelius and another to be mentioned hereafter are guilty of having encouraged witch persecution.

<sup>104</sup> See above, pp. 478-479.

made in Rome. The General wrote to the provincial: "Silence Father Hell, lest the Bishop be more exasperated. However, some people are inclined to the other extreme, and meddle in witch trials; if there are any such among the Jesuits, command them to leave this whole affair to the prince and his officials." Father Hell's attitude was so little considered as a fault that a year later, in 1630, the General made him rector of the college at Amberg.<sup>105</sup> In 1656-7 a strange epidemic appeared in Paderborn. Some considered those attacked as witches, who should be burned. The Jesuit Löper thought they were possessed and exorcised many. But his proceedings, especially his mode of questioning, were not according to ecclesiastical practice. Protestants and Catholics alike wrote against Father Löper; at last the Bishop begged the General of the Society to remove him, which request was immediately complied with. Löper was a zealous, but very indiscreet and obstinate religious, who had the fixed idea that he was the chosen instrument of God to fight against the power of the devil. At last he published a book in his defense without the permission of superiors. The General of the Society ordered the Provincial to punish Father Löper and to suppress his book as far as possible.<sup>106</sup>

In the beginning of the eighteenth century there was a revival of witch persecution in several places. In Ermland the Jesuits opposed it in their sermons and were decried for their attitude, and at last forbidden to preach against witch trials.<sup>107</sup> Quite different from this manner of acting, a Jesuit saw fit to defend the witch trials some decades later. In 1749, a nun, sub-prioress of a convent near Würzburg, was beheaded and then burnt—for witchcraft it was said. The Protestant historian Menzel writes: "She was not quite guiltless, in as far as she had harassed her sisters with all sorts of phantoms, and besides, by strange potions, had reduced some to a state much like insanity. She was to all appearance a hysterical person."<sup>108</sup> After the execution the Jesuit George Gaar, at the bidding of the Prince Bishop of Würzburg, delivered a sermon, much like that of Father Scherer of 1583. All the old nonsense was again rehearsed; but Gaar's sermon is all the more unpardonable, as two centuries of discussion, and above all the work of his fellow-religious Spe, should have made him a little more critical. The Italian Tartarotti wrote a sarcastic criticism of the sermon and held it up to the ridicule which it deserved. Be it remarked that in the previous year, 1748, a Pro-

<sup>105</sup> Duhr, "Stellung," p. 72.

<sup>106</sup> See details by Duhr, "Stellung," pp. 78-84. The punishment inflicted on Father Löper is also a proof that the displeasure shown by the General at Spe's publication was not due to the character of the book, but to the fact of its having been published without the prescribed approbation.

<sup>107</sup> Duhr, 84-91.

<sup>108</sup> This incident, as well as the Paderborn affair, proves how wisely Father Spe had demanded that the physicians should be consulted.



testant Diaconus, Rinder, printed a sermon in which "he urged the necessity of burning witches" and "as a faithful Lutheran, rejected the milder practice advocated by the Jesuits."<sup>109</sup>

#### IX. CONCLUSION.

We have arrived at the end of our study. What have we found? We may sum up the evidence in the words of Father Duhr:

1. "From the beginning the Society rejected the occupation with the 'devil's mysticism' as something dangerous, which, at the same time, prevents more useful labors. This warning of Peter Faber is repeated by the Generals of the Society at different times.

2. "The Society as such took no definite attitude in this matter. The opinion that the Society, as a whole, opposed the witch trials is just as erroneous as the opposite assertion that the Jesuits as such generally urged on to the persecution. The Generals, far distant from the scene, received most contradictory informations; they heard how all secular and ecclesiastical princes proceeded against witches, and it was almost impossible to judge that this was all a most outrageous injustice. Thus they confined themselves to an attitude of neutrality.

"As regards the individual Jesuits, we find the greatest variety of opinions. Some were convinced of the injustice and warned against it; others considered it impossible that so many judicial murders could be committed, and saw in the frequency of condemnations a proof of the frightful extent of witchcraft; and so thought it their duty to raise their voice for the extirpation of the evil. Here we find writers against writers, preacher against preacher, approbation of books against approbation. As it is to the credit of the individual Jesuits, that they, in spite of the general superstition, recognized the injustice of the trials and had the courage to express their conviction, so all those deserved the gratitude of mankind who saved many of these poor women from death, or tried to alleviate the terrible lot of these victims by consoling words and self-sacrificing assistance."

It should be remembered that the Jesuits generally assisted the condemned witches in their last hour, and that the discharge of this duty made them the object of the hatred and suspicion of all those who were relentless in the prosecution.<sup>110</sup> All the more deserving of praise is, therefore, their heroic charity. The number of these men, according to the testimony of contemporary writers, is very great. They represent the attitude of the Society rather than the few individuals who wrote on this question. Further, the real spirit of the Order must be judged from the attitude of the Superiors. Now what do we find here? From the very beginning they were

<sup>109</sup> Menzel, "Geschichte der Deutschen," quoted by Duhr, "Stellung," p. 95.  
<sup>110</sup> See above, pp. 478, 479, 480, 482, 485.

strongly opposed to any interference in witch trials; they rebuked and checked those who meddled in these proceedings; nay, more, some Superiors, as the two Provincials Hoffaeus and Bader, manifested a skeptical spirit towards the current popular belief. [See above, pp. 480 and 482.] In the face of such facts it is a flagrant injustice to say, as the Protestant historians Soldan-Heppe and Riezler do, that the Jesuits advocated the prosecution of witches.

In regard to the few individuals who, sharing the deplorable views of their age, recommended severe measures, it will be well to remember the words of a recent French writer who cannot be charged with partiality to the Jesuits, M. de Ladevèze, in an article in the *Open Court*, Chicago, January, 1902, endeavored to state "THE Truth about the Jesuits," from an entirely independent point of view. After quoting the eulogies of many Popes on the Society, he continues: "I do not mean to infer that we have not the right to judge the Jesuits from a different point of view to the Popes'. But then even, then especially, we must remember, before so doing, the maxim of Marcus Aurelius: 'There are a thousand circumstances with which we must acquaint ourselves in order to be able to pronounce on the actions of others.' Now if we acquaint ourselves with these thousand circumstances," we end inevitably by recognizing that all the reproaches with which we may feel entitled to load the Jesuits in the name of reason, of philosophy, etc., etc., fall equally upon all Religious Orders, and upon the Church herself of which they have ever been the most brilliant ornament. Why then address these reproaches to the Jesuits only? . . . Let their opponents reproach them with being Catholics, if reproach them they must; but let those of us who are conscious of the injustice of such a reproach, recognize the good in them; as to the rest, let us remember that they are human, and therefore subject to the faults and failings we all share, but against which they strive far more constantly and efficaciously than do so large a number of ourselves; so large a number, above all, of those—the race shows no sign of extinction, alas!—who having expended all their severity upon others have nothing but unbounded indulgence at their disposal when it comes to dealing with themselves."<sup>111</sup>

One thing is beyond a doubt: that Protestant historians act unjustly if they blame the Catholic Church in general, or the Dominicans and Jesuits in particular, for persecuting witches. For history rises against them with a stern *Medice sana te ipsum*. No fair-minded Protestant historian denies that Luther's influence was most disastrous in fostering the popular superstition. Calvinism is not less guilty, as we see in the case of Scotland. "Sir Walter Scott has pointed out in his *Letters on Demonology* that the Calvinists were of

<sup>111</sup> The *Open Court*, January, 1902, pp. 28-30.



all sects the most suspicious of sorcery, and the most eager to punish it as a heinous crime. Hence in a country where almost every kind of amusement was suppressed or tabooed, and men's thoughts were concentrated with peculiar energy on theological ideas, the dread of witchcraft was all but universal . . . the terribly numerous witch trials were almost entirely conducted by the clergy, but the 'secular arm' was placed ungrudgingly at their service for execution of the sentence. . . . And it is noticeable, considering what is said of mediæval ignorance and superstition, that the first law against witchcraft in Scotland was passed in 1563, and it was not till thirty years later that it began to be systematically carried out. The persecution was therefore in a very special sense the work of the Presbyterian ministry, or rather of their creed, which, partly from political causes, connected with the history of the Scotch Reformation, was shaped more directly on the lines of the Old than the New Testament. These executions for witchcraft came to an end about 1730, but not apparently by the good will of the Presbytery, who passed a resolution fifty years afterwards deploring the prevalent skepticism on the subject."<sup>112</sup>

And what do we find in this country? The Pilgrim Fathers revived in Massachusetts the panic about witchcraft, at a time when it had practically died out in the Catholic countries of Europe. It is known that the witch persecution in New England was exclusively the work of Puritan ministers, of Cotton Mather, Parris and Noyes. Here "the confessions of the witches began to be directed against the Anabaptists,"<sup>113</sup> *i. e.*, they were used to persecute such as differed in religious views from the ruling ministers. Quite a different picture is presented in Maryland, where the *Jesuits* had planted Catholicity. "The asylum of the Papists," says Bancroft, "was the spot where, in a remote corner of the world . . . the mild forbearance of a proprietary adopted religious freedom as the basis of the state, . . . and there, too, Protestants were sheltered against Protestant intolerance."<sup>114</sup> Here, however, not a single witch was burnt or hanged.

It has been said that the history of the Papacy is its best apology, notwithstanding the most lamentable faults of a few individual Popes. We may justly apply the same maxim to the Society of Jesus: its best apology is its true history, not indeed that caricature which its enemies parade as the history of the Order. The Society can honestly and fearlessly acknowledge the faults and blunders of a few of its members; for it is fully confident that, if its work is

<sup>112</sup> "Studies in Ecclesiastical History and Biography." By the Rev. H. N. Oxenham. London: Chapman & Hall, 1884, p. 250.

<sup>113</sup> Bancroft, "Hist. of the U. S.," Vol. III., p. 93 (18 ed. Boston, 1864).

<sup>114</sup> *Ib.*, Vol. I., p. 244-248.

weighed in the balance of impartiality, the scale will incline decidedly in its favor.

A few practical remarks may be added to our historical sketch. Many modern writers who reject the fundamental truths of Christian revelation and deny the existence of a spiritual world beyond this material universe, consistently deny the possibility of a compact with evil spirits. To such men spirits, good or evil, are but the creation of a weak and sickly imagination: "Horatio says 'tis but our fantasy.'" Or they represent the belief in spirits as an invention of priests, who found in these spirits "a very powerful means for terrifying men, or an easy explanation of natural phenomena which they could not explain otherwise."<sup>115</sup> However, we might reply that such a sweeping denial of the existence of spirits is a very easy method of disposing of numerous undeniable facts in the world's history. To upholders of this radical doctrine one may say with Hamlet:

"There are more things in heaven and earth, Horatio,  
Than are dreamt of in our philosophy."

The Catholic's view of the question is very different. "No Christian can assert the impossibility of diabolic influences upon mankind; nay, that they are possible is shown by Scripture and tradition; therefore the error of former generations (in regard to witchcraft) was not one of principle; it existed only in the manner of treating particular manifestations."<sup>116</sup> The possibility of such leagues, not, however, the existence of any particular compact, is a matter of belief for the Catholic. Still it cannot be denied that the attitude of the Catholic mind towards the whole question has considerably changed. As Cardinal Hergenroether says, "we know now how much is purely natural which even the most enlightened men of their age formerly accounted supernatural." Besides many particulars, as the belief in the Sabbaths or nightly witch meetings, the belief in *incubus* and *succubus*, which played a most important part in the witch trials, are now rejected either expressly or indirectly by the best Catholic theologians.

However, even now some people are too ready to see the influence of the evil one in events which, although most extraordinary and mysterious, can possibly be explained by natural causes. Father Christian Pesch, S. J., has well said: "*A priori* we ought to be very slow in admitting in a given case that diabolical influence exists unless it is proved by irrefutable arguments. In matters of this kind, the greatest incredulity is preferable to credulity, when there is question of men who make a business of such things. . . . On the other hand, not all narrations about compacts with demons are simply to

<sup>115</sup> So Hansen, "Zauberwahn," etc., p. 3.

<sup>116</sup> Hergenroether, "Church and State," Vol. II., p. 344.



be rejected as fables. If the fact is proved with historical certainty, and if this fact cannot be accounted for by any physical forces nor by any human artifice, then we must reasonably find higher agents in it. It will appear from the circumstances whether God, good angels or evil spirits are these higher agents. But in passing such judgments, the greatest caution is required, because in things so remote from the senses mistakes are very easily made."<sup>117</sup>

Had these principles always been followed, thousands of judicial murders would have been prevented in former ages. Even at the present day it may not be altogether useless to warn against credulity. It suffices to mention the disgraceful Leo Taxil affair. Thousands of educated men, among them prominent ecclesiastics, allowed themselves to be imposed upon by the mystifications of that brazen-faced liar; and those that expressed doubts about Diana Vaughan and the devil Bitru were stigmatized as hypercritical and mild infidels. A year ago Father Grisar spoke of the dishonor which this sad occurrence has brought upon the Catholic name. Indeed but a few months ago a writer in one of the leading reviews in Germany<sup>118</sup> cast reproach on the Catholic Church, because so many Catholics, particularly of the Romanic nations, had been so eager in accepting and so obstinate in defending the monstrous stories of Taxil. The study of this question may, therefore, serve as an earnest appeal to all Catholics to be very critical, whenever there is question of supposed demoniac phenomena.

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## LEIBNITZ AND THE NINETEENTH CENTURY.

THE close of the nineteenth century has naturally enough led many of us to dwell on its chief achievements, in that amiable spirit of eulogy which is a common characteristic of epitaphs and funeral orations. It may be hoped, indeed, that some of this abundant praise had some solid foundation. For it can hardly be denied that the nineteenth century was an age of great men and great movements, an age singularly fertile in art and literature, and distinguished by a marked advance in scientific research and historical criticism. At the same time, the claims put forward by many of our enthusiastic admirers of the "mighty mother age," are, to say the least, somewhat exaggerated. And there is some-

<sup>117</sup> "Praelectiones dogmaticae," Vol. III., n. 415.

<sup>118</sup> "Neue Jahrbücher für das Klassische Altertum, Geschichte und Deutsche Literatur," 1901, I., p. 352.