James VI and Diabolical Witchcraft in Early Modern Scotland

An Honors Thesis for the Department of History

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Table of Contents

Introduction

In 1589, King James VI of Scotland set sail from Edinburgh to Denmark to escort his betrothed, the Princess Anne, back to Scotland after a series of storms prevented an earlier ship from bringing Anne across the North Sea. A troubling pattern seemed to emerge, however, when harsh storms again threatened the couple on their voyage back to Scotland, a fact that would hold grave consequences for the nation. Upon learning that Danish officials tried and executed a half dozen witches for bringing about the storms that had threatened James and Anne—storm-magic being a relatively common charge in Scandinavia—James VI found cause to launch his own witchcraft investigation.[1] A series of witch trials began several months later in the town of North Berwick, Scotland based on unrelated charges of sorcery and healing, but the eventual confessions of two suspected witches to having been involved in a supernatural plot against the king convinced James that witches had indeed conspired to take his life. From that point on James took a direct role in the prosecution of the North Berwick witches, transporting several suspects to Edinburgh and personally overseeing their interrogations. The treatise that James later wrote on the subject, *Daemonologie,* provides significant insights into his participation at North Berwick and his interests in accentuating the Devil's role in witchcraft.

Witchcraft had been classified as a capital offense in Scotland since 1563, yet the North Berwick witch trials that took place between 1590 and 1591 were the first largescale instance of witch persecution in the nation, and the first in Scottish history to be overseen by a reigning monarch. Consequently, many historians have largely attributed the remarkable fervor of witchcraft persecution in Scotland to King James VI's influence. However, a more critical

[1] Brian Levack, *Witch-Hunting in Scotland: Law, Politics and Religion* (New York: Routledge, 2008), 36.

reading of the context in which James VI became involved in the North Berwick trials, the manner in which he portrayed witchcraft in his influential treatise *Daemonologie,* and the long-standing views of witchcraft and magic among the Scottish populace raise several significant questions: Was it truly James's involvement that sparked Scotland's first major witch-hunt, after nearly thirty years had passed without the Witchcraft Act being applied on such a large scale? And, how precisely did James's beliefs spread throughout the elite and popular classes and contribute to the various national witch-hunts which swept intermittently through Scotland decades after his death?

My interest in the study of witchcraft is based on the idea of witchcraft as a criminal offense, and particularly the use of remarkably advanced legal systems to identify and execute individuals who were thought to practice *maleficium* (harmful sorcery) and demonic magic. In the same era that the scientific method, modern astronomy, and other intellectual and scientific breakthroughs were taking place, well over 1000 individuals in Scotland were executed for the crime of witchcraft. The study of witchcraft is the study of remarkably complex and multifaceted belief systems. Religious teachings, folklore, and superstition all contributed to the ways in which witchcraft, magic, and the Devil were understood. Class divides are also a critical component of this examination, and challenge certain generalizations about witch beliefs in Scotland. Scotland's elite class and general populace in the 16th and 17th centuries were differentiated by such factors as literacy rates, occupations, and knowledge of continental Europe's earlier witch-hunts, all of which held important intellectual and institutional implications for Scottish witchcraft persecution. Members of the elite served as local officials and court officers, where their beliefs and preconceptions about witchcraft and the Devil influenced the questions they posed to suspects and the answers they compelled through the

judicious use of torture. It is through these confessions that popular culture and beliefs can be examined; while the prosecutors were members of the elite, their victims were overwhelmingly common folk, and testimony from those on trial reflected diverse beliefs that combined Christian doctrine, folklore, and superstition.

The prosecution of witchcraft involved a complicated interaction between religious doctrine, popular belief, and legal systems, and in the early modern era these different ways of understanding the world were evolving and struggling to reconcile with one another. Many modern readers would undoubtedly be surprised to examine a witchcraft trial from the early modern era and see the use of witnesses, testimony, physical evidence, and even medical examinations. The judicial bodies that held these trials and the crimes that they investigated and prosecuted can easily appear anachronistic to modern readers. My fascination with witchcraft in the early modern period is based on this idea of intermingling and competing worldviews. With large-scale witch-hunts occurring into the late 17th and even 18th centuries, how did beliefs in magic and the Devil interact with advancing scientific and legal principles? Witchcraft in the late Medieval period and much of the early modern era was considered a dire evil and a profound threat to life, property, and orthodox religion, yet by the late 17th and early-18th centuries scientific and rational developments had led to a widespread skepticism. How this shift in belief systems occurred at popular and elite levels is certainly a topic that merits further examination.

Scotland's national witch-hunts, which took place at intervals between the late 16th and mid-18th centuries, provide a particularly fascinating arena in which to study witchcraft as a belief and a crime. These Scottish witch-hunts occurred quite late and resulted in far fewer executions by comparison to the great continental European witch-hunts. Yet, by comparison to neighboring England, the Scottish witch-hunts were far more intense and claimed many more

victims.[2] When considered in the context of popular belief, how is Scotland's unique place in the history of witchcraft to be understood? And, regarding King James VI, Scotland's notorious 'witch-hunter king,' how did the course of the North Berwick trials and the subsequent publishing of his treatise *Daemonologie* influence perceptions of diabolical witchcraft and help to establish a unique version of the witch stereotype?

My research examines witchcraft persecution in early modern Scotland, focusing especially on King James VI's involvement and on the differences between elite and popular views towards the crime of witchcraft and its association with the Devil. I benefit from the existence of a significant reservoir of research into witchcraft persecution in continental Europe, much of which has examined the association between witchcraft and the Devil and the interaction of elite and popular beliefs in the European witch-hunts. Witchcraft persecution in the British Isles, however, has been the subject of significantly less scholarly work. In particular, the divides between elite and popular views and the general stereotype of diabolical witchcraft, which have been so deeply examined in the continental European case, have rarely been examined in research on witchcraft persecution in England and Scotland.

The European Witch Hunts

The majority of scholarship on witchcraft and witch persecution in the Medieval and early modern world has emerged over the past fifty years and focuses primarily on themes of witch belief in continental Europe. In the mid-20th century, anthropologist Margaret Murray's widely influential works *The Witch-Cult in Western Europe* and *The God of the Witches* put forth the theory that a pagan fertility cult had existed in Britain and Europe prior to the spread of Christianity. Murray argued that the women accused of being 'witches' in medieval Europe were

[2] Christina Larner, *Enemies of God* (Baltimore: Johns Hopkins University Press, 1981), 65.

actual members of this pagan cult who worshipped a non-Christian deity and performed rituals which Catholic authorities called the witches' Sabbath. Though Murray's work was initially quite popular, it faced criticism from many historians who objected that Murray misconstrued simple belief in the witches' Sabbaths for actual rituals that took place in medieval Europe.[3] In 1975, Murray's work was firmly discredited by historian Norman Cohn in his seminal work *Europe's Inner Demons,* a book that profoundly influenced the study of the European witch-hunts.[4] Cohn's study defined the medieval European stereotype of witchcraft based on themes of infanticide, cannibalism, diabolism, and the witches' Sabbath: mass gatherings at which witches were said to affirm their allegiance to the Devil. This witch stereotype, Cohn argued, was fully established by the late 15th century in the minds of Europe's educated elite and was imposed by ecclesiastical and secular authorities on the many thousands who would become victims of the great European witch-hunts in the 15th, 16th, and 17th centuries.

In the decades since *Europe's Inner Demons* was published, the concept of a witch stereotype based on beliefs in the Devil and the witches' Sabbath has remained a central theme in the study of European witchcraft. Diabolical themes, as well as the divide between elite and popular beliefs in magic and witchcraft that Cohn identified, have been the topic of significant research in the context of continental Europe's witch-hunts. Richard Kieckhefer's *Magic in the Middle Ages,* published in 2000 and revised in 2014, provides significant insights into the divide between popular and elite conceptions of magic and witchcraft. Kieckhefer contends that while some members of the educated elite practiced "ritual magic," influenced by natural philosophy,

[3] Alan Macfarlane's *Witchcraft in Tudor and Stuart England* highlights many of the critiques of Murray's witch-cult hypothesis that were later expanded by Norman Cohn.

[4] Cohn's demonstration that that several of the most often-cited primary sources on European witchcraft were forgeries, as well as his criticism of Murray's methodology, went a long way towards discrediting the pagan witch-cult hypothesis

astrology, and scientific teachings from the Islamic world, ecclesiastical authorities associated all acts of magic with the Devil, and therefore condemned all practitioners of magic as witches and heretics.[5] And, though Murray's witch-cult hypothesis has few serious adherents in present times, many scholars continue to debate whether witchcraft should be studied as a system of false allegations imposed on the populace by authorities, or as an actual set of widespread beliefs and practices. In particular, significant scholarly discourse has emerged regarding the witches' Sabbath, with historians debating whether "witches" physically attended meetings in the night or simply confessed to doing so after being compelled by torture, suggestion, dreams, or hysteria. Carlo Ginzburg's *Night Battles,* published in 1966 and translated into English in the 1980s, examines the visions of the Italian *benandanti,* who dreamed of doing battle with evil spirits, as part of a wider European tradition of out-of-body experiences similar to the witches' Sabbath. Recent historiography on the European witch-hunts has further explored this subjective differentiation between reality and imagination. Walter Stephens's *Demon Lovers: Witchcraft, Sex and the Crisis of Belief,* published in 2003, examines witchcraft treatises such as *Malleus Maleficarum* to understand themes of sexual relations with demons and the Devil, and delves deeply into matters of dreams and fantasies.

Witchcraft Persecution in Britain

While witchcraft persecution in continental Europe has been the subject of considerable research, and stereotypes of witch belief such as the pact with the Devil and the witches' Sabbath have been widely studied, witchcraft in the British Isles has been largely excluded from this scholarship and treated as thematically and chronologically distinct from persecution in Europe.

[5] Steven Marrone's *History of Science, Magic and Belief* also examines forms of ritual or learned magic in relation to the elite population, as opposed to the Church's deliberate campaign to associate all magic with the manipulation of demons and thus with heresy

The apparent divide between continental Europe and the British Isles is multifaceted. Many more people were accused, tried, and executed for witchcraft in the great European hunts than in England and Scotland. The Inquisitorial procedures widespread in Europe had no equal in the British Isles, and the continental stereotypes of the Devil's pact and the witches' Sabbath were not so clearly represented in many British cases.[6] And, while witch-hunting took place in continental Europe throughout the late Middle Ages and early modern period, the British Isles did not see their first widespread witch-hunt until the 16th century, reaching the greatest fervor and highest rates of persecution and execution in the mid-17th century.[7]

Alan Macfarlane and Stuart Macdonald have both contributed significantly to the understanding of witchcraft persecution in Britain through their case-studies of regional witch-hunts in early modern England and Scotland, respectively. Alan Macfarlane's *Witchcraft in Tudor and Stuart England* is one of the earliest significant studies of witchcraft in England, but his micro-focus on witchcraft trials in Essex county limits the application of his findings to specific regions of early modern England. It is Macfarlane's method of examining witchcraft accusations in a sociological context rather than the specific conclusions he draws regarding Essex that I hope to incorporate into my work.[8] Stuart Macdonald's *The Witches of Fife* maintains a specific geographic focus on the county of Fife in early modern Scotland, examining witchcraft accusations and trials in this region between the late 16th and early 18th century. Macdonald's close examination of documented confessions and trial records from Fife leads him to conclude that the Devil was a relatively limited component of witchcraft beliefs in Fife,

[6] Brian Levack, *The Witch-Hunt in Early Modern Europe* (New York: Routledge, 2006), 20.
[7] David Kieckhefer has identified chronological themes in the outbreak of European witch-hunts, to which Christina Larner added a general timeline of British witch-hunts.
[8] Macfarlane uses Essex county as the subject for his case study due to the abnormal amount of surviving court records, but this narrow focus on the particular social and economic conditions of early modern England prevents his conclusions from being directly applied to the Scottish context

despite the general consensus among historians that witchcraft was widely associated with the Devil in most Scottish trials.

Scottish Witchcraft and Historiography

While many scholars continue to examine continental European and British witch-hunts as thematically distinct from one another, a number of historians have argued that the British Isles themselves cannot be treated as a monolith of witch beliefs and persecution. Despite its far-smaller population, Scotland was home to much higher rates of witchcraft execution than England, and the association of witchcraft with the Devil was much more significant in Scotland than in England. King James VI of Scotland, who participated directly in the North Berwick witch trials in 1590 and authored the treatise *Daemonologie* on the subject of witchcraft and magic, has also been the subject of significant historiographical debate. Various scholars have differed over the importance of James' involvement at the North Berwick trials and whether or not James actually introduced 'continental' witch stereotypes such as the Devil's pact and the witches' Sabbath to Scotland.[9] By far the most critical voices in the study of Scottish witchcraft have been those of Christina Larner, Julian Goodare, and Brian Levack. Each of these scholars has helped to shed light on the judicial and legal context for witchcraft prosecution in Scotland, and each has considered King James VI's contributions to the conduct and intensity of early modern Scotland's witch hunts.

British historian Christina Larner's lifetime of research on witchcraft in Scotland culminated in the *Source-book of Scottish Witchcraft*, which from 1977 to 2003 stood as the most comprehensive compilation of known accusations, trials, and executions for the crime of witchcraft in Scotland between the 16th and 18th centuries. In addition to her *Source-Book,*

[9] Julian Goodare in "Witchcraft in Scotland" outlines the debate between Christina Larner, Brian Levack, and others over James' significance to Scottish witchcraft persecution

Christina Larner published one of the first full-length studies of Scottish witchcraft, *Enemies of God,* in 1981. Larner's research provides great insight into the social implications of the Scottish witch-hunts; her work in *Enemies of God* focuses on relationships between accused witches and their accusers as well as the gendered implications of witch beliefs. Larner was also among the first to deliberately examine the impact of continental European stereotypes on witch beliefs in Scotland and to consider James VI's role in introducing the concept of the demonic pact, common in continental European trials, to Scotland. Larner further examined James VI's involvement in the North Berwick witch trials and argued that his participation was intended to increase awareness and fear of the crime of witchcraft and depict himself as the defender of the Scottish people.

Prominent Scottish historian Julian Goodare has offered more recent contributions to the study of witchcraft in Scotland, though his research has emphasized the Scottish legal system as the primary factor contributing to higher rates of witchcraft persecution in Scotland than in England, rather than James VI's involvement. Goodare has underlined the importance of understanding individual accusations and trials in their unique social contexts, and has challenged many assumptions in the study of witchcraft by re-examining the role of gender, the comparative power of local and central government in conducting trials, and the reality of witches' activities.[10] While his sheer number of papers published and books edited is unmatched, Goodare's single greatest contribution to the study of witchcraft in Scotland is undoubtedly the Survey of Scottish Witchcraft, a database published through the University of Edinburgh that compiles a list of over 4,000 accusations of witchcraft in Scotland from the late-16th to mid-18th centuries. The survey provides dates and locations of cases, biographical information, and

[10] Goodare has authored separate papers on women and men in witchcraft, and has challenged historian P.G. Maxwell-Stuart's theory of actual, organized groups of witches who performed rituals and worshipped the Devil

content of accusations when known. Between this database and his various articles, Goodare has allowed for a far better understanding of the geographical span and chronological scale of Scotland's witch-hunts, and his emphasis on local elites over central governments as the driving force behind witchcraft persecution is a clear departure from earlier works.

Brian Levack is among the most prominent contemporary scholars of witchcraft in early modern Scotland, and his 2008 book *Witch-Hunting in Scotland* is the most recent full-length book on the subject. Levack's assertion that James VI eventually came to doubt the reality of witchcraft, undergoing a transformation "from royal witch-hunter to royal skeptic," has helped bring about a dramatic re-evaluation of James' role in the historical narrative of Scottish witchcraft.[11] Levack instead focuses on institutional factors to explain Scotland's high rate of witchcraft persecution, arguing that it was Scotland's unique legal system, treatment of witchcraft as a capital offense, and frequent use of torture that influenced the intensity of Scottish witch-hunting. Julian Goodare has also argued in a number of earlier articles that Scotland's treatment of witchcraft as both a political and religious crime inspired the greater intensity of its witch-hunts when compared to England, but Levack's careful examination of Scotland's legal, political, and religious history adds a great deal of depth to this theory.

Diabolical Witchcraft in Scotland

In more recent decades, particularly due to Levack and Goodare's research on political, judicial, and social structures in early modern Scotland, James VI's influence over the conduct of witchcraft persecution in Scotland has been examined with increasing skepticism. Greater attention has been given to institutional factors such as the use of torture and unique legal systems in Scotland, as well as the role of such common continental witch stereotypes as the pact

[11] Brian Levack, *Witch-Hunting in Scotland: Law, Politics, and Religion.* 53.

between witches and the Devil and references to the witches' Sabbath. My goal is to examine James VI's impact on witchcraft persecution by evaluating the role he played in introducing or modifying conceptions of witchcraft as inherently associated with the Devil. While in recent decades many scholars have considered witchcraft accusations and confessions in terms of hallucination, illness, and mass hysteria, my own approach does not attempt to find a physiological and psychological explanation for individual cases or for Scotland's witch-hunts in general.[12] Instead, I seek to understand how witchcraft was perceived at popular and elite levels, and how beliefs in magic, sorcery, and the Devil existed and evolved during the era of Scotland's witch-hunts. As such, I will focus on the factors that affected peoples' understanding of witchcraft as well as the legal and judicial institutions that permitted individuals to be accused and found guilty of crimes which could not, by a modern understanding, have left physical evidence. For this purpose, I will examine James's emphasis on the diabolical aspect of witchcraft as well as his sanctions of the use of torture and the identification of the Devil's mark as evidence of guilt to help understand his role in shaping witchcraft persecution in early modern Scotland.

Direct personal interest, political and economic, is a central theme in my writing. Obvious examples include King James's use of the North Berwick witch trials and the depiction of witches as servants of the Devil as forms of propaganda. In analyzing this theme, I build on the writing of Christina Larner, who suggested the interpretation of James VI's conduct at North Berwick as an attempt to emphasize his own piety as a means of self-promotion to support his bid for the English throne. In addition to James's political interests in depicting witchcraft as an

[12] Isobel Gowdie's confession to the crime of witchcraft in 1662, which will be examined at length in Chapter 4, has been variously attributed to psychosis, post-traumatic stress, and hallucinations caused by fungal poisoning; Emma Wilby, *The Visions of Isobel Gowdie* (England, Sussex Academic Press, 2010).

inherently diabolical crime, and himself as the Devil's enemy, I will point to the direct political and economic interests of various groups in influencing the way in which witchcraft was perceived and witch-hunts were conducted throughout the 16th and 17th centuries. In the years following 1560, the fledgling Church of Scotland invigorated witchcraft persecution as part of its crackdown against moral offenses and asserted and expanded the scope of its influence by petitioning Parliament for the right to try witchcraft in ecclesiastical as well as secular courts. Throughout the 1590s and much of the 17th century, various individuals used witchcraft accusations to seize materials and property from their neighbors and opponents. And, after regaining legal and civil power following years of English control, Scottish officials in the early 1660s re-asserted their authority by launching the nation's largest-ever witch-hunt. As further analysis of these instances reveals, accusations and indictments of witchcraft often served immediate personal, political, and financial interests. Based on this interpretation, I will not employ the terminology of 'witch panic' or 'craze' used frequently in witchcraft scholarship, and I will consider deliberate and calculated interest as well as religious and popular beliefs in my analysis of the witch-hunts.

Methodology and Sources

While Cohn, Kieckhefer, and other scholars have demonstrated that the association of witchcraft with the Devil was an important part of the continental European witch stereotype, further research has demonstrated that this theme played a comparatively limited role in English witch-hunts compared to its prominence in Scottish witch persecution. By considering references to the Devil in Scotland prior to the North Berwick witch trials in 1590, examining James's treatise *Daemonologie* to examine how he portrayed witchcraft as a diabolical act, and studying later witch trials in Scotland to evaluate how the content of accusations and confessions changed

in later years, I hope to provide a new interpretation of James's impact on the conduct of witchcraft persecution. To properly evaluate James VI's impact on the persecution of witches in Scotland, I would argue there are two primary areas in which I feel the existing historiography demands further investigation. First, I will explore the dichotomy between elite and popular beliefs in witchcraft, a theme that has been well-studied in continental Europe but far less in the Scottish case. Second, I will consider how folklore and superstition were reflected in Scottish witch trials and consider how folklore and the Devil each contributed to both popular and elite understanding of witchcraft.[13] By understanding how deeply the belief that witchcraft was a diabolical crime pervaded different levels of Scottish society, and considering how aspects of Scottish folklore and continental European witch stereotypes helped to explain the severity of Scotland's witch-hunts, I hope to create a better context for understanding how the crime of witchcraft was understood in Scotland and how significant a role James VI played in shaping perceptions of that crime.

My methodology will be chronological and class-based as I trace the evolution of beliefs in folklore and the Devil and the divide between elite and popular perceptions. My three chapters will examine first the period before 1590, then the North Berwick trials of 1590-91, and finally the decades between 1590 and roughly 1660. As I progress chronologically, I will also develop my thematic study of class and belief. My first chapter will emphasize the role of superstition and folk beliefs, my second chapter will focus on learned perspectives on witchcraft through James VI's *Daemonologie*, and my third chapter will examine the interaction between popular and learned beliefs in Scotland's 'Great Witch-Hunts' in the 17th century. I will emphasize

[13] Julian Goodare argues that the current study of Scottish benefit demands "more study of folk belief" in order to gain a more complete understanding of the topic: Goodare, "Witchcraft in Scotland" in Levack, Brian P., ed. *The Oxford Handbook of Witchcraft in Early Modern Europe and Colonial America* (Oxford University Press: 2013), 313.

Scotland's religious context, particularly the Protestant Reformation and the later Covenanter movement. Historical events such as the Union of the Scottish and English Crowns and the period of English Protectorate over Scotland also impacted theological outlooks and societal tensions and played a significant role in shaping witchcraft prosecution. Gender, literacy, education and class divides brought about different beliefs within various demographics, and my work will consider how these different outlooks interacted and evolved. Recognizing that James VI's lasting impact on the conduct of witchcraft persecution was not simply intellectual but also legal and judicial, I will further examine how the institutions he helped establish for identifying, interrogating, and indicting suspected witches endured well into the 17th century.

My primary sources fall into three general categories. The Survey of Scottish Witchcraft is an online database managed by the University of Edinburgh which allowed me to search records of all known accused witches and examine locations, dates, trial outcomes, and specific charges where information is available. Witch-hunting treatises, most importantly King James VI's own treatise *Daemonologie,* provide information on the secular elite's perceptions of witchcraft. Last, and perhaps most important, are records from witch trials including indictments and confessions. The two legal bodies responsible for supervising witch-hunts at a national level were the Privy Council, a group of elites who advised the Scottish monarch on various legal affairs, and the Justiciary Court, Scotland's highest judicial body, which oversaw a number of prominent witch trials in the 16th and 17th centuries. These records shed light on how suspected witches were accused and tried and provide vital information about the beliefs of accusers and the accused. While the amount of detail in central court records varies significantly from case to case, these sources provided a general layout of the individuals involved in witch-hunts and the specific crimes of which they were accused. Certain cases include partial transcripts of

confessions or references to initial proceedings conducted at the local level. These trial records allow for more detailed understandings of the process by which popular beliefs in sorcery and *maleficium* were influenced and engulfed by learned conceptions of diabolical witchcraft.

Outline

My first chapter will examine the persecution of witches in Scotland prior to 1590, focusing on the terminology used in early sources to understand how witchcraft was generally perceived prior to James VI's involvement in the North Berwick trials. I will look for mentions of the Devil in these early trials and give special attention to Scottish folklore and beliefs in fairies and other magical or supernatural forces to see how these concepts influenced perceptions of witches before 1590. I will also consider judicial and religious factors in Scotland that may help to explain the unusual scale of witch persecution. In particular, I will examine how the establishment of the Presbyterian Church of Scotland in 1560 led to a crackdown against witchcraft and sorcery as crimes against God and how the Witchcraft Act of 1563 set both witchcraft and the consulting of witches as capital crimes.

My second chapter will examine the North Berwick witch trials of 1590-91, Scotland's first truly national witch-hunt, and King James VI's direct involvement in the trials and his writing on the subject. After providing details on the origins of prosecution at North Berwick and the first references to the Devil by local officials, I will consider how James became directly involved in this witch-hunt. I will closely analyze James's treatise *Daemonologie*, examine his portrayal of witchcraft as a crime inherently associated with the Devil, and investigate James's political and religious motives for portraying himself as the Devil's greatest enemy. Of special importance to this chapter is my expansion of Christina Larner's interpretation of James's role in the North Berwick trials as a propaganda campaign directed at the English public. I will also

examine the significance of the Devil's mark and the witches' renunciation of Christian baptism, concepts that James VI wrote about at length in *Daemonologie* and that went on to feature prominently in later witch trials.

My third chapter will focus on witchcraft persecution in the later 16th and early-to-mid 17th centuries amid Scotland's later national witch-hunts, tracing the perception of witchcraft as a crime among the elite and popular classes over the decades. I will examine Privy Council and Justiciary Court records to consider how such diabolical themes as the Devil pact, the Devil's mark, and the renunciation of baptism became increasingly central in these later trials. Accusations and confessions will help in understanding how elite views of the Devil continued to be imposed through the continued use of torture, while the continued appearance of certain folkloric aspects will demonstrate that these popular beliefs were not entirely supplanted by diabolical themes. This chapter will also examine how precedents and procedures set under King James VI—particularly the torture of suspects and the use of the Devil's mark as evidence of guilt—remained important prosecutorial features well into the 1660s.

To conclude my work, I will bring together the chronological development of witchcraft persecution with my examination of learned and popular witch beliefs, political and economic interests, and judicial and legislative precedents. Belief in witchcraft as a diabolical and demonic crime did not originate with King James VI, and the understanding of witches as servants of the Devil was not introduced to Scotland for the first time in 1590. Perceptions of witchcraft in early modern Scotland were a complex synthesis of beliefs in folklore, *maleficium*, and the Devil, though how these different themes appeared and interacted evolved constantly from the 16th century through the early decades of the 18th century. While *maleficium,* superstition, and folk healing were the primary components of witchcraft accusations in the early-to-mid 16th century,

diabolical and demonic themes became far more common by the 1560s. By the early 17th century, due in part to James VI's emphasis on diabolism and the Church of Scotland's depiction of witchcraft as a crime against God, the Devil had become the dominant theme of witchcraft persecution.

I. Witchcraft, Folklore and the Devil in 16th-Century Scotland

Many narratives of witchcraft persecution in Scotland begin in 1590 with the North Berwick trials, overlooking or devoting little attention to records from the earlier 16th century. Witchcraft and sorcery trials conducted prior to 1590 were often held at the local level. It was only after Scotland's 1563 Witchcraft Act that witchcraft was categorized as a capital crime and fell into the jurisdiction of the Privy Council and High Court of Justiciary, whose records have survived and provide more substantial material for examination. However, the examination of witchcraft prosecution and accusation in the pre-1590 period, including a close study of the few surviving sources from before 1563, provide significant insights into Scottish witch beliefs and serve as an important basis for understanding later developments. Those cases that have survived from prior to the North Berwick trials reflect a significant diversity of beliefs and practices, drawn from superstition and magic as well as Christianity. While concepts of *maleficium*, sorcery, and folk healing featured prominently in most witch trials from this period, a close examination reveals that ideas of the Devil and demons as components of witchcraft were also emerging prior to 1590. King James VI's involvement in overseeing and publicizing the North Berwick witch trials in 1590-91 helped to spread the conception of witchcraft as a diabolical crime and set judicial and investigative procedures that would remain in place for decades. However, these elements had clear and significant precedents in earlier decades. From the use of commissions to empower local officials, the legal prosecution of witchcraft under both secular and ecclesiastical courts, the execution by burning of convicted witches, and the appearance of diabolical themes alongside *maleficia* and folklore in trials, many of the factors that helped bring

about high rates of persecution in Scotland were already developing throughout the mid-to-late-16th century.

Witchcraft and the Devil Before 1590

While most research into Scottish witchcraft persecution has focused on Scotland's five "Great Witch-Hunts" conducted between 1590 and 1662, the prosecution of witchcraft and the developing belief in a relationship between the Devil and witches began well before the first of these national witch-hunts. Although references to witch trials from the earlier 16th century are certainly fewer and less detailed than records from the North Berwick trials—which benefited from King James VI's personal involvement and thus lack neither documentation nor attention—those records that do exist demonstrate that many of the themes, beliefs, and investigative and judicial methods which are commonly associated with the 'Great Witch-Hunts' existed, though in formative stages, prior to 1590. Scotland's Exchequer Rolls contain one of the earliest references to witchcraft prosecution from June of 1536, a commission granted to the bailiff of Aberdeen "to render justice [to] Andrew and Agnes Johnson…. The said Andrew is convicted of heresy and the said Agnes is also convicted of the magical arts commonly known as witchcraft."[14] While brief, this record nonetheless demonstrates that witchcraft prosecution was ongoing in Scotland decades prior the North Berwick trials, and even before Scotland passed its first legislation against witchcraft in the 1560s.

It was not until the North Berwick witch hunt beginning in 1590 that James VI's well-publicized involvement in prosecutions propelled the notion of witches as servants of the Devil to the forefront of national attention. However, certain cases from prior to 1590 reveal that diabolical and demonic themes had emerged well before North Berwick and James VI's

[14] George Powell McNeill, ed. *The Exchequer Rolls of Scotland,* v. 16 (1529-1536). H.M. General Register House, Edinburgh, 1897. 612.

intervention, and that the understanding of witchcraft in relation to the Devil developed significantly throughout the 16th century. Among the earliest references to the Devil in witchcraft records appears in a passage of Scotland's Exchequer Rolls regarding the burning of two witches in 1563."The eldest [of the two] was so blynded with the Devill, that sche affirmed, 'That na Judge had power over hir.'" [15] The record's brevity is characteristic of Scotland's Exchequer Rolls, yet even this minute reference holds interesting implications about how the Devil was perceived decades before the North Berwick trials. This reference from 1563 to the Devil influencing a suspected witch to such a degree that she refused to confess to her crimes may be seen as a precursor to the diabolical themes that became so central to witchcraft prosecution in later decades. The Devil's role as the master of witches and his ability to prevent witches from confessing when put to torture were important themes in the North Berwick trials and Scotland's later witch hunts. This chapter will examine in detail references to the Devil in a number of witch trials conducted prior to the North Berwick witch-hunt to trace how diabolical themes developed over decades and set an intellectual foundation for the prosecutions at North Berwick.

Scotland's First Witch-Hunts

In the sparse surviving records of witchcraft prosecution from the first half of the 16th century, the Survey of Scottish Witchcraft Database indicates that the North Berwick witch-hunt was not the first notable outbreak of witch-hunting in Scotland. In fact, the Database's records indicate two anomalous periods, one from 1568 to 1569 involving approximately thirty-five trials in the general region of Scotland's Forfar County, and one between 1576 and 1578 involving approximately thirty trials in the vicinity of Easter Ross.[16] The latter outbreak has not

[15] George Black, "A Calendar of Cases of Witchcraft in Scotland, 1510-1727" *Bulletin of the New York Public Library* 41, no. 11 (November 1937), 827

[16] Image from Julian Goodare, Lauren Martin, Joyce Miller and Louise Yeoman, 'The Survey of Scottish Witchcraft', http://www.shca.ed.ac.uk/witches/.

been the subject of a full-length investigation, though historian Lizanne Henderson's 2008 article on witchcraft prosecution in Scotland's Highlands identifies it as "one of the earliest Scottish witch-hunts," involving the arrest and trial of thirty-two individuals and the execution of at least two.[17] The outbreak of cases in that year-long period, apparently the first in Scotland's history, was scarcely mentioned until 2013, when Michael Wasser's "Scotland's First Witch-Hunt: Eastern Witch-Hunt of 1568-1569" noted that a witch-hunt, "existing just below the scale of a national hunt," took place in Forfar between 1568-1569.[18]

The witch-hunt of 1568-69 reveals that several judicial and political factors that featured prominently during Scotland's subsequent 'Great Witch-Hunts' had already begun to evolve prior to 1590. Wasser characterizes this witch-hunt as part of the Earl of Moray's "campaign of godly reform" during his time as Scotland's regent. Moray issued a commission in April of 1568 to try thirty-eight suspected witches, and allowed for the further investigation and execution of any persons implicated by the accused.[19] This hunt serves as an interesting precursor to James VI's later involvement in the witch-hunts of 1590-91 and 1597-98, during which James used commissions to grant broad powers to local prosecutors and considered a person's implication by a suspected witch grounds for arrest, investigation, and execution. Of particular interest is the Earl of Moray's 1568 execution of his political rival, Sir William Stewart, the Lord Lyon, for "conspiring to take the Regent's lyffe by sorcery and necromancy."[20] The removal of an opponent by means of witchcraft accusation is an important precursor to the North Berwick

[17] Lizanne Henderson. "Witch-hunting and witch belief in the Gáidhealtachd," in Goodare, Martin, and Miller ed. *Witchcraft and Belief in Early Modern Scotland* (New York: Palgrave Macmillan, 2008), 1-2.
[18] Michael Wasser, "Scotland's First Witch-Hunt: Eastern Witch-Hunt of 1568-1569" in Goodare, ed. *Scottish Witches and Witch-Hunters,* 17.
[19] Wasser, 17-18.
[20] Pitcairn, *Criminal Trials in Scotland,* v. 1. 510.

trials, when James VI would replicate Moray's actions by ordering the arrest of his rival James Stewart, the Earl of Bothwell, in 1591.

The Church of Scotland and Witchcraft Legislation

The first piece of legislation addressing the topic of witchcraft in Scotland was passed by the Parliament of Scotland in June of 1563, entitled *Anentis Witchcraftis* or "Against Witchcraft" and commonly referred to as the 1563 Witchcraft Act. The Witchcraft Act emerged out of a period of religious revolution in Scotland, as the fervor of Martin Luther's Protestant Reformation swept through Britain and Europe. With the formation of the Scottish National Church in 1560, Presbyterianism became the nation's official faith. In the following years the Church affirmed its commitment to prosecuting crimes committed "aganis the law of God," from witchcraft and sorcery to adultery and murder.[21] As Brian Levack asserts, the 1563 Witchcraft Act was drafted by Protestant ministers as part of "a broader clerical program to establish a Protestant discipline during the early years of the Reformation…to eliminate necromancy and other magical acts that Protestant reformers considered remnants of Catholic superstition."[22] The Witchcraft Act defined witchcraft in Scotland as both a religious and a civil offense, falling under the jurisdiction of ecclesiastical bodies, such as local Kirk Sessions, as well as civil courts like the Justiciary Court. The Act outlined the various offenses which would be prosecuted as well as the punishment they merited;

> It is statute and ordanit be the Quenis Majestie, and thre Estatis foirsaidis, that na maner [any manner] of persoun nor persounis, of quhatsumever estate, degre or conditioun thay be of, tak upone hand in ony tymes heirefter, to use ony maner of Witchcraftis, Sorsarie or Necromancie, nor gif thame selfis furth

[21] Michelle Brock, *Satan and the Scots* (New York: Routledge, 2016), 151.
[22] Levack, *Witch-hunting in Scotland,* 9.

> to have ony sic [any such] craft or knawlege thairof, thairthrow abusand the pepill: Nor that na persoun seik ony help, response or consultatioun at ony sic usaris or abusaris foirsaidis of Witchcraftis, Sorsareis or Necromancie, under the pane of deid [pain of death], alsweill to be execute aganis the usar, abusar, as the seikar of the response or consultatioun.[23]

The Act's declaration that any person, of any "estate, degree, or conditioun" would face death for violating this law demonstrates that the contemporary understanding of witchcraft was concerned not simply with peasant *maleficia* but also crimes committed by the elite. Accusations of witchcraft leveled at Scottish nobles were frequently associated with treason, as evidenced by the case of William Stewart in 1568, and the 1563 Witchcraft Act explicitly states that their crimes merit the penalty of death regardless of their rank. The fact that the statute entitled "against witchcraft" also encompasses the crimes of sorcery and necromancy suggests that "witchcraft" was a broadly defined crime. As numerous trials from between 1563 and 1590 demonstrate, in many 'witchcraft' cases a defendant might be charged with crimes ranging from consulting spirits or fairies to interacting with the dead or committing actual acts of *maleficium*.

Additionally, the Act's inclusion of those who seek "help, response, or consultatioun" alongside persons who actually commit crimes of witchcraft or sorcery significantly expanded the scope of witch-hunts in Scotland by ensuring that individuals who consulted witches, but did not themselves perform any acts of magic, would also face trial and execution. As this chapter's examination of specific trials will demonstrate, some of the most prominent witch trials of the pre-1590 era involved charges against persons accused of consulting witches for aid, including members of the Findlaw family who were charged in 1586 with entreating a "notorious witch" to

[23] Parliament of Scotland, *Anentis Witchcraftis,* in Thomas Thomson and Cosmo Innes, ed. *Acts of the Parliaments of Scotland* (Edinburgh: H.M. General Register House, 1875), 105.

cause the death of four opponents through sorcery.[24] Given the Church of Scotland's concern with witchcraft as a crime against God, the Witchcraft Act's inclusion of both witches and individuals who consulted them may reflect Church officials' belief that both the practice and consultation of witches were sins.

The Church's involvement in drafting the Witchcraft Act, and its overall interest in establishing legal processes for the prosecution of various moral offenses, is further revealed in Kirk records of the minister John Knox's impassioned confrontation with members of Parliament who were initially unwilling to pass such legislation. "Least they sould seeme altogether to have forsakin God," a Church official reported, Knox's sermon drove Parliament to action until its members "beganne to treate of the punishment of adulterie and witchecraft…."[25] The wording of the legislation proposed by Knox and his fellow ministers, reading in part "that no person use anie maner of witchcraft, sorcerie, or necromancie…under the paine of death to the use and consulter, and to be putt in executious by the justice," is nearly identical to the phrasing used by Parliament in the Witchcraft Act, demonstrating even further that religious fervor was at the center of the most important piece of witch-hunting legislation in Scottish history.[26]

In the years following 1563, further references to witchcraft in government and Kirk records demonstrate that maintaining witchcraft's status as a capital crime and continuing (or expanding) prosecution remained a fundamental concern of religious and secular officials. On June 25, 1565 a general assembly of church officials met in Edinburgh to appeal to Queen Mary that crimes against God such as witchcraft were not being properly enforced, even in light of the Witchcraft Act, and to demand harsher enforcement. These church officials asserted that such

[24] National Records of Scotland, *High Court of Justiciary Processes,* JC26/2.
[25] David Calderwood, *The History of the Kirk of Scotland, Vol. 2,* (Edinburgh: Woodrow Society, 1843), 217.
[26] Calderwood,218

crimes as "idolatrie, blaspheming of God's name…witchecraft, sorcerie, and inchantment" were rampant in Scotland "without correctioun, to the great contempt of God and his holie word." To correct this spread of immoral and ungodly crimes, ecclesiastical authorities called for these offenses to be "severile punished; and judges appointed in everie province or diocie, with power to execute, and that by Act of Parliament." [27] Mary, however, did not take immediate action to clarify or further condemn the crime of witchcraft, and it was only after her son James VI took the throne in Scotland that Parliament again addressed witchcraft. In December of 1567, Scotland's Parliament heard motions concerning "how witchecraft salbe puniest [punished] and inquisitioune takin thairof," reaffirming that the death penalty would be imposed on convicted witches and "aganis thame that consultis with the witche, seikis hir support, mantenis or defendis hir…."[28]

This shift from the neutral reference "person or persons" in 1563 to the use of "her" and "herself" in 1567 reflects a fascinating change in the way Scottish officials perceived witchcraft. Both men and women were executed as witches throughout the 16th century, but witch-hunts in Scotland, as in Europe, disproportionately targeted women.[29] The change to female pronouns in 1567 suggests that Scottish officials increasingly viewed witchcraft as a female offense. In Europe, the idea of witchcraft as a predominately female practice was widespread well before the 1560s. One of the most influential witch-hunting manuals ever written, the 1486 treatise *Malleus Maleficarum* by German inquisitor Heinrich Kramer, blamed the prevalence of female witches on feminine credulity and impressionability. "Since they are feebler both in mind and body,"

[27] Calderwood, 287-9.
[28] Records of the Parliament of Scotland, "Parliamentary Register, 1567/12/97," rps.ac.uk.
[29] Christina Larner suggests a ratio of "about four to one" between women and men condemned as witches. *Enemies of God,* 5.

Kramer asserted, "it is not surprising that they should come more under the spell of witchcraft."[30] While the Scottish Parliament in 1567 did not cite any particular source or rationale for its use of female pronouns, Kramer's writing was certainly familiar to at least some learned Scots by this time. Among the authors who endorsed *Malleus Maleficarum* in the late 15th century was Thomas Lyel,[31] a Scottish theologian and colleague of Kramer's at the University of Cologne.[32] Regardless of how the concept of witchcraft as an inherently female crime was transmitted to Scotland, women were the particular target of accusations and prosecution even prior to 1590. As the following examination of Scottish witch trials will reveal, men charged under the 1563 Witchcraft Act were generally accused of consulting witches, while women were more frequently accused of actually practicing witchcraft.

Witchcraft Trials, 1572-1590

In addition to the legislative measures concerning witchcraft, and the tangential mentions of accused witches in several pre-1563 documents, records of witchcraft trials conducted prior to November of 1590 provide substantial information on how witchcraft was understood and prosecuted prior to the North Berwick witch-hunt. Throughout the 16th and 17th centuries, two primary options existed for trying individuals for witchcraft: a commission from Scotland's Privy Council could be requested to allow local officials to try the accused person, or Scotland's lord advocate could indict and prosecute the accused before Scotland's Justiciary Court.[33] This system limits the availability of records to modern historians, given the disparity between trials held by local courts and those heard before the Justiciary Court. Few records from local courts

[30] Heinrich Kramer, *Malleus Maleficarum* in Christopher S. Mackey, ed. *The Hammer of Witches: A Complete Translation of the Malleus Maleficarum* (Cambridge: Cambridge University Press, 2009,) 89.
[31] Mackey, ed. *The Hammer of Witches,* 77.
[32] Michael Lynch, ed. *Oxford Companion to Scottish History* (Oxford: Oxford University Press, 2011), 264.
[33] Levack, *Witch-Hunting in Scotland,* 19.

have survived, but Privy Council records do contain some references to local accusations and preliminary evidence presented to the Council by local accusers requesting a commission, which allows some insight into the conduct of local courts. Justiciary Court records, though often quite brief and rarely containing testimony from the accused, have been consistently maintained since the mid-16th century. Though brief and rarely containing testimony from the accused, the records do allow for a more complete understanding of cases presented before central officials. While certain Justiciary Court records are inaccessible or have physically degraded beyond legibility, records of some cases were preserved and compiled by the 19th-century antiquarian Robert Pitcairn in his numerous volumes of *Ancient Criminal Trials in Scotland.*

Janet Boyman

Among the earliest witchcraft trials with surviving records was that of Janet or 'Janey' Boyman in 1572. Like many trials from this period, Boyman's indictment involved charges of sorcery, witchcraft, and consorting with fairies— a combination of folkloric, supernatural, and magical elements that reflects 16th-century Scotland's complex and evolving system of witch beliefs. Records indicate Boyman was found guilty on December 29th, 1572 and executed in Edinburgh shortly thereafter.[34] Boyman's trial contains some of the clearest examples of Scottish folklore emerging within a witchcraft indictment, with various references to folk-healing practices and fairies. A resident of Cowgate, Edinburgh, Boyman held local renown as "ane wyss woman [wise woman] that culd mend diverss seikness and bairnis [children] that are tane away with the faryie men and wemin."[35] The description of children taken by fairies is a reference to changelings, believed in Scottish folklore to be fairy children left in the place of the mortal infants stolen by the fairies. Changelings were thought to become weak and sickly after replacing

[34] Goodare, Martin, Miller and Yeoman, "The Survey of Scottish Witchcraft," http:www.shca.ed.ac.uk/witches/
[35] National Records of Scotland, *High Court of Justiciary Processes,* JC 40/1.

the human child, a condition that might lead parents to consult a "wise woman" such as Boyman.[36]

In addition to charges of sorcery and witchcraft related to her healing abilities, Boyman's trial records include her in the proceedings of Scotland's 1568-69 witch-hunt under the Earl of Moray. Boyman was said to have predicted the regent's death at the behest of Sir William Stewart— the Earl's political opponent whose execution Moray orchestrated some months later.[37] The wide range of offenses attributed to Boyman indicates just how complex and multifaceted witch beliefs were in this period. The fairies and changelings associated with Boyman indicate the significance of folkloric beliefs within witch beliefs, and Boyman's ability to 'mend divers seikness' reflects the particular importance of folk healing practices. Of a more nefarious nature were Boyman's confession to invoking "ane evill spreit [spirit]" and predicting the regent's death, acts of sorcery with potentially dangerous (and treasonous) implications. These elements of folklore, healing, and sorcery reflect the fact that witchcraft was not a single, clearly defined phenomenon in the 16th century, but rather an amalgamation of many factors and views. As Justiciary Court records noted, it was for "diverse crymes of witchecraft" that Boyman was "convict and brint [burned]" sometime in early 1573.[38]

Elizabeth Dunlop

Belief in the Devil and demons as the source of witches' power, a central theme in the North Berwick witch trials and later Scottish witch-hunts, are referenced—though sporadically and with little detail—in several cases from before 1590. The idea of witchcraft as a diabolical offense was developing in the years and decades before 1590 alongside the more consistent

[36] Fran and Geoff Doel, *Folklore of Northumbria* (History Press, 2009), 20-27.
[37] NRS, JC 26/1/27.
[38] Pitcairn, *Criminal Trials,* v. 1, p 38.

themes of sorcery and folklore. The trial of Elizabeth Dunlop in November of 1576 provides an example of this combination of the Devil, folk beliefs, and magic. Dunlop stood accused of "the [using] of sorcerie, witchcraft and incantatione, with invocation of spretis of the devil," and of "deling with charmes, and abusing pepill with devillisch craft of sorcerie forsaid." [39] Records of Dunlop's trial focus largely on her dealings with Thom Reid, the spirit of a man who had apparently died some decades prior. Dunlop claimed that Reid had healed Dunlop and her husband of various maladies, and instructed her in the use of herbs and spells.[40] Dunlop's testimony further states that Reid introduced her to a company of fairies from "the Court of Elfame [Elfland]," who gave her additional herbs, and that the fairy queen appeared to Dunlop at a later time and correctly predicted that Dunlop's infant child would soon die.[41]

In addition to court records from Elizabeth Dunlop's trial, she and her conviction are also mentioned in an intriguing 18th century source, *The Memorables of Robin Cummell.* A literate servant who lived from roughly 1745 to 1840, Robin Cummell (sometimes referred to as 'Robert Campbell') was "long a servant at Eglinton Castle," situated in the same region of North Ayrshire where Dunlop's trial had taken place two centuries earlier.[42] Cummell's memoirs provide a unique perspective on Dunlop and her trial, relaying how the case was remembered in popular memory and local legend over the following centuries. Cummell's work is by no means focused on witchcraft, as he devotes most of his attention to contemporary events and wildlife, but in his description of a local estate Cummell's attention turns to Dunlop. "Monkcastle, wi' its bonnie green m'unts and knows, was aye ane o' my favourite haunts when a boy," Cummell writes, and recalls "dreaming below its giant trees of Bessie Dunlop of the Linn and her freen',

[39] "Trial of Bessie Dunlop" in Pitcairn, *Criminal Trials*, v. 1, 50-51.
[40] "Trial of Bessie Dunlop" in Pitcairn, *Criminal Trials,* 51.
[41] "Trial of Bessie Dunlop," 53-57.
[42] John Service ed., *The Memorables of Robin Cummell* (UK: Alexander Gardner, 1913), 205.

Thom Reid."[43] According to Cummell's account, Bessie Dunlop was approached by the spirit of a man named Thom Reid, who claimed to have died nearly 30 years earlier. Reid promised to heal Dunlop's sick husband, and demonstrated his abilities by healing Dunlop's toothache simply by touching his hand to her cheek.[44] With the benefit of hindsight, Cummell expresses his own doubts about Dunlop's actual complicity and describes her as "an ill-less [innocent] thing." In her own time, however, when word spread of Dunlop's supposed interactions with a spirit it became "violently suspected and jaloused that she was colloguin' wi' the said Thom, and that she was a witch herself."[45]

Though up to this point Cummell's account appears generally in line with Dunlop's formal indictment, his story diverges significantly when he broaches the topic of the Devil. Cummell states that Bessie met the Devil, "a muckle black man, with a black beard stickin' oot…[and] had an evil favoured skull-bonnet on his heid and a black beuk in his haund." After local authorities came to suspect her of witchcraft, Cummell asserts that a "witch doctor" was fetched to search her for the Devil's mark.[46] Given that the earliest mention of the Devil's mark in any other Scottish witch trial was in that of Geillis Duncan at the beginning of the North Berwick trials, this reference to the mark being used as evidence of Dunlop's guilt in 1576 is almost certainly a chronological misrepresentation. By Cummell's lifetime, it would appear that the actual memory of Dunlop's trial had been intermixed with notions of diabolical witchcraft and the Devil pact, which had become the central theme of witch beliefs by the 17th century and were clearly part of the popular recollection of Dunlop's trial in the region of Ayrshire by Cummell's lifetime. Ultimately, while the references to the Devil in the Justiciary Court's own

[43] Service, *The Memorables of Robin Cummell,* 192.
[44] Service, *The Memorables of Robin Cummell,* 195.
[45] Service, 195.
[46] Service, 196.

records of Dunlop's trial were quite brief, mentioning only 'spirits of the Devil' and the 'Devilish crime of sorcery,' their appearance in her case demonstrates at least that diabolical themes were already beginning to develop in the 1570s.

Christine Douglas

Christine Douglas's trial for witchcraft in 1579, like Elizabeth Dunlop's, included explicit reference to the Devil, with whom Douglas was said to have conversed on Passover and from whom she apparently learned the practice of *maleficium.*[47] Unfortunately, Douglas's trial was conducted in a local burgh Court in Edinburgh rather than the Justiciary Court, leaving few details regarding the specific charges leveled against her. All that is known of Douglas from existing records is that she was tried on June 18, 1579 in Canongate, Edinburgh, was found guilty, and was executed by strangulation and burning.[48] For the purposes of this work, it is the reference to the Devil in Douglas's trial that is of particular interest, even given the lack of further information regarding the precise charges against her and her confession.

James VI's role in publicizing and emphasizing the Devil's connection to witchcraft was significant, and will be the focus of the next chapter, but early cases including Douglas and Dunlop's are vital to understanding that the concept of diabolical witchcraft evolved gradually in 16th-century Scotland. In both Dunlop's and Douglas's cases, references to the Devil are intermixed with the crime of *maleficium,* as Dunlop is accused of practicing the "devilisch craft of sorcerie" and Douglas claimed to have been taught *maleficium* directly from the Devil. While in these earlier trials the Devil's role is inconsistent and mingledwith concepts of sorcery and folklore, the presence of these small diabolical and demonic references is nonetheless evidence

[47] Canongate Burgh Court Book, 1574-77, p. 370-3 in Goodare, Martin, Miller and Yeoman, "Survey of Scottish Witchcraft," http://www.shca.ed.ac.uk/witches/
[48] Ibid.

that the notion of the Devil as the source of witches' powers that would prove so critical to later witch-hunts had already begun to evolve decades prior to the North Berwick trials.

The Finlaw Family and Tibbie Smart

Another interesting witchcraft trial from this period is that of four members of the Finlaw (or Findlaw) family, who were charged with consulting the notorious witch Tibbie Smart and seeking her help in the murder of four individuals in 1586. James, John, Agnes, and Elizabeth Finlaw were charged before the Justiciary court in May, and were "said to have consulted Tibbie Smart 'ane common and notorious witch…to gain revenge for 'the alledgit strykeing and dinging of ane schipart [shepherd] boy of the said James Finlawis."[49] While details of this case are again quite limited, the available records do provide an interesting account of witchcraft in the pre-1590 period. Tibbie Smart's status as a "common and notorious" witch is comparable to both Janey Boyman and Bessie Dunlop, both of whom had achieved local renown as wise-women and healers. Notably, however, this case saw members of the Finlaw family prosecuted alongside Smart herself, even though the Finlaws themselves had not practiced any form of sorcery or *maleficium.* The Justiciary Court's prosecution of the Finlaws as well as Smart for the crime of witchcraft demonstrates that the 1563 Witchcraft Act, which condemned the consultation of witches alongside the actual practice of witchcraft, was indeed used against both witches and those who sought their help.

The Finlaw trial provides evidence of various forms of magic and sorcery punishable under the 1563 Witchcraft Act and allows some insights into Scotland's legal process in the late 16th century. Smart herself had first been tried at some prior time for sorcery and the use of charms in a local trial, under commission granted by the Justiciary Court, and upon being found

[49] JC 26/2.

guilty she was branded on the cheek and banished.[50] In May of 1586, Scotland's Lord Advocate brought charges against James, John, Agnes, and Elizabeth Finlaw and Tibbie Smart before the Justiciary Court. The Finlaws were charged with hiring Smart to cause the "crewel slaughtereis committit be witchcraft and inchantmentis" of their rivals. Smart herself faced a significant array of magical offenses, accused of practicing divination on the behalf of various people, of transforming herself into a badger and back into a human, and of murdering ten people through witchcraft, including the individuals she agreed to kill on behalf of the Finlaws.[51] Court records do not reveal the verdict from the Finlaw or Smart trials or any punishments ordered, but if found guilty under the Witchcraft Act, both parties would have faced execution: Smart for practicing witchcraft, and the Finlaws for soliciting her aid.

Hector Munro and Katherine Ross

Two of the final witchcraft trials to take place prior to the North Berwick witch-hunt were those of Hector Munro, Baron of Foulis, and his step-mother Katherine Ross, Lady of Foulis, who were both tried in July of 1590. The charges against Munro and Ross included consulting witches, sorcery, and *maleficium*, and the references to the Devil in their trials provide some of the clearest examples of the development of diabolical themes in witch trials prior to the North Berwick witch-hunt. Indicted for his complicity in "sorcery, incantation, witchcraft, and slaughter," most of Munro's charges stemmed from a plot he was said to have carried out with aid from "ane of the maift notorious and rank Wichis in all this realme," a woman named Marion MacIngaruch. Munro was afflicted with a mortal illness and requested that MacIngaruch use "hir devilisch Incantaciounis and Wichcraft" to aid him. The witch informed Munro that "their wes na remeid [remedy] for yow to recover your health, without the principall man of your blude

[50] JC 26/1/13.
[51] JC 26/1/13.

sould suffer death for yow," referring to Hector's half-brother George Munro, "eldest sone to Katherene Roiss Lady Fowles."[52] Prepared to sacrifice George to ensure his own survival, Hector was said to have followed MacIngaruch's advice and summoned George to his estate, whereupon the witch performed a secret ritual to cure Hector and transfer his illness. Records indicate that George Munro "tuke ane deidlie seikness, in the moneth of Apryle 1590 yeiris," dying several months later.[53] While the charges against Hector involved the consultation and employment of a witch, rather than personally committing the act of witchcraft that supposedly brought about his half-brother's death, Munro's indictment nonetheless asserts that, "as it is Statute and ordait by the Actis of Parliament," he would face execution if found guilty. Ultimately, however, Hector denied all charges and was subsequently declared "to be acquit and innocent of all the heidis of the said Dittay [indictment]."[54]

Katherine Ross's trial, held the same day as her stepson's, provides some of the clearest and most intriguing references to the Devil of any witch trials prior to the North Berwick witch-hunt. Ross's reputation for "wickitness and develrie" was apparently well-established by 1590, and her indictment asserts that she regularly consulted and engaged witches. In July of 1590, Ross was accused of acting "contrar [to] the lawis of God, and exerceing and using they self maist ungodlie and wickitlie, by the perverst Inchantmentis, Witchcraft, Develrie, Incantatiounis and Sorcerie."[55] While Hector Munro had been accused merely of consulting with a known witch, Ross faced a wider array of charges, ranging from the creation of magical images for use in *maleficia,* the "crewall slauchter [slaughter]" of a young woman through poison, and providing shelter and supplies to another notorious witch, Marioune McAllester. While Ross's

[52] "Trial of Hector Munro" in Pitcairn, *Criminal Trials in Scotland,* v. 1, part 2, 201-202.
[53] "Trial of Hector Munro" in Pitcairn, *Criminal Trials,* 204.
[54] "Trial of Hector Munro" in Pitcairn, *Criminal Trials,* 201-204.
[55] "Trial of Katherene Ross, Lady Fowlis" in Pitcairn, *Criminal Trials,* 192.

involvement in Hector Munro's plot is not discussed at length in her indictment, she is accused of preparing a potion for him to ensure that his children would "succeed to the hous of Fowlis" and inherit his title.[56] Ross was found innocent by the assize despite the array of charges against her. Robert Pitcairn, who was responsible for preserving the records of both Munro's and Ross's trials, asserts that "the escape of Lady Foulis and her stepson [from prosecution] can only be attributed to the very powerful influence of the parties." While their noble status granted them no automatic reprieve under the 1563 Witchcraft Act, informal means could nonetheless have influenced the assize's decision, and Pitcairn is adamant that the affair "bears all the appearance of a selected or packed jury."[57]

Ross's and Munro's indictments contained a number of significant folkloric elements and diabolical themes, indicating how witch beliefs continued to evolve and develop in the months prior to the North Berwick trials. Ross was accused of using "elf arrows" in her sorcery, firing them at the images she had created to harm the individuals who were pictured in them.[58] In his article on folk beliefs and fairies within the Scottish witch hunts, Alaric Hall argues that Ross's supposed acquisition and use of elf arrows may have been seen as an attempt to "gain the power to harm by visiting the elf-folk," and considers references to elf arrows in various trials evidence that "over time, fairy beliefs were incorporated into witchcraft beliefs."[59] The references to the Devil in Ross's and Munro's trials are especially important, as they demonstrate that diabolical themes were not simply present in some cases prior to North Berwick, but that these themes were expanding in the years between the 1563 Witchcraft Act and the North Berwick witch-hunt.

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[56] "Trial of Katherene Ross" in Pitcairn, *Criminal Trials,* 194-199.
[57] Pitcairn, *Criminal Trials,* 192.
[58] "Trial of Katherine Ross" in Pitcairn, 199.
[59] Alaric Hall, "Getting Shot of Elves: Healing, Witchcraft and Fairies in the Scottish Witchcraft Trials," *Folklore* 116, no. 1 (April 2005): 33.

While earlier diabolical references in Bessie Dunlop's indictment in 1576 had simply described her use of "Devilish" arts, and Christine Douglas's 1579 trial records had mentioned only that Douglas conversed with the Devil, by the time of Ross's and Munro's trials the notion of witches as servants of the Devil had taken root. Munro is said to have been instructed by Marion MacIngaruch to never mention their plot "unto the tyme that she [MacIngaruch] and your foster-mother [Ross] sould first speik with hir maister, the Devill."[60] These two trials from just months before the beginning of the North Berwick witch-hunt thus demonstrate how beliefs in the Devil had developed and taken on greater significance throughout the mid-to-late-16th century, setting the foundation for Scotland's first truly national witch-hunt in 1590-91.

The Evolution of Witch Beliefs and Persecution

While the definition of witchcraft in Scotland was evolving in the mid-to-late-16th century, certain key themes nonetheless emerge out of these various witchcraft trials conducted between 1572 and 1590. Elements of folklore and popular belief, from references to fairies and changelings to accusations against wise-women and healers, appeared frequently in these trials. References to the Devil and demons, though inconsistent by comparison to folklore and sorcery, also developed in this period, and appeared in multiple trials in the 1570s, 80s, and early 1590. Judicial and legislative processes which would come to facilitate the more widespread prosecution of witches in Scotland's later witch-hunts also developed in the decades prior to 1590. Similarly, the Earl of Moray's commission allowing local officials to arrest and investigate suspected witches within Forfar county foreshadows the more expansive powers that would be given to local authorities to apprehend and try suspects during the North Berwick trials and later national witch-hunts.

[60] "Trial of Hector Munro" in Pitcairn, 203.

The execution of convicted witches by burning, an important feature of witchcraft persecution during Scotland's nationwide witch-hunts in the 17th century, also emerged prior to the North Berwick trials. Exchequer records refer to "expenses upon three condemned witches there to the day of burning" at St. Andrews in 1542, confirming that burning as punishment for witchcraft pre-dated even the 1563 Witchcraft Act.[61] Execution by burning had a long history in Europe well before the early modern era and its witch-hunts. Early Christians often faced death by burning under the Roman Empire, and in the medieval period Christian authorities adopted this method of execution for themselves. Inquisitors including the "genuine fanatic" Conrad of Marburg burned countless victims at the stake for heresy in the 12th and 13th centuries.[62] Given this long association of burning with heresy, the execution of witches by burning in Scotland as early as 1542 is significant. To merit such a punishment, witchcraft would have been seen not only as a capital offense, but as a violation of Christian doctrine.[63] While burning was not the sole punishment for witchcraft prior to 1590—Tibbie Smart was branded and banished by local authorities prior to being indicted with the Findlaw family— it was widely utilized.[64] Janet Boyman was burned in 1572, as was Elizabeth Dunlop in 1576, and financial records from the Burgh of Ayr refer to "expenssis sustenit in the burning of the witche of Barnweill" in 1586 or 1587.[65]

[61] McNeill, ed. *Exchequer Rolls of Scotland, v. 16*, 141.
[62] Norman Cohn, *Europe's Inner Demons* (Chicago: University of Chicago Press, 1993), 45-46.
[63] Other capital crimes in this period were generally punished by whipping or execution, further indicating that the burning of witches held special significance; David Moysie, *Memoirs of the Affairs of Scotland* (Edinburgh: W. Ruddiman, 1755), 255.
[64] JC 26/1/13
[65] George Pryde, ed. *Ayr Burgh Accounts: 1534-1624* (Edinburgh: Scottish History Society, 1937), 156.

Conclusion

The examination of witchcraft prosecution prior to the North Berwick witch trials reveals that many of the institutions and beliefs that played central roles in Scotland's later national witch-hunts were already developing in the decades prior to 1590. Though not as expansive as would become the case in 1590-91 under James VI's oversight, the example of Scotland's 1568-9 witch-hunt nonetheless demonstrates that the national government's use of commissions granting broad investigatory powers to local officials had a clear precedent from earlier years. Similarly, the 1563 Witchcraft Act's formal designation of witchcraft as a capital offense punishable by ecclesiastical and secular jurisdictions helped to set the path toward Scotland's large-scale national witch-hunts beginning in 1590, in which local Kirk sessions and central courts accused, indicted, and executed over 1,000 individuals for witchcraft.

Ideas of the Devil as associated with witches also developed within the broader framework of witchcraft beliefs in this early period. While sorcery, folklore, and elements of superstition featured more prominently in witch trials prior to 1590, diabolical themes are nonetheless visible in trials dating back as far as the 1560s. The Church of Scotland's interest in persecuting witchcraft as a crime against God may have played an important role in emphasizing the diabolical and demonic aspects of witchcraft. Knowledge of continental European witch-hunting treatises such as *Malleus Maleficarum,* which described Satan as seducing and commanding witches, may also have led Scottish authorities to focus increasingly on the Devil when interrogating and charging suspects. By the time of Hector Munro's and Katherine Ross's trials in July of 1590, still several months before the North Berwick witch-hunt began, ideas of 'develrie' had developed to include perceptions of the Devil as master of witches.[66] The process

[66] Heinrich Kramer, *Malleus Maleficarum,* 113.

by which diabolism became the central theme of witchcraft persecution was gradual, and never entirely supplanted ideas of folklore and superstition. While some historians have argued that the period around 1590 and the North Berwick witch trials marked a transition from *maleficia* and folklore to the Devil as the focus of witchcraft trials, various folkloric themes such as fairies and folk healing would remain critical components of witchcraft persecution for decades to come. Isabelle Gowdie's prominent trial in 1662, which will be the focus of further analysis later in this work, clearly illustrates that beliefs in witchcraft and folklore remained deeply intermingled in the popular imagination.

Although ideas of the Devil and his relation to witchcraft appeared only infrequently in trial records from before 1590, the cases in which they do appear indicate that ideas of diabolical witchcraft were gradually forming in Scotland in the years leading up to 1590. The legal and judicial processes set in place by the 1563 Witchcraft Act were also developing in this period, setting important foundations for the more widespread witch-hunts to come. By moving from these early cases to the North Berwick trials of 1590-91, the first of what historians have termed Scotland's "Great Witch-Hunts," the following chapter will examine how these themes were expanded upon and reinterpreted into the beliefs and institutions that enabled the accusation, indictment, and execution of well over 1,000 individuals in the following decades.

II. James VI and the North Berwick Witch Trials

When Tranent bailiff David Seton first accused his maid of practicing witchcraft in 1590, his suspicions that the young Geillis Duncan's seemingly miraculous acts of healing were in fact sorcery did not appear markedly different from the accusations of witchcraft that had been recorded across Scotland in earlier decades. That the North Berwick witch trials were to reach such remarkable heights, with nearly 100 suspects implicated, was the result of a complex amalgamation of local accusation, elite condemnation, international incident, and King James VI's own political motives. The North Berwick witch trials of 1590-91 were the first great witch-hunt to sweep the nation of Scotland, and James VI's personal involvement in a portion of the hunt significantly elevated the witch-hunt's intensity. Ultimately, however, the North Berwick witch trials revealed that the idea of witchcraft as an inherently diabolical crime and other aspects of the continental European witch stereotype were already established among Scotland's literate elite. King James VI's contributions to the conduct of Scottish witch persecution was not the introduction of witchcraft as a crime associated with the Devil, but rather the emphasis of pre-existing ideas of diabolical witchcraft and the legitimization of certain judicial and investigative processes. Through his treatise *Daemonologie,* James sought to convince English as well as Scottish readers of the reality and danger of witchcraft and the Devil, and his validation of torture and use of the Devil's mark as evidence of guilt influenced the conduct of witch persecution for decades to come.

Close examination of records from the North Berwick witch trials demonstrates that the belief that witches drew their power from the Devil and the notion that the Devil physically marked each witch—both key themes in Scottish witchcraft persecution over the following

century—were not introduced to Scotland by James VI during the North Berwick trials, as a number of historians have asserted.[67] Rather, James VI's attempts to emphasize witchcraft as a diabolical crime was a reflection of his deliberate and immediate political interests. By emphasizing the severity of witchcraft as an offense, demonstrating to the Scottish public that witches were numerous and dangerous, and establishing that the witches' attack against his own person represented the Devil's opposition to James, the king mounted a substantial and effective propaganda campaign intended to raise his public image in both Scotland and England in the years prior to the Union of the Crowns. James's "victory" over the North Berwick witches by overseeing dozens of interrogations and executions was thus portrayed as a triumph over the Devil and an indication of his strength in defending both Christian faith and his own people against the Devil's ever-present threat.

The North Berwick witch trials eventually spanned two years, saw nearly 100 people tried, and spread so far as to have James VI's first cousin and staunch political rival, Francis Stewart, the Earl of Bothwell, implicated in the conspiracy to assassinate James through witchcraft. Even after the trials at North Berwick concluded, news of these witches and their supernatural conspiracy involving the Earl of Bothwell became fuel for a truly national witch-hunt. In October of 1591 James VI granted a sweeping commission to nobles and officials to investigate, try, and execute suspected witches in his name, leading to a number of trials throughout Scotland in the following months. Levels of prosecution did not decline until 1592, when the popular fervor from North Berwick had abated somewhat.[68]

[67] Christina Larner argues that "the continental witch theory which had previously been unknown in Scotland was introduced" during the North Berwick trials, including the concept of the Devil pact; Larner, *Enemies of God,* 69.
[68] David Masson, ed. *The Register of the Privy Council of Scotland,* Vol. 4 (1585-1592), pg 680.

Ultimately, the study of the North Berwick witch trials is a study of James VI, his political machinations, and his selective use of continental European witch beliefs to formalize the notion of witchcraft as a diabolical crime in Scotland. With most of the surviving records from North Berwick existing in the form of James' own treatise and the pamphlet written explicitly in defense of his efforts, the case of North Berwick is uniquely suited to understanding James' own views and interests. While Scotland didn't experience its first truly national witch-hunt until the last decade of the 16th century, continental Europe had seen witchcraft prosecuted variously as heresy and a secular offense for centuries, and King James's exposure to European witch beliefs while in Scandinavia would prove quite significant after allegations arose of a supernatural plot against his own life. Certainly, the series of storms that threatened Anne and James following their wedding in August of 1589 would have appeared bizarre. First, sudden shifts in weather forced the ship carrying Princess Anne to return to Denmark in 1589. A second storm followed that sank a fleet of ships transporting wedding gifts from the Danish court to Scotland. Finally, a further turn of ill-winds that threatened James VI and Anne on their return to Scotland.[69] In the wake of such alarming coincidence, and after learning of the Danish monarchy's own investigation into a group of witches suspected of using sorcery to bring about this harsh weather, news of a suspected witch just miles from Edinburgh several months later brought this supernatural threat to James's immediate attention.

James VI's Political Interests

In addition to his experience with witchcraft prosecution in Denmark immediately preceding the affairs at North Berwick, the political background of James' life and the instability

[69] Brian Levack, *Witch-Hunting in Scotland,* 35-36.

of his rule are crucial elements to understanding the king's interest in the North Berwick trials and his motives in presenting a selective reinterpretation of witchcraft to the Scottish people. Given the long history of violence against earlier Scottish monarchs over the previous century, James had significant reason to fear acts of violence against his own person and doubt the stability of his rule. In 1437 King James I of Scotland was assassinated amidst a coup mounted by his own uncle, and decades later in 1482 his grandson King James III faced another rebellion from Scottish nobles at Edinburgh Castle. James VI's own mother, Mary, Queen of Scots, led a life largely defined by violence and uncertainty. Mary was abducted by James Hepburn, 4th Earl of Bothwell, and forced into marriage. She later faced an uprising, imprisonment, and forced abdication in favor of the infant James VI. Ultimately fleeing to England after Scottish nobles forced Hepburn into exile, Mary was imprisoned at the order of Queen Elizabeth I for nearly twenty years, until her execution in 1586.

With the uncertainty of his own reign and the troubled histories of previous Scottish monarchs' undoubtedly weighing on his mind, the allegations against a number of Danish citizens accused of orchestrating a plot against his life through witchcraft certainly seem to have struck a chord with James. When news arose at North Berwick that a number of Scottish witches may have mounted their own conspiracy against his life, James recognized an opportunity to address multiple concerns through a single cause. By applying aspects of the European witch stereotype he encountered in Denmark to the trials at North Berwick, King James could depict himself as the champion of Christian faith against the Devil's influence, a form of propaganda that could simultaneously solidify his domestic power and elevate his popular image in preparation for his ascent to the English throne.

This view of James's involvement at North Berwick and interpretation of his writing of *Daemonologie* as a form of propaganda, an attempt to further political ambitions by promoting his piety and strength, was first adopted by Christina Larner in a 1981 article and expanded somewhat with the publishing of *Witchcraft and Religion.*[70] By 1590, James's political aspirations were certainly lofty enough, and his power tenuous enough, to prompt the king's involvement in the North Berwick trials as a demonstration of his championship of Christian faith. Baptized a Roman Catholic as an infant but raised in the Presbyterian faith, often courting the Anglican Church's support and frequently in tension with Scotland's reformed Church over matters of hierarchy, James VI lacked the complete support of any single religious establishment, which further complicated his ambition to unite the crowns of England, Ireland, and Scotland. From his throne at Edinburgh, James's gaze and ambition were directed south, and the chance at a propaganda effort that could "enhance James's credit in England" by depicting him as a powerful and pious monarch capable of resisting the Devil and his witches was an excellent opportunity.[71] The earliest records from North Berwick suggest that local authorities already suspected the accused witches of acting in league with the Devil. James merely emphasized the diabolical nature of witchcraft through both his own treatise *Daemonologie,* which provided theological justification for the prosecution of witches as servants of the Devil, and the pamphlet *Newes from Scotland,* which publicized the events at North Berwick to a wider Scottish and English audience.

[70] While Larner passed away in 1983 without completing her work, in 1984 her existing notes were published posthumously in the form of *Witchcraft and Religion: The Politics of Popular Belief*, edited by Alan Macfarlane.
[71] Christina Larner, *Witchcraft and Religion: The Politics of Popular Belief,* (New York: Basil Blackwell, 1984), 15.

Newes from Scotland

With few surviving assize documents and Justiciary Court records from this period, the study of the North Berwick witch trials relies largely on the pamphlet *Newes from Scotland*. The pamphlet is a work of uncertain authorship which makes no secret of its intent to support James VI as defender of God and country:

> The manifold untruths which are spread abroad concerning the detestable actions and apprehension of those witches, whereof this history following truly entreateth, hath caused me to publish the same in print…to satisfy a number of honest minds who are desirous to be informed of the verity and truth of their confessions…I have undertaken to publish this short treatise which declareth the true discourse of all that hath happened, and as well what was pretended by those wicked and detestable witches against the king's Majesty, as also by what means they wrought the same.[72]

But who was this author who was so moved by the apparent injustice done to the North Berwick trials by false narratives that he was compelled to publish this pamphlet? The most recent and exhaustive review of the North Berwick witch trials, conducted by Lawrence Normand and Gareth Roberts for their work *Witchcraft in Early Modern Scotland*, tentatively assigns the authorship of *Newes* to James Carmichael, a prominent Scottish intellectual and religious scholar, but the evidence in support of their conclusion is tenuous. Carmichael had the means to publish the pamphlet and was present at the pre-trial examinations of several of the accused witches, and correspondence between Carmichael and James VI from 1615 references Carmichael's official documentation of the North Berwick trials at the king's behest, but no

[72] *Newes from Scotland* in Lawrence Normand and Gareth Roberts, *Witchcraft in Early Modern Scotland.* London: Liverpool Press, 2000. 310.

evidence has been found to definitively establish Carmichael as the pamphlet's author.[73] The pamphlet's exact date of publication is also unknown, though it is generally thought to have been at some point in late 1591.[74]

Whether Carmichael can be firmly identified as *Newes from Scotland's* author, and whether historians are to believe the pamphlet was officially commissioned by James or written independently, the author's tone and the entirety of the narrative clearly demonstrate that the pamphlet's purpose was to acclaim James VI and shape the populace's understanding of the North Berwick trials in the king's favor. Christina Larner has convincingly argued that "there is a high degree of probability that the tract was written directly for an English reading public," citing the pamphlet's use of common English spellings of names and places rather than typical Scottish variants even in the earliest-known editions as signs that the pamphlet was written with James VI's ambitions toward the English throne in mind.[75]

Timeline of the North Berwick Trials

The precise timeline of the North Berwick witch trials, and the point at which James VI became personally involved in prosecutions, has been the source of significant historiographical debate. While Christina Larner has called the claim that James was not present at the beginnings of the North Berwick trials "dubious,"[76] Brian Levack has argued that James did in fact arrive quite late to the North Berwick trials, taking interest only after several suspects had confessed to participating in a plot to assassinate the king through witchcraft.[77] While existing scholarship

[73] Normand and Roberts, *Witchcraft in Early Modern Scotland,* 292-294
[74] *Newes from Scotland's* introduction references the execution of suspected-witch John Fian in "January last, 1591," suggesting that the pamphlet was written, if not printed, at some point before 1592 (*Newes from Scotland,* 309).
[75] Christina Larner, *Witchcraft and Religion,* 15.
[76] Larner, *Enemies of God,* 11-12.
[77] Brian Levack, *Witch-Hunting in Scotland,* 42.

provides no consensus, a close analysis of the pamphlet *Newes from Scotland* does allow (with some extrapolation) for a general chronological outline of the events at North Berwick and James's involvement. The North Berwick trials are known to have begun with the bailiff David Seaton's accusation of witchcraft against his maid Geillis Duncan. After a period of incarceration and torture, Duncan implicated a number of other witches, including Agnes Sampson and Doctor John Fian; Sampson's and Fian's own interrogations and confessions are prominently featured in *Newes from Scotland*. James VI was known to have been present for and supervised at least part of Agnes Sampson's interrogation, indicating that his personal involvement would necessarily have begun at some point prior to Sampson's execution in January of 1591.[78]

John Fian's trial at Holyrood Castle is known to have begun on the 26th of December, 1590, and Agnes Sampson's testimony states that she and Geillis Duncan participated in a witches' Sabbath on All Hallows' Eve, thus on the 31st of October, 1590.[79] Geillis Duncan is also said to have "immediately" implicated a number of people known to be "notorious witches" following her own confession.[80] Between these various points, an approximate timeline emerges: Geillis Duncan would have first been arrested at some point in November of 1590, and after being tortured into confessing, implicated suspects including Sampson and Fian, at some point over the following weeks. Several of the accused witches were transported to Edinburgh for interrogation under James's direct supervision in December of 1590, with John Fian's trial beginning on December 26th, and by January of 1591 (if not earlier) James had begun to issue sentences of death to those he declared guilty.

[78] Normand and Roberts, *Witchcraft in Early Modern Scotland,* 298
[79] *Newes from Scotland,* 314.
[80] *Newes from Scotland,* 312.

Diabolical Witchcraft and the Devil's Mark

Newes from Scotland's account begins with the tale of the maid Geillis Duncan, whose prowess as a miraculous healer had come, by November of 1590, to some local prominence. Duncan was known "to help all such as were troubled or grieved with any kind of sickness or infirmity, and in short space did perform many matters most miraculous."[81] When Duncan's master, a bailiff named David Seton, came to doubt that Duncan performed these wonders "by natural and lawful ways" but rather by "some extraordinary and unlawful means," his curiosity turned to suspicion. As *Newes from Scotland* reports, Seton "with the help of others torment[ed] her with the torture of the pilliwinks," or thumbscrews, yet this torture elicited no admission from Duncan.[82] The Devil's mark was discovered on her throat immediately after torture failed, following which, *Newes from Scotland* reports, Duncan "confessed that all her doings was done by the wicked allurements and enticements of the devil, and that she did them by witchcraft."[83]

The speed with which Seton came to suspect Geillis Duncan of affiliation with the Devil and searched her body for the Devil's mark suggests that witchcraft was already understood as a diabolical crime by learned Scots prior to James VI's personal involvement in the proceedings at North Berwick. As *Newes from Scotland* reveals, the only cause for suspicion towards Duncan was the fact that she would "lie forth of her master's house every other night," along with the apparently "miraculous" nature of her feats of healing, "having never done the like before."[84] The scarce evidence that Seton required to suspect his maid certainly suggests that witchcraft was readily upon the minds of local Scottish officials, even prior to James VI's *Daemonologie*. Further, the fact that local officials put Duncan to torture until she confessed to witchcraft in

[81] *Newes from Scotland* in Normand and Roberts, 311.
[82] *Newes from Scotland* in Normand and Roberts, 311-312.
[83] *Newes from Scotland,* 312.
[84] *Newes from Scotland,* 311.

league with the Devil and not simply to acts of 'white magic' commonly ascribed to healers and cunning women, suggests that local understandings of witchcraft in Scotland may have been more in line with the continental stereotype than previously thought.

The notion of the mark placed upon witches by the Devil was an important theme in the persecution of witches at North Berwick, even before the accused witches were brought to Edinburgh and James's court. According to *Newes from Scotland's* narrative, Geillis Duncan was first tortured, followed by the discovery of the Devil's mark on her body, then her confession and implication of other witches, all prior to James's decision to take a personal role in the prosecution. The fact that a search was conducted for a Devil's mark upon Duncan's person immediately after torture failed to elicit a confession from her provides further evidence that the Devil as the source of witches' power was already on her interrogators' mind. Regarding the specifics of the Scottish elite's understanding of the Devil's mark, *Newes from Scotland's* author explains that "by due examination of witchcraft and witches in Scotland it hath lately been found that the devil doth generally mark them [witches] with a privy mark…before he doth receive them to be his servants." [85]

The pamphlet's assertion that the Devil's mark had been only 'lately' discovered suggests that the concept of the Devil secretly marking witches may not have been long-established in Scotland, though precisely when the idea was introduced to Scotland is difficult to ascertain. As with the belief in witches as servants of the Devil, the Devil's mark may have been introduced to the Scottish public through continental European witch-hunting treatises, though the mark was not a consistent theme in the European witch-hunts and was mentioned quite rarely in European texts. *Malleus Maleficarum* does not mention the Devil physically marking witches, but the

[85] *Newes from Scotland,* 313.

French philosopher Jean Bodin's 1580 work *De la Démonomanie des Sorciers* (*Of the Demon-mania of the Sorcerers)* does assert that the Devil marked witches in surreptitious locations.[86] Duncan's interrogators may have been familiar with the notion of the Devil's mark through some knowledge of Bodin's work or the continental European witch-hunts. Historians Lawrence Normand and Gareth Roberts assert that "there were many channels through which continental ideas about witchcraft could flow into the minds of Scots in the late sixteenth century," from exchanges between the Scottish and Danish courts to merchant contact with the continent and Scottish residents in Europe.[87] Ultimately, the search for the mark on Geillis Duncan's body soon after she was first suspected of witchcraft, and before James VI is known to have become involved in examinations in December of 1590, is evidence at least that the mark was known to local officials prior to James VI's intercession, even if the precise time when or source from which they were exposed to this idea is not known.

The Devil's mark was generally understood to be put in a discrete location, frequently concealed underneath hair, and *Newes from Scotland* notes that as long as the mark remains unnoticed, even in cases where a search is unsuccessfully conducted, "the parties that hath the mark will never confess anything."[88] This concept in particular bears great significance for understanding the role of the Devil's mark in the North Berwick trials. The Devil's Mark served as both a physical representation of a suspect's status as a witch (an important concept when investigating a crime that did not leave physical evidence) and as a justification for the accused's failure to confess—particularly important in the context of a crime for which the suspects were unlikely to confess without the application of torture. After John Fian had undergone extensive

[86] Jean Bodin, *On the Demon-mania of Witches,* trans. Randy A. Scott (Toronto: Centre for Reformation and Renaissance Studies, 1995), 113.
[87] Normand and Roberts, *Witchcraft in Early Modern Scotland,* 35.
[88] *Newes from Scotland*, 314.

torture and confessed to the crime of witchcraft, *Newes from Scotland* reports him to have escaped from prison before being recaptured and brought back to Edinburgh, where he suddenly denied his initial confession and claimed to have never participated in witchcraft. Seemingly as a means of reconciling Fian's sudden reversal with his initial confession, King James determined that Fian had "entered into new conference and league with the devil his master, and that he had been again newly marked" as an explanation for his newfound reticence.[89]

The Role of Torture in Scotland's Witch-Hunts

Critical to the conduct of trials at North Berwick, and indeed throughout Scotland's later witch-hunts in decades to come, was the use of torture. Though torture was prohibited by law in both England and Scotland in the 16th and 17th centuries, "this prohibition was more easily evaded in the northern kingdom, especially in witchcraft cases."[90] General commissions for witch-hunting issued by James VI and Scotland's Privy Council during the North Berwick trials not only tolerated, but "specifically encouraged the use of torture."[91] Even in cases where commissions did not explicitly allow the use of torture, and where "applications of torture were technically illegal," Brian Levack asserts that Scottish authorities—unlike their English counterparts—were consistently willing to use such practices.[92] The use of judicial torture to gain confessions from suspected witches remained a central theme in Scotland well into the mid-17th century. James's encouragement and direct oversight of the use of torture in 1590-91 thus had serious implications not only for the North Berwick trials, but for the conduct of Scotland's later witch-hunts over the following decades.

[89] *Newes from Scotland*, 321-322.
[90] Levack, *Witch-Hunting in Scotland: Law, Politics and Religion,* 3.
[91] Larner, *Enemies of God,* 70.
[92] Levack, *Witch-Hunting in Scotland,* 22.

As a representation of learned opinion, *Newes from Scotland's* tone regarding the use of torture demonstrates clearly that local officials were, from the very beginning in 1590, convinced of the accused people's cooperation with the Devil and determined to force the accused to confess to that crime. Though *Newes from Scotland* describes Seton's interrogation of Geillis Duncan as "grievous torture," and "a most cruel torment," its author clearly believes that Seton was entirely justified despite the lack of any tangible evidence that Duncan—whose actions had only been used to benefit the misfortunate and suffering—drew her power from "unnatural" means.[93] Duncan's interrogation is evidence of the process by which these elite views of witchcraft were imposed onto the accused. Despite Duncan's continuous denial of all charges against her, merely on the strength of the bailiff's word she was "conveyed away to prison, there to receive such torture as hath been lately provided for witches in that country."[94]

The use of torture to force confessions in line with the prosecutors' own beliefs is even more clearly exemplified by Agnes Sampson's interrogation. Sampson, the eldest of the witches accused at North Berwick, was examined before King James and his nobles at Holyroodhouse, but despite "all the persuasions which the king's Majesty used on her with the rest of his council" Sampson would not confess, "but stood stiffly in the denial of all that was laid to her charge." When her interrogation before James and his court failed to produce any results, "they caused her to be conveyed away to prison, there to recive such torture as hath been lately provided for witches…."[95] Nowhere in *Newes* is any indication given that Sampson's refusal to confess was even considered possible evidence of her innocence. In fact, her interrogator's immediate willingness to put her to torture when she refused to confess suggests that her guilt

[93] *Newes from Scotland,* 311-312.
[94] *Newes from Scotland*, 313.
[95] *Newes from Scotland,* 314.

was considered beyond doubt. After being put to extensive torture, Sampson eventually confessed to joining in the company of many other witches and traveling to a great feast and celebration in North Berwick presided over by the Devil.[96] The threat of violence against suspects who refused to confess of their own volition is further illustrated in a woodcut from an early edition of *Newes from Scotland*, which depicts James VI presiding over an examination of Agnes Sampson and several other suspects as an interrogator threatens the women with a club.

(From *Newes from Scotland* (1591), Reproduced in Christina Larner, "Witch Beliefs and Witch-hunting in England and Scotland," History Today, Vol 31 (Feb 1981).

The tortures assigned to the accused schoolmaster Doctor Fian, also known as John Cunningham, are the most grievous and are vividly described in *Newes from Scotland*. Fian was "put to the most severe and cruel pain in the world" after his initial interrogations failed to elicit a confession, and it was only under this harsh torment that Fian admitted to acts of sorcery. Following this confession, Fian's escape from prison and re-apprehension prompted officials to

[96] *Newes from Scotland,* 314-315.

put him to even more-protracted torment.[97] As with Duncan and Sampson, the fact that "nonwithstanding all these grievous pains and cruel torments he would not confess anything" was taken by Fian's interrogators as evidence of "how deeply had the devil entered into his heart," rather than of the possibility that he was innocent and that his earlier confession had simply been an attempt to escape torture.[98] The severity of torture methods employed against suspected witches at North Berwick is perhaps best illustrated in a letter written in April of 1591 by England's Ambassador to Scotland, Robert Bowes. While observing the interrogation of witches at James's court, Bowes witnessed a male suspect die due to "the extremity of the tortours [tortures] applied to him. He hath confessed little...."[99]

James VI's Political Machinations

Clearly one of King James VI's primary interests throughout his participation in the North Berwick trials was to confirm beyond any doubt that the witches at North Berwick had participated, on the Devil's orders, in a conspiracy against the king's life. The confessions elicited from various suspects all demonstrate the interrogators' intention to firmly demonstrate the association between witches and the Devil, and the reality of the plot against James's life. John Fian's final confession, after prolonged and agonizing torture, admitted to a number of crimes including the use of "sorcery, witchcraft and devilish practices" to drive a romantic rival insane.[100] Fian's testimony makes ever clearer the degree to which he and other witches had been brought to serve the Devil. Fian admitted that at the witches' meetings "he was clerk to all those that were in subjection to the Devil's service…he always did take their oaths for their true service to the Devil," and "wrote for them such matters as the Devil still pleased to command

[97] *Newes from Scotland,* 318-321.
[98] *Newes from Scotland*, 322.
[99] Normand and Roberts, *Witchcraft in Early Modern Scotland,* 127.
[100] *Newes from Scotland,* 318.

him."[101] As in Fian's case, it was only following a prolonged period of torture that Geillis Duncan "confessed that all her doings [were] done by the wicked allurements and enticements of the devil, and that she did them by witchcraft."[102] And, explicitly confirming the North Berwick witches' plot against King James, Agnes Sampson admitted following torture that the Devil "did greatly inveigh against the king of Scotland," and that when she and other witches "demanded of the devil why he did bear such hatred to the king, [the Devil] answered, by reason that the king is the greatest enemy he hath in the world."[103]

This statement, perhaps more than any other in *Newes from Scotland,* seems to directly reflect James's political ambitions, his desire for propaganda that would ensure his image as a defender of God and true faith. With Sampson's testimony serving as the primary evidence to convince the public that James had indeed been the target of witchcraft, and that it was the Devil who sought to destroy James as his greatest earthly enemy, James also had the means to ensure that her confession and status as a witch were beyond question. *Newes from Scotland* recounts that Sampson proved herself a witch by relaying the words which she claimed "passed between the king's Majesty and his queen at Upslo in Norway the first night of their marriage."[104] Given James's interest in seeing Sampson's testimony widely believed and circulated, the king could easily have convinced her through torture to recount these words or feigned his astonishment at Sampson's statement. In her later confession Sampson gave further details of the magical plot against James, admitting to have first attempted to kill the king by bewitching a piece of his clothing, and then raising great storms at sea through sorcery to sink a boat laden with wedding gifts to the royal couple and to attempt to kill the king and his new bride by targeting their ship

[101] *Newes from Scotland*, 318.
[102] *Newes from Scotland*, 312.
[103] *Newes from Scotland*, 315.
[104] *Newes from Scotland,* 316.

on their voyage back to Scotland.[105] Through Sampson's testimony, James had evidence of the attempt that witches had indeed "by the devil's persuasions…intended and put in execution the king's Majesty's death," and *Newes from Scotland* served as a powerful tool of propaganda to bring this tale to the Scottish public, and to emphasize the king's strength and opposition to the Devil. **[106]**

Beyond the king's interest in portraying himself as the Devil's great earthly opponent, James's involvement at the North Berwick trials may also have served his more immediate political concerns through the implication of James's long-time rival Francis Stewart, the 5th Earl of Bothwell, in the witches' conspiracy against the king. Though first cousins by birth, Bothwell's father having been an illegitimate son of Scotland's King James V, family history ensured that the two men would forever be adversaries. Bothwell's uncle, the 4th Earl of Bothwell, was widely suspected of having participated in the murder of James VI's father, Henry Stuart. Following Stuart's death, the Earl abducted James VI's mother and forced her to marry him, briefly gaining royal titles until Scottish nobles drove him from Scotland and stripped him of all titles and estates.[107] In 1589, Bothwell was arrested after helping to lead a number of Scottish nobles in an unsuccessful rebellion against James VI. After a brief incarceration, Bothwell was released, and remained a powerful political presence and a potential "challenger to James for the crown."[108]

With the beginning of the North Berwick witch trials and the first records of a conspiracy by witchcraft against his person, James found circumstances perfectly suited to finally remove

[105] *Newes from Scotland,* 316.
[106] *Newes from Scotland,* 316.
[107] Records of the Parliaments of Scotland, 15 December 1567 (Edinburgh): "Concerning the Retention of [Mary], Our Sovereign Lord's Mother's Person," rps.ac.uk/trans/A1567/12/15.
[108] Normand and Roberts, *Witchcraft in Early Modern Scotland,* 40.

his powerful political opponent. In April 1591, only a matter of months after bringing the accused North Berwick witches to Edinburgh, James issued warrants for Bothwell's arrest for "crimes of treason and conspiracies against his highness's own person and destruction thereof by necromancy and witchcraft." Though quickly apprehended, Bothwell promptly escaped custody and fled Scotland, before being stripped of his lands and titles by Scotland's Parliament in June 1592.[109] While few historians would argue that any of the accused persons at North Berwick were truly guilty of participation in a magical plot against King James VI's life, Bothwell's implication in the North Berwick trials is generally regarded as a more overt demonstration of James's machinations, a targeted attempt to remove an individual "aristocratic rival" once and for all.[110] To establish Bothwell's role in the conspiracy against the king's life beyond any doubt, he would need to be implicated by a known witch, and so Anne Sampson was put to prolonged torture until she was willing to condemn him. Sampson testified that the Devil showed her a picture of James and declared, "This is King James the Sext [Sixth], ordonit [ordained] to be consumed at the instance of a noble man Francis Erle Bodowell [Bothwell]."[111]

Daemonologie

While *Newes from Scotland* was the first piece of witchcraft literature to be widely circulated published in Scotland, in continental Europe treatises on the subject of witchcraft had been circulating for over a century. Having read a number of such treatises himself and seeking to publicize the events of North Berwick and his own opposition to the Devil even further, James VI soon began work on a treatise of his own: *Daemonologie.* James VI wrote extensively on the

[109] Records of the Parliament of Scotland*,* 5 June 1592: "Ratification of the process of forfeiture of Francis [Stewart], sometime earl of Bothwell."
[110] Levack, *Witch-Hunting in Scotland,* 4.
[111] "Convention at the Kirk of North Berwick, 1590-1591" in Robert Pitcairn, ed. *Criminal Trials in Scotland*, Vol. 1 Part 2 (Edinburgh, 1833), pg 240

issues of witchcraft, sorcery and necromancy in his treatise, and provided his views on various aspects of demonology and magic as well as the theological and legal justifications for trying and executing witches. Though few of the theological concepts James discussed in his treatise are truly original, *Daemonologie* remains a critically important text for its insights into James's attempts in the wake of the North Berwick witch trials to confirm the notion of witchcraft as a truly diabolical crime and firmly portray himself as a powerful and divinely-supported leader. The treatise's precise publication date is unknown, falling somewhere between 1591 and 1597. 17th-century English political scholar Sir Robert Filmer suggested that James "put forth his *Book of Daemonologie* in his youth, being in Scotland, about his age of thirty years," which would place *Daemonologie's* publishing in or around 1596.[112] Written therefore in the period just before the Union of the Crowns in 1603, *Daemonologie* must be understood in the context of James's political ambitions, and his pressing need to promote his own image and the public perception of his piety, strength, and ability to protect his subjects. Invoking *Newes from Scotland* along with his treatise served to emphasize to the British people that witchcraft was an immediate and pressing danger, but it was *Daemonologie* that made it explicitly and undeniably clear (at least from James's perspective) that the witches in question were servants of the Devil, and that only a leader as powerful and pious as James could defend the public from this diabolical threat.

With *Daemonologie* intended to justify his participation in the North Berwick witch-hunt and to denounce witches as servants of the Devil, James first endeavored to counter the arguments of witch-skeptics Reginald Scot and Johann Weyer, whose demonological treatises questioned the existence of witchcraft, contrary to most European authorities and to James

[112] Sir Robert Filmer, *An Advertisement to the Jury-Men of England Touching Witches* (London, 1653) in Brian Levack ed, *The Witchcraft Sourcebook,* (New York: Routledge, 2015), 173.

himself. The German Johann Weyer, physician and demonologist, authored one of the earliest skeptical treatises concerning witchcraft, *De Praestigiis Daemonum et Incantationibus ac Venificiis* (On the Illusions of the Demons and on Spells and Poisons) in 1563, a work that denied the existence of witchcraft and depicted the testimony of accused witches as the result of hallucination and mental disorder.[113] More contemporary to *Daemonologie*, Reginald Scot's 1584 work *The Discoverie of Witchcraft* acknowledged the reality of 'natural magic,' made up of disciplines including alchemy and astrology, but argued quite strongly against the existence of witchcraft and 'ceremonial magic,' disciplines utilizing demons or the Devil as a source of power.[114] These skeptical treatises threatened to undermine the king's machinations, prompting James to condemn both men in the strongest terms possible.

> To resolve the doubting hearts of many, both that such assaults of Satan are most certainly practiced, and that the instruments [witches] thereof merit most severely to be punished-against the damnable opinions of two principally in our age, whereof the one, called Scot, an Englishman, is not ashamed in public print to deny that there can be such thing as witchcraft…the other called Wierus [Weyer], a German physician, sets out a public apology for all these craftsfolk, whereby, procuring for their impunity, he plainly betrays himself to have been one of that profession.[115]

Having denounced the authors of skeptical treatises (going so far as to assert that Weyer was himself a witch), James devotes the remainder of his work to a detailed examination of the

[113] Stuart Clark, *Thinking with Demons: The Idea of Witchcraft in Early Modern Europe* (Oxford: Oxford University Press, 1999), 199-200.
[114] Philip Almond, *England's First Demonologist: Reginald Scot and 'The Discoverie of Witchcraft,* (London: I.B. Tauris, 2011), 1-2.
[115] James VI, *Daemonologie,* in Lawrence Normand and Gareth Roberts ed., *Witchcraft in Early Modern Scotland* (Liverpool University Press, 2000) 353-354.

definitions of witchcraft and necromancy, a discussion of the Devil's powers and influences, and a description of the punishments rightfully inflicted on witches and magicians. As historians have long-noted, *Daemonologie* as a whole is "neither original nor profound."[116] The vast majority of the concepts James discusses in *Daemonologie* would have been quite familiar to learned demonologists in 1597. In particular, Heinrich Kramer's *Malleus Maleficarum* and Jean Bodin's *De la Démonomanie des Sorciers* were the sources of much of James's material.[117] James's aim with *Daemonologie* was clearly not to introduce original arguments or topics, but rather to use existing literature to emphasize the reality and threat of witches as servants of the Devil in order to justify his own actions at North Berwick and emphasize his own strength as the witches'—and thus the Devil's—enemy.

Aside from his introduction and the transcript of *Newes from Scotland*, most of James's writing takes the form of a dialogue between the fictional characters Philomathes ('lover of knowledge') and Epistemon ('knowledgeable'), with Philomathes generally posing questions for Epistemon to answer, serving as the outlet for James's own conclusions. Among the first concepts James considers in *Daemonologie* is the process by which a person is drawn into the practice of magic, sorcery, or witchcraft. James argues that this process occurs "by these three passions that are within ourselves: curiosity in great engines; thirst of revenge for some torts deeply apprehended; or greedy appetite of gear [possessions], caused through great poverty." While magicians or necromancers might be drawn into their arts through curiosity, "the other two [revenge and greed] are the allurerse of the sorcerers or witches, for that old and crafty serpent (being a spirit) he easily spies our affections, and so conforms himself thereto to deceive

[116] Clark, *Thinking with Demons,* 156.
[117] Levack, *Witch-Hunting in Scotland,* 42-44.

us to our wrack."[118] James's assertion that a person can be drawn so easily to witchcraft as long as they have suffered some slight or wanted for some material possession makes witchcraft a real and potentially widespread danger, for what person reading *Daemonologie* had not themselves been rebuffed or desired something? If the Devil could perceive and appeal to human weaknesses and desires to draw people into his service as James claims, then witchcraft could indeed be a pervasive evil. And, while James acknowledges that a magician might be drawn into unnatural acts out of intellectual curiosity, his depiction of a witch is that of a profoundly evil and dangerous being. Witches, James argues, are "enticed either for the desire of revenge or of worldly riches," and as such "their whole practices are either to hurt men and their goods, or what they possess...."[119]

So rampant is the threat of witchcraft, that all people, regardless of class or education, can be drawn into the Devil's service. Either "learned or unlearned" people can be enticed by the allure of witchcraft, James asserts, with the unlearned being drawn to what the king terms "the devil's school and his rudiments," and the learned into "the astrology judiciar."[120] This attempt to prove that both learned and common people could be drawn into witchcraft can be understood as a justification of James's earlier actions at North Berwick, given that the targets of the king's prosecution in 1590-91 ranged from illiterate peasants to the literate and even noble. The 'rudiments' practiced by unlearned witches, James asserts, encompass "such kinds of charms as commonly daft wives use for healing," a litany of spells intended to cure ailments or stem bleeding "without applying anything meet to the part offended, as mediciners do."[121] For their part, the unlearned are easily lead down the path to the Devil's rudiments due largely to their

[118] James VI, *Daemonologie* in Normand and Roberts, 363.
[119] *Daemonologie* in Normand and Roberts, 385.
[120] *Daemonologie,* 365.
[121] *Daemonologie,* 366.

lack of theological and biblical understanding and thus their inability to understand the Devil's powers of deception. Unlearned men are, James asserts, "naturally curious, and lacking the true knowledge of God." Out of desire to "win a reputation to themselves" through magical practices, such men turn to experienced practitioners of witchcraft and sorcery to learn these arts, "not knowing it to be evil at first."[122]

While James had previously suggested in *Daemonologie* that curiosity threatened to lead members of the learned elite into the specific disciplines of magic and necromancy, as his analysis of the diabolical arts progresses James eventually concludes that these learned disciplines, like common sorcery, derive their efficacy from the Devil and thus are further examples of witchcraft. James asserts that literacy and scholarly interest lead to witchcraft through the study of natural sciences, and in particular the science of astronomy. While *astronomia,* the study of planetary motions, is "not only lawful but most necessary and commendable," Epistemon convinces his student that *astrologia,* the study of stars for the purpose of medicine, influencing the weather, and predicting the future, is unnatural and unlawful. By comparing the practice of *astrologia* to the art of divination, a discipline long proscribed by orthodox Christianity as heretical, Epistemon establishes that this form of astrology is "utterly unlawful to be trusted in or practiced among Christians," another example of "the devil's school" by which Satan draws learned people into witchcraft.[123] Thus, while the learned are drawn into witchcraft through the study of 'judicial astronomy,' and the unlearned tempted by Devil's 'rudiments' of folk-remedies and charms, both forms of sorcery are violations of the laws of nature and God's own will, and rely on the Devil as their source of power.

[122] *Daemonologie,* 367.
[123] *Daemonologie,* 367-368.

Having reinforced the association between the Devil and witches and emphasized the danger posed by witches and the Devil's ability to draw any person into his service, James turns in *Daemonologie* to punitive affairs: "what punishment they merit" and "who may be accounted guilty of that crime."[124] As in his introduction when he speaks out against authors who have argued against the reality of witchcraft, James's intention in this section is to challenge those who might criticize his own participation at North Berwick, and to reinforce the notion that the use of torture and execution are fitting punishments for the crime of witchcraft. When the character Philomathes raises the arguments of those of those who acknowledge magic as real yet "maintain this art to be lawful," Epistemon answers that such intellectuals "savour of the pan themselves, or at least little better," indeed, that those who seek to defend the use of magic and sorcery are themselves witches and servants of the Devil.[125] At the time of *Newes from Scotland's* release, the pamphlet notes that of the accused witches who had been interrogated at James's order, "some are already executed, the rest remain in prison to receive the doom of judgement at the king's Majesty's will and pleasure."[126] Having taken personal authority over the sentencing and execution of witches at North Berwick, James's assurances in *Daemonologie* that "such assaults of Satan are most certainly practiced, and that the instruments thereof merit most severely to be punished," serves to justify the king's earlier actions.[127]

Having emphasized that witches were a real and present threat and justified his actions in trying and executing a number of witches at North Berwick, James moves to further promote his image as a defender of true Christianity by depicting the practice and rituals of witchcraft as anathema to orthodox Christianity. The rituals James VI describes are a complete reversal of

[124] *Daemonologie,* 376.
[125] *Daemonologie*, 376.
[126] *Newes from Scotland* in Normand and Roberts, 313.
[127] *Daemonologie,* 353.

Christian worship, and the relationship between Satan and witches is carefully crafted as a heretical parody of the proper relationship between God and Christians. The Devil, James asserts, "counterfeits in his servants this [Christian] service and form of adoration that God prescribed and made his servants to practice." Not only do the Devil and his witches assemble in the same manner of God and Christians, but James argues that the attendance at these witches' Sabbaths actually exceeds that of Christian services. "For as the servants of God publicly use to convene for serving him, so he [the Devil] them in greater numbers to convene (though publicly they dare not) for his service."[128]

In this manner, God's sacrament of baptism is replaced by Satan's mark upon witches, and just as a Christian minister is sent by God to instruct His followers "that unclean spirit [Satan] in his own person teacheth his disciples at the time of their convening how to work all kind of mischief." So abhorrent and complete is Satan's reversal of Christian rituals that the Devil "oft-times makes his slaves to convene in these very places which are destinate and ordained for the convening of the servants of God," thus not only twisting Christian sacraments to his own end but making places of God's worship the sight of diabolical meetings.[129] To depict witchcraft as a truly dangerous evil, one that threatens to undermine the very foundations of orthodox Christian faith, and himself as God's champion destined to eradicate this threat, James transforms familiar and comforting images of Christian faith into frightening sites and practices of Devil worship. The Christian faith is certainly under attack, James assures his audience, for the very institutions and sanctity of Christian churches are constantly defiled by witches. Witches report "not only his [the Devil's] convening in the church with them, but his occupying of the pulpit," a twisted facsimile of a proper service in which the Devil, "so ambitious is he and greedy

[128] *Daemonologie,* 385.
[129] *Daemonologie,* 385.

of honour…that he will even imitate God…."[130] James's description of the witches and their unholy parody of Christian services in *Daemonologie* is bolstered by John Fian's testimony, recorded in *Newes from Scotland,* that he was commanded by Satan "to make him homage with the rest of his servants" at a Church while the Devil "stood as in a pulpit, making a sermon of doubtsome speeches."[131]

While his depiction of the witches' perversions of Christian sacraments commands a substantial portion of his treatise, the king's consideration of the witches' Sabbath, though an important component of the continental European witchcraft stereotype, is comparatively brief and lacking in detail. Brian Levack has argued that James had little concern for the minutia of the witches' Sabbath, and that accordingly "the witches' Sabbath in Scotland was a very tame affair indeed" compared to the dramatic and perverse tales of the Sabbath which played such a significant role in continental European witch-hunts.[132] The flight by night of witches to attend the Sabbath was the subject of particular attention in many witch-hunting accounts, with demonologists divided upon whether witches were indeed transported by magic or simply dreamed of their involvement in these meetings. Despite the significance of flight and magical transportation in continental treatises, James devotes little time to considering this matter. Expressing his general doubt about the nocturnal flight of witches, James's character Epistemon accepts that "it is possible to be true" that witches might be physically carried by the Devil's force over short distances, yet he treats the question as a matter of no great importance.[133] This general lack of concern regarding magical transportation to the Sabbath is also reflected in the testimony from North Berwick, where Geillis Duncan admitted to having traveled to a Sabbath

[130] *Daemonologie,*386-387.
[131] *Newes from Scotland,* 226-7.
[132] Levack, *Witch-Hunting in Scotland,* 44.
[133] *Daemonologie,* 387-388.

with many other witches but offered no specific information about having been conducted there by magical means, and Agnes Sampson reported traveling to attend the Sabbath by horse.[134]

Ultimately, James's inattention to specific details of the witches' Sabbath does suggest that the king was not concerned with loyally re-creating for his Scottish audience all elements of the European treatises he had studied. Instead, the king sought to emphasize for his own audience only those elements that confirmed the notion of witchcraft as a diabolical crime and a rejection of true Christianity, without becoming overly involved in the minutia of magical transportation and the witches' Sabbath. Thus, while James dedicates significant portions of *Daemonologie* to outlining the Devil's power in recruiting and empowering witches and explains in significant detail how the witches' meetings with the Devil made a mockery of the Church's sacraments, he dedicates comparatively little writing to the details of the Sabbath which had so preoccupied many continental authors. This understanding of James's intention is further supported by the absence of a more complete depiction of the witches' Sabbath in the North Berwick witches' confessions by comparison to their detailed descriptions of servitude to the Devil. James clearly supervised the use of torture to elicit confessions that suited his own interpretation of witchcraft, but he apparently saw little need for Duncan or Sampson's testimony to address the details of transportation to and from the Sabbath.

Conclusion

In publicizing his involvement in the North Berwick witch trials, King James VI strongly emphasized the relationship between witchcraft and the Devil in a manner that suited his direct political interests. Depicting witches as servants of the Devil allowed James to use the witches' supposed plot against him as evidence of the Devil's direct animosity towards James. That the

[134] *Newes from Scotland,* 314-315.

Devil considered the king such an important enemy allowed James to style himself as a symbol of true Christian faith, while his survival of the supernatural plot and his execution of numerous witches became evidence of James's strength in the face of a diabolical threat. While present at the interrogation of various witches in Edinburgh, James called for and supervised the use of horrendous tortures as a means of attaining confessions of diabolical sorcery and a supernatural conspiracy against his person—confessions that reflected the preconceptions and beliefs of the investigating authorities, rather than the true beliefs or actions of the accused. In his treatise *Daemonologie* James delves further into the details of witchcraft and the Devil's power, leaving his readers with no doubt that witchcraft constitutes not only dangerous evil and a serious crime, but a complete and disgraceful reversal of Christian rituals and sacraments. James championed the Christian faith through his vigorous prosecution of the accused witches at North Berwick, his status supported by the witches' own testimony that the Devil had declared James to be his greatest earthly opponent. To any person who might have questioned James's character or qualifications in the years leading up to his ascension to the English throne, the king's efforts against the Devil and his witches as portrayed in *Newes from Scotland* was certainly a powerful propaganda tool:

> It is well known that the king is the child and servant of God, and they [witches] but servants to the devil; he is the lord's anointed, and they but vessels of God's wrath; he is a true Christian and trusteth in God, they worse than infidels, for they only trust in the devil….But hereby it seemth that his Highness carried a magnanimous and undanted mind not feared with their enchantments, but resolute in this: that so long as God is with him, he feareth not who is against him. And truly the whole scope of this treatise doth so

plainly lay open the wonderful providence of the Almighty, that if he had not been defended by his omnipotency and power, his Highness had never returned alive in his voyage from Denmark.[135]

[135] *Newes from Scotland,* 323-24.

III. Scotland's 'Great Witch-Hunts'

The North Berwick witch trials marked the first period in which witchcraft persecution in Scotland reached truly national proportions and the first instance in which witchcraft was publicly targeted as a diabolical crime. From that point, references to the Devil as the source of witches' power developed and grow well into the later 16th and 17th centuries. Records from Scotland's large-scale national witch-hunts consistently demonstrate that the Devil was the primary focus of local officials and central authorities. Many of the institutional forces that began prior to or during the North Berwick trials, from the widespread application of torture to the employment of professional "witch-prickers" to identify the Devil's mark and the use of convicted witches to implicate others, enabled these 'Great Witch-Hunts' to reach their immense stature.

James VI's direct involvement in witchcraft persecution ended following Scotland's Great Witch-Hunt of 1597, but later references to James and *Daemonologie* are evidence that, once unleashed, James' influence was widespread and long-lasting. In particular, the wide-ranging authority to indict and interrogate suspects that James granted to local officials in 1590 and 1597 became a defining characteristic of later trials. Additionally, just as the newly-formed Scottish Church had sought to crack down against witchcraft as an offense against God in the mid-16th century, during the period of England's Civil War the Presbyterian Covenanter movement in Scotland re-affirmed religious commitment. This focus led to an emphasis on the witches' alliance with the Devil and renunciation of baptism as central themes during prosecution. The Devil was the fundamental concern of local and central officials as they prosecuted witchcraft throughout the late 16th and 17th centuries, and the rarity with which

elements of *maleficium* and folklore appear in these later trial records suggests that learned conceptions of witchcraft as a diabolical offense were superimposed upon popular beliefs in the process of interrogation, torture, and confession.

Scotland's Five 'Great Witch-Hunts'

Since the publication of Christina Larner's *Enemies of God,* most historians have characterized Scottish witchcraft persecution in terms of five 'Great Witch Hunts': first, the North Berwick witch trials in 1590-91, followed by large-scale witch-hunts in 1597, 1628-31, 1649-50, and 1661-62. This categorization is at least partially due to the relatively low number of surviving local trial records, which has the effect of emphasizing large-scale or "national" witch-hunts, which were more commonly documented by the central Justiciary Court. In the years and decades between Scotland's nation-wide witch-hunts, higher levels of prosecution than conventionally thought may have taken place at the local court level.[136] Nonetheless, existing sources compiled in the Survey of Scottish Witchcraft Database demonstrate the remarkable scale of the so-called "Great Witch-Hunts." The North Berwick witch trials involved significantly more accusations than any previous outbreak of witch-hunting, but the prosecutions of 1590-91 were dwarfed in turn by the hunt of 1597 and each subsequent national witch-hunt.[137]

[136] Christina Larner notes that throughout the 16th and 17th centuries the significant majority of witchcraft trials were conducted by local authorities under general commissions granted by the privy council: Larner, *Enemies of God,* 35.

[137] Julian Goodare, Lauren Martin, Joyce Miller and Louise Yeoman, 'The Survey of Scottish Witchcraft', http://www.shca.ed.ac.uk/witches/ (archived January 2003).

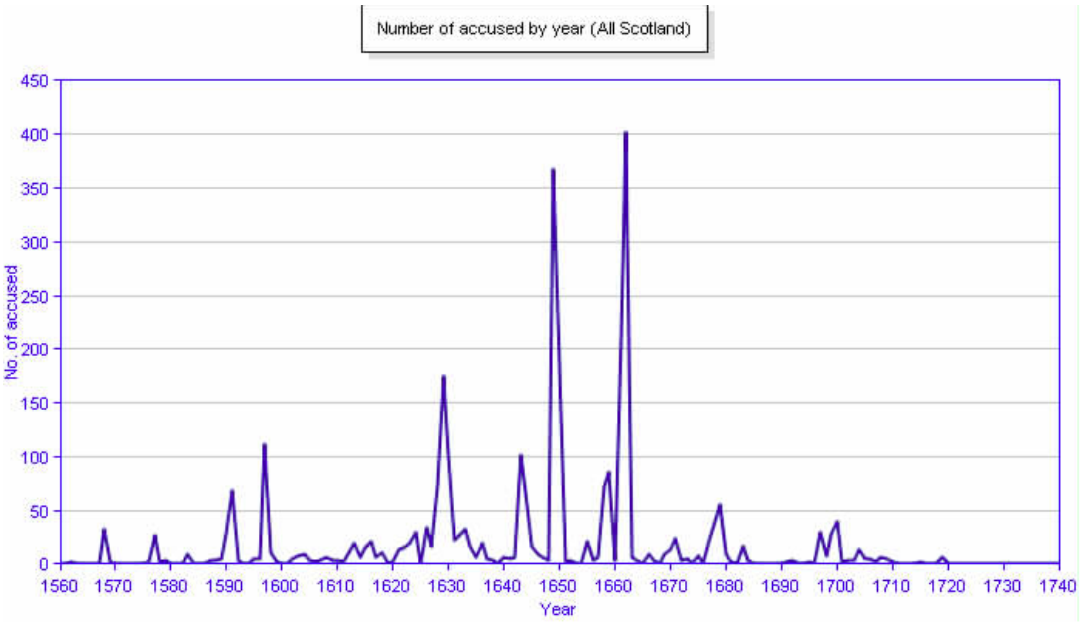

Image from of Goodare, Martin, Miller and Yeoman, "The Survey of Scottish Witchcraft Database," http://witches.shca.ed.ac.uk/index.cfm?fuseaction=home.graph2

Despite the comparative lack of trial records from local assize courts, existing records from various counties demonstrate that witchcraft trials were often geographically concentrated, with particular regions seeing high rates of persecution throughout the 16th and 17th centuries. The regions of Forfar and Ross, home to Scotland's earliest significant witch-hunts in 1568-69 and 1576-78 respectively, were again centers of witchcraft persecution during later witch hunts in the 17th century. The University of Edinburgh's Survey of Scottish Witchcraft notes over 80 persons accused of witchcraft within Forfar county and over 70 in Ross between the late 16th and early 18th centuries, particularly concentrated in the early 1660s amid Scotland's largest national witch-hunt.[138] In Fife and Edinburgh (or Midlothian) counties as well, regions that had been the site of multiple witch trials prior to North Berwick continued to see higher rates of prosecution

[138] Julian Goodare, Lauren Martin, Joyce Miller and Louise Yeoman, 'The Survey of Scottish Witchcraft', http://www.shca.ed.ac.uk/witches/.

throughout the era of Scotland's national witch-hunts; existing records show over 320 cases from Fife and 310 from Edinburgh between 1597 and 1662, over 120 between 1661 and 1662 alone.[139]

Central authorities such as the Privy Council and Justiciary Court provide the most substantial source of information concerning Scotland's witch-hunts. The significance of local officials, however, should not be underestimated. Operating under commissions from the monarch or the Privy Council, local officials had wide latitude to interrogate and indict as they saw fit. Historians have generally asserted that rates of indictment and execution were significantly higher within local judicial bodies than in central courts, and Brian Levack has suggested that local authorities operating under commissions from the Privy Council utilized torture widely and executed over 90 percent of those they tried.[140] The consistently high rates of persecution in particular regions throughout the 16th and 17th centuries may indeed reflect local authorities' fervor, which frequently exceeded that of central judicial bodies.[141]

Diabolical Themes

It was in the era of Scotland's national witch-hunts that the Devil, his mark, and the renunciation of Christian baptism became central and consistent themes. The Survey of Scottish Witchcraft Database characterizes nearly a quarter of all known trials between 1592 and 1663 as "demonic" in nature, several hundred of which included explicit reference to the Devil's mark and the renunciation of baptism. By comparison, the Database identifies fewer than 50 cases referring to *maleficium*, only 20 cases of folk healing, and just 11 mentions of fairies.[142] This greater association of witchcraft with the Devil in the late 16th and 17th centuries was aided in the

[139] Ibid.
[140] Brian Levack, *The Witchcraft Sourcebook* (New York: Routledge, 2015), 269.
[141] Brian Levack notes that "Most Scottish witchcraft prosecutions originated at the local level rather than in Edinburgh"; Levack, *Witch-Hunting in Scotland,* 5.
[142] Julian Goodare, Lauren Martin, Joyce Miller and Louise Yeoman, 'The Survey of Scottish Witchcraft', http://www.shca.ed.ac.uk/witches/.

late 16th century by the publishing of *Daemonologie* and James's participation in Scotland's national witch-hunt of 1597. Though the exact date of James's treatise is unknown, most historians believe *Daemonologie* was circulated beginning around 1596, and it would certainly have been available by the conclusion of the witch-hunt in August of 1597.[143] While James VI's political ambitions in publishing his treatise have been previously examined in the context of North Berwick, his direct impact on the conduct of witch-hunting in Scotland extended far beyond 1591. The Devil's mark, the use of a swimming test, the renunciation of baptism and subsequent allegiance to Satan, and other themes that James outlined within his examination of diabolical witchcraft became the central focus of Scottish authorities throughout the late 16th and 17th centuries.

The Great Witch-Hunt of 1597

At the outset of a national witch hunt in 1597, James granted a sweeping commission to nobles and local officials to interrogate and try suspects and to execute those found guilty. In 1597 and in Scotland's later witch-hunts in the 17th century, the conduct of apprehension, interrogation, sentencing, and execution were largely a continuation of the processes outlined in 1590-91. Throughout the era of Scotland's national witch-hunts, expansive commissions allowed authorities to implicate thousands of persons for the crime of diabolical witchcraft, and the widespread use of torture—though ostensibly illegal in Scotland as it was in England—brought about the confessions and executions of over 1,500.[144] Still, the Scottish witch-hunt of 1597 has proven difficult to categorize or explain due to a lack of documentation in comparison to the North Berwick witch trials or the witch-hunts of 1628-30, 1649, and 1661-62. The North

[143] Goodare, "The Scottish Witchcraft Panic of 1597," in Goodare, ed. *The Scottish Witch-Hunt in Context* (Manchester, Manchester University Press, 51.
[144] Brian Levack, *Witch-Hunting in Scotland* (New York: Routledge, 2008), 1-2.

Berwick trials were widely documented due to James's involvement and witch-hunts in later decades were tried and recorded by the central Justiciary Court. The 1597 witch-hunt, however, was prosecuted almost entirely by local officials, and few records from that year have survived.[145] Existing records do suggest that folkloric elements remained present to some degree in these trials. In January of 1597 the indictment of four individuals for witchcraft reflects primarily folkloric elements, including references to children "tane away with the Farie-folk."[146] In addition to mentions of changelings and fairies, several of the accused are characterized as 'white witches' or folk healers who offered to cure individuals who had previously been bewitched, rather than diabolical witches seeking to cause harm. Ultimately, officials assured the Privy Council that the accused's acts were "done under cullour of Witchecraft," indicative of Scottish authorities' tendency to view sorcery, folk healing, and *maleficia* within a broad framework of witchcraft.[147]

Folkloric elements were prevalent in certain trials, but diabolism was the primary focus in the vast majority of cases, and the Devil was James VI's exclusive target during his involvement in the 1597 witch-hunt. The commission James granted in 1597 directed nobles and officials to investigate all those "dilaitit or suspect gilty of witchecraft, sorcerie, inchantment, or sic [such] devilishe practizeis."[148] An observer of James's participation in a series of trials at St. Andrews in July of 1597 reflects his emphasis on the diabolical nature of witchcraft. Of the individuals accused of witchcraft, "many are condemned and executed chiefly for their revolt from God and

[145]Julian Goodare, "The Scottish witchcraft panic of 1597" in Goodare, ed. *The Scottish witch-hunt in context.* 52.
[146] Pitcairn, *Ancient Criminal Trials in Scotland,* volume 2, part 1, pg 25.
[147] Pitcairn, *Ancient Criminal Trials in Scotland,* volume 2, part 1, pg 27-28.
[148] *Register of the Privy Council of Scotland,* v 5, 1592-1599. David Masson, ed. (H.M. General Register House, Edinburgh, 1882). Pg 409.

dedicating themselves and services to the Devil." Many of these suspects were also accused of "receiving the Devil's mark set in their flesh" and entering into "secret pact" with the Devil.[149]

The most famous and sensational witchcraft trial of 1597 was that of Margaret Aitken in Balwearie, Fife in the spring of 1597. Though little is known of Aitken's status and life, references to her as a "great witch of Balwearie" suggest that she had at least achieved a degree of regional renown. In her confession, Aitken not only admitted to practicing witchcraft herself but also to witnessing a Sabbath of several thousand witches: chronicler Patrick Anderson writes of "one convention upon a hill in Atholl to the number of 2300 and the Devill amongst them: a great witch of Balwearie [Aitken] told all this…. "[150] When Aitken claimed to be able to identify other witches by perceiving the "secret mark" left on them by the Devil, a commission was granted allowing officials to transport Aitken throughout Fife and Lothian for the purpose of identifying other witches.[151] The memoirs of Scottish Archbishop John Spottiswoode, at the time of Aitken's trial a local minister, detail how Aitken's ability to identify other witches was eventually determined to be false:

> Margaret Atkin, being apprehended upon suspicion, and threatened with torture, did confess herself guilty. Being examined touching her associates in that trade [witchcraft], she named a few, and perceiving her delations find credit, made offer to detect all of that sort, and to purge the country of them, so she might have her life granted…In end she was found to be a mere deceiver (for the same persons that the one day she had declared guilty, the next day being presented in another habit she cleansed), and sent back to Fife…At her

[149] Robert Bowes, *Letter to Burghley* in Goodare, ed. *The Scottish witch-hunt in context,* 57.
[150] Patrick Anderson, "Chronicles of Scotland, vol. 2" in Goodare, ed. *The Scottish witch-hunt in context,* 56-57.
[151] Goodare, "Scottish witchcraft panic of 1597" in Goodare, ed. *The Scottish witch-hunt in context,* 59-60.

> trial she affirmed all to be false that she had confessed, either of herself or others, and persisted in this to her death.[152]

Aitken's case was further unique in officials' use of the swimming test, a means of ascertaining a suspect's guilt that was used only rarely in Scottish witchcraft trials. While the swimming test was not popular with officials in later decades, James VI demonstrated a particular interest in the test as a viable means of ascertaining a witch's guilt. Alongside the identification of the Devil's mark, James states that "the other [test] is their fleeting [floating] on the water," based on the notion that "the water shall refuse to receive them in her bosom that have shaken off them the sacred water of baptism."[153]

By the end of 1597, though James continued to profess his belief in the reality of witchcraft, the realization of Aitken's false testimony and numerous complaints of false accusations forced James to rescind the national commission for witchcraft investigation and prosecution and brought the 16th century's final major witch-hunt to a close. Privy Council records from 1597 reveal a history of witchcraft commissions and accusations being used by officials and individuals for personal financial and economic gain. In July of 1597, the Privy Council issued a ruling against several 'bailies' (local officials) of Buntisland who had continued to prosecute a woman named Jonet Finalyson for the crime of witchcraft, despite her earlier acquittal of all charges by an assize court. Finlayson alleged of the officials that "their onlie purpois and intentioun [was] to enriche thamselffs with the said complenaris [complainers] guidis and geir [goods and gear]."[154]

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[152] Archbishop John Spottiswoode, *History of the Church of Scotland,* vol. 3, ed. M. Napier and M. Russell (Spottiswoode Society, 1847-51), pg 66-7.
[153] James VI, *Daemonologie* in Normand and Roberts, *Witchcraft in Early Modern Scotland: James VI's 'Demonology' and the North Berwick Witches,* pg 424.
[154] *Register of the Privy Council of Scotland,* v 5, 1592-1599. David Masson, ed. (H.M. General Register House, Edinburgh, 1882). Pg 405-6.

This was not the first case in which political and economic interests were advanced through an accusation of witchcraft. Any person charged with witchcraft stood to lose position and property, as James himself knew well based on his own slew of accusations against his political rival Francis Earl, the 5th Earl of Bothwell during the events at North Berwick. In August of 1597, though James maintained his belief that "the hail land is dfyllit" with devilish witchcraft and maintained his dedication "to perseveir till that maist odious and abhominable cryme be tryit and punisheit with all extremitie," the king also acknowledged that his commission for witch-hunting was being abused. "Undirstanding, be the complaint of divers his Heynes lieges, that grite dangeir may ensew to honest and famous personis," James and his Privy Council declared that the saidid commissionis be haillelie revoikit, annullit, and in all tyme cuming dischargeit…."[155] Despite this revocation of his 1597 general commission, later records demonstrate that corruption remained endemic to the process of obtaining individual commissions for the prosecution of suspected witches from the Privy Council and King James. In November of 1598, a woman named Margaret Hay complained that her neighbor James Bellenden "purchest and obtenit laitlie of his Majestie ane commissioun to tak and apprehend [Margaret] as being gilty of the crime of witchecraft and sorcerie."[156]

James VI's Later Life and Legacy

Just six years after the conclusion of the 1597 witch-hunt, King James VI of Scotland ascended to the English throne as King James I, and by many accounts the king's interest in witchcraft was beginning to wane. Within months of the Union of the Crowns, James wrote a letter to his son Henry in which he expressed an apparent skepticism towards witchcraft. Praising

[155] *Register of the Privy Council of Scotland,* v 5, 1592-1599. David Masson, ed. (H.M. General Register House, Edinburgh, 1882). Pg 409-410.
[156] *Register of the Privy Council of Scotland,* v 5, Pg 495.

Henry on "the discovery of your little counterfeit wench," James asserts that "most miracles nowadays prove but illusions, and ye may see by this how wary judges should be in trusting accusations without an exact trial, and likewise how easily people are induced to trust wonders."[157] Who this "counterfeit" witch was and how Prince Henry discovered her (being nine years old at the time) are unknown, but the letter has been interpreted by historian David Wilson as an "early glimpse of [James's] changing point of view" towards the reality of witchcraft.[158] Whether this was a case of fraudulent witchcraft or some other false "miracle," the skepticism James voiced towards preternatural accusations and the caution he argued that judges needed to exercise are noteworthy, and in fitting with the general scholarly consensus regarding James's shift in outlook. Malcolm Gaskill asserts that by the mid-1610s James "was more passionate about deer-hunting than ever he had been about witch-hunting," and points to an occasion in 1616 when the king harshly reprimanded two English judges for allowing the execution of nine individuals for witchcraft.[159]

In 1597 James had vigorously prosecuted numerous people for witchcraft and published a treatise depicting witches as servants of the Devil, yet just six years later he described witchcraft as largely 'illusion' and advocated judicial skepticism towards the crime. The path of James's reversal is perhaps evidence of the veracity of Christina Larner's argument that the king's interest in witchcraft was primarily a political gambit. With his aspirations to the English throne realized, James may not have seen further need to involve himself in witchcraft persecution to advance a propaganda effort directed towards the English public. Definitively understanding James's personal religious and intellectual convictions is neither entirely possible nor the focus

[157] G.P.V. Akrigg, ed. *Letters of King James VI and I* (Berkeley: University of California, 1984), 220-221.
[158] David Harris Willson, *King James VI and I* (New York: Oxford University Press, 1967), 309
[159] Malcolm Gaskill, *Witchfinders: a Seventeenth-Century Tragedy* (Cambridge: Harvard University Press, 2005),31.

of this work, but regardless of James's apparent change of heart in the early 17th century, his impact on the conduct of witchcraft persecution and the perception of witchcraft as a diabolical offense was substantial and enduring. England's famed 17th-century witch-hunter Matthew Hopkins cited James VI's defense of the swimming test in his influential book *The Discovery of Witches,* in 1647. "King James in his *Demonology* saith, it is a certain rule," Hopkins writes, "for (saith he) Witches deny their baptisme when they Covenant with the Devill…and therefore saith he, when they be heaved into the water, the water refuseth to receive them into her bosome…."[160] While Hopkins himself did not believe the swimming test actually reflected a person's guilt, the fact that he cites James in describing not only the swimming test but the notion of witches renouncing their baptisms and entering into agreement with the Devil reflects how significant James's treatise had been in Scotland and England.

James's enduring impact on the institutional conduct of witchcraft persecution was even clearer than his theological assertions. James established the precedent of granting wide-ranging commissions granted to local authorities. His involvement in witch persecution in 1590-91 and 1597 included tacit acknowledgement of the use of torture as well as interrogators' emphasis on the Devil's mark and the renunciation of baptism. Each of these factors remained integral to the conduct of prosecution over the following decades. Thus, while James himself did not have a hand in Scotland's later witch-hunts, the scale of accusation and execution grew exponentially in later decades because the legal precedents, widespread use of torture, wide-ranging commissions to local authorities, and fixation on witches as servants of the Devil which James had encouraged remained in place, even after the king's personal involvement ended. As Brian Levack has asserted, in the 17th century "charges against witches and their confessions followed the basic

[160] Feorag Nicbhride and Andrea Ball, ed. Matthew Hopkins, *The Discovery of Witches* (Project Gutenberg, 2004, http://www.gutenberg.org/files/14015/14015-h/14015-h.htm.

outline of James's treatise." While witches in Scotland faced accusations of serving the Devil and receiving his mark, renouncing their baptism, and participating in large meetings with other witches, these elements were not depicted as orgies as they were in Europe. Though Scotland "never fully received 'continental' notions of witchcraft," the pact with the Devil that James had helped elevate to truly national significance at North Berwick "became a central Scottish witch belief" in later decades.[161]

Popular and Elite Beliefs

Scotland's 17th-century national witch-hunts reached even higher levels of prosecution and execution than those of the late 16th century, and trial records from this period reveal the extent to which witchcraft was understood by secular and religious authorities as inherently demonic and diabolical. The divide between elite and popular beliefs has been one of the common themes in modern witchcraft historiography. Christina Larner, Julian Goodare and Brian Levack have each considered (to varying degrees) how elite perceptions of witchcraft emphasized the Devil to a greater degree than those of the general populace. Richard Kieckhefer's survey of magical beliefs in medieval Europe points to a difference between elite culture, which focused on learned ritual and demonic magic, and the general populace, which was more concerned with *maleficium* and its tangible threat to their persons and property. Trial evidence from 17th-century Scottish cases proves extremely useful in understanding how elite and popular understandings of magic, religion, and witchcraft co-existed and interacted.

Isobel Young

Isobel Young's case provides a particularly vivid example of how elite perceptions of the Devil were imposed upon popular superstition and beliefs in *maleficia*, at both the local and

[161] Levack, *Witch-Hunting in Scotland,* 44.

central court levels. Executed for witchcraft in Edinburgh in 1629, Young had been involved in a number of local cases in her hometown of Duns before her case was brought to the attention of the Justiciary Court, and these initial accusations reveal much about the difference between popular concerns and the authorities' interests. In her examination of Young's indictment and execution, historian Lauren Martin notes that in the local kirk court Young's neighbors primarily leveled accusations of *maleficia,* whereas local officials were concerned almost entirely with her association with the Devil and made this diabolical theme "the centerpiece of her trial."[162] At a kirk session in Dun in 1619, local officials employed a folk healer to determine that a small wound on Young's body was in fact the Devil's mark, revealing their preoccupation with the diabolical implications of witchcraft rather than charges of *maleficia.*[163]

Despite the evidence brought against Young in 1619 and various other accusations of harmful magic by her neighbors over the following years, Young apparently remained free until 1628, when her case was brought to the attention of central officials and the Privy Council ordered her transported to Edinburgh for trial.[164] Young was eventually found guilty by the Justiciary Court of renouncing her baptism, receiving the Devil's mark, and committing acts of witchcraft at the Devil's behest. She was strangled and burned at the stake in Edinburgh in February of 1629.[165] The shift in judicial focus from local accusations of *maleficia* in 1619 to the Justiciary Court's charges of explicitly diabolical witchcraft is strong evidence of a divide between elite fixations on the Devil as the root of witches' power and the common populace's concern with the immediate threat of sorcery.

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[162] Lauren Martin, "The Witch, the Household and the Community: Isobel Young in East Barns, 1580-1629" in Julian Goodare, *Scottish Witches and Witch-Hunters,* 67-68.
[163]Martin, "The Witch, the Household and the Community," 69.
[164] *Register of the Privy Council of Scotland*. 8*,* Pg 454
[165] National Records of Scotland, Justiciary Court 26/9/12.

Janet Barker and Margaret Lauder

Another example of the Devil's preeminence in the minds of Scottish officials in the mid-17th century is the trial of Janet Barker and Margaret Lauder in Edinburgh in 1643, another case in which authorities focused on diabolical and demonic themes and paid little attention to aspects of *maleficia.* Barker and Lauder's trial does contain brief mention of folk healing practices— a reference to Barker healing a young man of another witch's curse by means of sorcery—but the Justiciary Court's charges focus almost entirely on the diabolical element, "the crimes of sorcery and witchcraft and keeping company with Satan, the enemy of man and woman their salvation."[166] The Justiciary Court's records indicate the importance of both legal and religious precedent, citing the 1563 Witchcraft Act as well as the Scottish Church's condemnation of witchcraft:

> For as much as by the divine law of the almighty God, mentioned in his sacred word, all users and practisers of witchcraft, sorcery, charming and sooth-saying, or keepers of company, trysts, or meeting with the Devil or his wicked instruments are ordained to be punished to the death, and such by divers Acts of Parliament of this kingdom, namely the 73rd Act of Parliament of our sovereign lord's dearest grandmother, Queen Mary of good memory [1563]….[167]

Both Barker and Lauder ultimately confessed to having held "divers meetings with the Devil," and Lauder describes in particular detail how "at her first meeting with the Devil he desired of her to be his servant, which she yielded unto."[168] As in many 17th-century witchcraft

[166] "The Trial of Janet Barker and Margaret Lauder at Edinburgh, 1643," JC 2/8 in Levack, ed. *The Witchcraft Sourcebook,* 269-272. 270.
[167] Ibid.
[168] JC 2/8 in Levack, *The Witchcraft Sourcebook,* 270-1.

cases, the Justiciary Court utilized the services of a witch-pricker to help ascertain Barker and Lauder's guilt by identifying the Devil's mark on their persons. James Scobie, a resident of the town of Musselburgh near Edinburgh "who had knowledge in finding and trying out the Devil's mark," identified Barker and Lauder's marks on behalf of the Justiciary Court by pricking the women's backs with a needle.[169] Though Scobie's description in court records does not elucidate whether identifying the Devil's mark was his primary occupation, the mark's prominence in witchcraft trials was so significant that by the mid-17th century this profession had become relatively common. The Devil's mark had been used to identify witches prior to *Daemonologie's* publication, but James's treatise helped to spread the notion throughout Scotland and make the process of finding the mark "so common that professional prickers who specialized in locating the marks appeared during the revolutionary years and during the great Scottish witch-hunt of 1661-62."[170]

The Great Scottish Witch-Hunt of 1661-62

The single greatest outbreak of witch persecution in Scottish history took place from 1661-62, encompassing over 650 trials and providing some of the clearest examples of the Devil pact in the 17th century. The witch-hunt of 1661-62 occurred following the end of a period of English rule over Scotland, which stretched from 1652 with Scotland's incorporation into the English Commonwealth, to 1660 when the Scottish monarchy was restored and Scotland regained national sovereignty. Brian Levack and Christina Larner both attribute the higher rate of persecution in the 1660s in part to the subsequent return of judicial control to Scottish officials, who had fewer compunctions than their English counterparts about using torture and sentencing

[169] JC 2/8 in Levack, 271.
[170] Levack, *Witch-Hunting in Scotland,* 45.

suspected witches to death.[171] Trials begin in Midlothian and East Lothian in 1661 and spread throughout the entire country, reaching truly epidemic proportions by the end of 1662. Reference here to England's own history is useful for understanding the scale of Scotland's final national witch-hunt: England is estimated to have executed around 500 witches between 1563 and 1685, while in Scotland at least 300 individuals (and potentially more) were executed in this two-year span alone.[172] Trial records from 1661-1662 consistently reveal confessions of servitude to the Devil, renunciation of baptism, and receiving the Devil's mark, while references to *maleficia* had become relatively rare. Trial records from this final national witch-hunt further reveal that diabolical themes had not simply continued, but increased, since the earlier 17th century. The notion of sexual relations with the Devil became an increasingly common feature of confessions by the 1660s, and in confessions from 1661-62 the renunciation of baptism became an increasingly personal act, indicating the individual witch's deliberate move away from God.

Janet Gibson and Bessie Wilson

Janet Gibson was charged with witchcraft in the summer of 1661 in Libberton, on the outskirts of Edinburgh, in the region of Midlothian where the outbreak of persecution began in March. Libberton saw a number of its inhabitants charged with witchcraft over several months, and the commission for Gibson's trial before the Justiciary Court in June also cited six others who, like her, had been found guilty by local authorities and were referred to the central court for further prosecution and execution.[173] At trial, Gibson confessed that the Devil "did appear to her as she was going to the Carthall…and asked what she did want and bad [bade] her renounce her

[171] Christina Larner asserts that English administrators were "horrified by the descriptions of torture" they heard from Scots previously accused of witchcraft, and that under Cromwell the English were more concerned with investigating the torture of suspects than prosecuting witchcraft: Larner, *Enemies of God,* 75-76.
[172] Levack, *Witch-Hunting in Scotland,* 2 and Larner, *Enemies of God,* 76
[173] *Acts of the Parliament of Scotland,* 1661/1/356. Records of the Parliaments of Scotland, https://www.rps.ac.uk/.

savior." At a later point, Gibson admitted, "the divel did ly with her in bed.... He had carnall dealing with her and caused her to renounce her baptisme by laying her own hand on her head; and the other hand on the sole of her foot."[174]

While the renunciation of baptism and service to the Devil had appeared consistently in earlier witch trials, the specific details Gibson provides of sexual relations with the Devil and the manner in which she personally renounced her baptism were indicative of more recent developments, elements that would feature almost identically in other trials from 1661-62. The notion of carnal relations with the Devil has generally been depicted as a development from the revolutionary era in Scotland during the third English civil war, and Levack asserts that "the pronounced emphasis on the witch's copulation with the devil was a product of the obsessive concern of the kirk with sexual offenses during the revolutionary period."[175] Janet Barker and Margaret Lauder's trial from 1643 had contained mentions of sexual encounters with the Devil, and by the 1660s the notion of "carnall dealing" with Satan as reflected in Gibson's confession had become a common feature in confessions.

The renunciation of baptism to which Gibson admitted had been a theme of witchcraft trials for decades, but her description of "laying her own hand" may be interpreted as another revolutionary-era development. Levack asserts that religious authorities' renewed offensive against witchcraft, blasphemy, and other sins "formed part of a broader campaign to create a godly society," a continuation of the movement that had begun with the formation of the Scottish Church in 1560 and was reinvigorated by Scottish Covenanters in the 1640s.[176] As previously discussed, the formation of Scotland's national Presbyterian Church in 1560 had encouraged an

[174] JC2/10, transcribed in Larner, ed. *Source-book of Scottish Witchcraft,* 257-8
[175] Levack, *Witch-Hunting in Scotland,* 66-67.
[176] Levack, *Witch-Hunting in Scotland,* 68.

initial legal movement against witchcraft as an offense against God and led to some of the first references to witchcraft as a diabolical crime. Now, in 1638, the Scottish National Covenant reaffirmed religious commitment and the "absolute necessity of baptism," and thus the witches' crime of renouncing baptism by their own hands took on even greater significance as a personal rejection of God.[177]

Bessie (or Elizabeth) Wilson, another resident of Libberton, was also arrested and tried by local officials in the summer of 1661, and in July central authorities issued a commission for her arrest, along with seven others found guilty of witchcraft by a kirk session. For "the abominable crime of witchcraft, their depositions being attested under the hands of the ministers and the elders of the kirk session of Liberton," local officials were given the authority not only to arrest the eight suspects but "to secure any others within the said parish who are suspected and shall be acused…."[178] The wording of this commission from Scotland's Parliament reveals that the practice of granting wide powers of arrest and investigation to local authorities, first witnessed under James VI in the 1590s, had continued through the era of Scotland's Great Witch-Hunts and into the 1660s. Wilson testified that the Devil had "appeared to her clothed in black lyk a gentleman coming from Mortoun homeward…and asked quhar [where] she was going" and entreated her to become his servant. This testimony concurred with Gibson's statement, as did her confession that the Devil "lay with her and he bad [bade] her put one hand to her head, another to the foot, and give him all betwixt with the renouncing of her baptisme, which she did."[179] The precise wording with which Gibson admits to renouncing her baptism by her own hand is nearly identical to that of Bessie Wilson, further suggesting that the officials

[177] "The Scottish National Covenant," February 37, 1638. *Constitution Society,* https://www.constitution.org/eng/conpur023.htm
[178] *Acts of the Parliament of Scotland,* 1661/1/464. Records of the Parliaments of Scotland, https://www.rps.ac.uk/
[179] JC 26/27/5, transcribed in Larner, ed. *Source-book of Scottish Witchcraft,* 258-9.

responsible for interviewing and interrogating the women had a particular concept of the Devil's role in witchcraft that they sought to elicit from the accused.

Records further indicate that the Devil's mark was found upon both Gibson and Wilson, and though little detail is given regarding how or by whom the mark was found on their persons, other records from this period reveal that officials frequently employed professional lay witch-prickers. In a case from June of 1661, just a month before Wilson's trial commission was issued, officials in Tranent employed John Kinkaid, "the comon pricker," to test a woman accused of witchcraft, and when Kinkaid inserted a needle into two separate locations on her body and found that she neither bled nor experienced pain, he concluded that he had "found two marks upon hir, which he called the Devill his markis."[180]

Folklore and Diabolism: Isobel Gowdie

Though demonic and diabolical themes had become the central components of the vast majority of witchcraft cases in the 17th century, certain folkloric elements can be found in particular trials, indicating that popular beliefs were not entirely supplanted by the imposition of elite perceptions of the Devil. Isobel Gowdie's confession from 1662 provides a rare example of a case from the midst of the 1661-62 witch-hunt in which remnants of popular beliefs, some of which are nearly identical to stories of fairies and elves that appeared commonly in pre-1590 trials, can be found. Gowdie's trial is unusual simply for having taken place in Auldearn in the Scottish Highlands, a region that historians have generally described as outside the control of the state government's authority, and within which comparatively few people are thought to have been tried and executed for witchcraft. Brian Levack asserts that in the Highlands "leaders of the clans performed many of the functions of the state," and Christina Larner concludes that

[180] "Deposition of John Kincaid in Tranent," in Robert Pitcairn, ed. *Criminal Trials in Scotland, Vol. 3* (Edinburgh, Bannatyne Club, 1833), 602.

Highland leaders held "impersonal and apolitical witch-beliefs of the Highlands [which] caused less human suffering than the witch beliefs of central and lowland Scotland."[181]

Isobel Gowdie's confession from April of 1662 is one of the most remarkable witch trial records from the 17th century, and due to its various references to both diabolical worship and folkloric elements Gowdie's case is one of the most exhaustively studied all witch trials in early modern Scotland.[182] At a glance, Gowdie's confession reveals many of the same diabolical themes as other trials from the 1661-62 witch-hunt:

> As I wes goeing betuix the townes of Drumdewin and the Headis, I met with the Divell, and ther covenanted, in a maner, with him; and I promeifit [promised] to meit him, in the night time, in the Kirk of Aulderne; quhilk [which] I did. And the first thing I did ther that night, I denyed my baptisme, and did put the one of my handis to the crowne of my head and the vther to the sole of my foot, and then renuncet all betuixt my two handis, ower to the Divell…and he marked me in the showlder, and suked [sucked] owt my blood at that mark, and spowted it in his hand, and, sprinkling it on my head, said, 'I baptize thé, Janet, in my owin name!'…The nixt tym that I met with him ves in the New Wardis of Inshoch, and [he] haid carnal cowpulation and dealing with me.[183]

Gowdie's references here to denying her baptism, swearing allegiance to and engaging in sexual relations with the Devil, and receiving the Devil's mark, are all strikingly similar to the general

[181] Levack, *Witch-Hunting in Scotland,* 102; Larner, *Enemies of God,* 202

[182] Julian Goodare asserts that Gowdie "has always been" among the most famous of Scotland's witches, and authors and historians have commented on the peculiar aspects of her confession for centuries: Goodare, *Scottish witches and witch-hunters,* 7.

[183] "Confession of Issobell Gowdie" in Robert Pitcairn, ed. *Criminal Trials in Scotland, Vol. 3* (Edinburgh, Bannatyne Club, 1833), 603.

diabolical themes found in most trials from the 1661-62 witch-hunt, but her further inclusion of elements of folklore differentiate her case from almost all other mid-17th century records.

Gowdie's references to the fairy court, the king and queen of fairies, elves, transformation into animals, and other folkloric themes are nearly identical to a number of pre-1590 trials, including those of Janet Boyman and Bessie Dunlop. Gowdie mentions receiving food "from the Qwein of Fearrie [Queen of Fairy], more than I could eat," and also describes encountering "the King of Fearrie…a braw [handsome man]" and witnessing "elf-bullis rowtiing and skoyllnig up and downe."[184] These folklore references in Gowdie's account are so remarkable for a mid-17th century confession that it is difficult to draw general conclusions from them about the state of popular belief, in the Highlands specifically, or in Scotland as a whole. Gowdie is described in trial records as having confessed without the use of torture, though historians have disagreed on whether this is likely.[185] If Gowdie was indeed not the victim of torture, then her confession may suggest that folkloric beliefs were more common than generally thought, but that these elements only emerged in cases where the Scottish elite's preconceptions of diabolical witchcraft were not dominant. In the Scottish Highlands, where clan leaders rather than central officials presided over trials, Gowdie may not have faced the same pressures of torture and leading questions that accused witches in the Lowlands did under the central government's firmer control.[186] Ultimately, the extent to which folkloric beliefs remained part of the popular imagination and played a role in common understandings of witchcraft is difficult to

[184] "Confession of Issobell Gowdie" in Pitcairn, ed. *Criminal Trials in Scotland,* 604.
[185] Many trial records willingly admit to the use of torture despite the practice being ostensibly illegal in Scotland, but Brian Levack admits that the precise method of Gowdie's interrogation is simply unknown: Levack, *The Witchcraft Sourcebook,* 282.
[186] Larner, *Enemies of God,* 202.

ascertain, but Gowdie's remarkable confession at least suggests that elite beliefs in the Devil had not entirely supplanted folkloric belief even by mid-17th century.

Decline in Diabolical Themes

While institutional support for the prosecution of diabolical witchcraft in the form of widespread toleration of torture and the use of the Devil's mark as evidence of guilt remained in effect throughout the early-to-mid 17th century, by the conclusion of the 1661-62 witch-hunt judicial reforms were bringing some of these forces to an end. In the spring of 1662, a series of rulings by the Privy Council effectively curtailed the use of professional witch-prickers in Scotland. In April of 1662 the Privy Council ordered James Gillespie, a minister from Rhynd, to appear before the Council and face charges of murder, alleging that through "privking, watching, keeping of them from sleip and other tortur [they] have extorted from the saids persons ane confession of the guilt of the cryme of witchcraft."[187] In the same month the Council received a request from an individual, John Hay, who accused a professional pricker John Dick with causing "much torture to his body, all which as it was done without commission" and asked for John Dick's imprisonment.[188] John Kincaid, a 'comon' and notorious witch-pricker discussed previously, was also arrested by the Privy Council's order in April of 1662 after the Council's acknowledgement that "in all probabilitie many innocents have suffered" by his hand.[189]

Thus, by April of 1662 the identification of the Devil's mark by professional prickers, once a major source of evidence for prosecutors, had been largely proscribed. Witchcraft persecution did not end with this development, but rates of persecution never again came close to those of 1661-62, and a commission from June of 1662 declared new standards for confessions.

[187] Ibid. Pg 189.
[188] *Register of the Privy Council of Scotland,* series 3 v. 1, 1661-1664. Pg 210
[189] *Register of the Privy Council of Scotland,* series 3 v. 1, 187.

Suspects would only be advanced to the central justiciary court "if they shall be found guiltie upon voluntar confessions by renouncing of baptisme, paction with the divel or committing of malifices, without any sort of torture or other indirect meanes used…."[190] Between 1661 and 1662 alone the Survey of Scottish Witchcraft Database records 38 cases in which the Devil's mark was explicitly referenced, but in the following period from 1663 until 1740 (when the Survey Database ends) only 42 total cases involving the Devil's mark are found. Cases referencing the renunciation of baptism similarly dropped from 64 between 1661 and 1662 to just 55 over the following 75 years.[191]

The understanding of witchcraft as a diabolical crime, referenced only sporadically prior to 1590 and first brought to real prominence during the North Berwick witch trials, took on an increasing prominence in the era of Scotland's "Great" national witch-hunts. Even after James VI's direct involvement in witchcraft came to an end following 1597, the judicial and investigative precedents he helped to set through commissions and *Daemonologie* remained critical to later trials throughout the 17th century, including during the highest-ever period of persecution from 1661-1662. While witchcraft prosecution in the early-to-mid-16th century had generally focused on aspects of *maleficia* and sorcery, religious and judicial authorities in the 17th century emphasized the diabolical nature of witchcraft almost entirely, and references to folkloric elements became quite rare; elite perceptions of the Devil were made to supplant popular beliefs through interrogation and torture.

[190] *Register of the Privy Council of Scotland,* series 3 v. 1, pg 221.
[191] Goodare, Martin, Miller and Yeoman, "Survey of Scottish Witchcraft."

Conclusion

At a glance, the concept of witchcraft persecution in the early modern period seems to involve an inner contradiction, a conflict between modernity and antiquity. The "early modern" era is understood as one of artistic and intellectual renaissance, scientific revolution, and Christian reformation—a time in which the foundations of modern society and governance were set. Witchcraft was a crime with its roots in the Middle Ages, a crime that modern science asserts to be fundamentally impossible. Yet in the 16th and 17th centuries over 1,000 individuals were executed in Scotland alone for that crime. A single case from 1684 encapsulates the coexistence of these conflicting belief systems: in April of 1684 a woman was charged with murder through the use of witchcraft by Scotland's Justiciary Court, but she was acquitted after surgeons detected fatal levels of arsenic in the victim's body during an autopsy.[192] The contrast between two presumably disparate perspectives seems striking. Central officials considered witchcraft a legitimate means of affecting the world, yet they dismissed charges of it in this case after medical examination found a more tangible cause. Understanding this disparity requires a broad gaze. That witchcraft persecution reached such high rates in Scotland was the result of complex and various forces, ranging from elite perceptions of the Devil and popular fears of sorcery to long-standing judicial processes and individual political and financial interests. By the early 18th century many of these factors and beliefs were increasingly challenged by rising skepticism and new ways of understanding the world.

The typical summary of Scottish witchcraft separates pre-1590 trials from the era of Scotland's 'Great Witch-Hunts,' depicting these as two essentially discrete periods, the first

[192] JC 2/16 in Larner, *Enemies of God,* 12.

characterized by accusations of *maleficium* and folklore and the second by beliefs in the Devil as the source of witches' power, with James VI given credit for transferring the latter idea from Denmark to Scotland. As this paper seeks to demonstrate, witch beliefs in Scotland constantly evolved throughout the 16th and 17th centuries, and James's contributions to the realm of persecution were more institutional and judicial than theological. While *maleficium*, fairies and other supernatural beings, and folk healing were the primary themes in early-to-mid 16th-century cases, diabolical elements began to appear by the 1560s with the rise of the Scottish National Church and the first formal act of witchcraft legislation in 1563. When Geillis Duncan was first interrogated at North Berwick in 1590, local authorities already had enough sense of witchcraft's diabolical implications to search her for the Devil's mark before the matter was brought to King James's attention. And, while the Devil came to play an increasingly prominent role in accusations and confessions during Scotland's later national witch-hunts, diabolism and demonism did not entirely replace folklore and *maleficium* even in the 17th century, as evidenced in Isobel Gowdie's confession in 1662.

Ultimately, demonic and diabolical themes are only two components of the complex and varied set of learned and popular beliefs that made up conceptions of witchcraft in Scotland. The decline in witchcraft persecution in Scotland beginning in the 1660s has been frequently understood to have been brought about by a decline in the overall belief in witchcraft, with rising scientific philosophies encouraging greater skepticism in the general populace. Christina Larner argues in *Enemies of God* that rising literacy and publication rates were met with a decline in the fear of witchcraft and the Devil in the late-17th and early-18th centuries, and she posits that increasing skepticism may have made the subject more entertaining to readers.[193] While some

[193] Larner, *Enemies of God,* 32.

individuals remained deeply convinced that witches were a real and present danger and embodiments of the Devil's power, their attempts to counteract what they perceived as a rise in public skepticism in this period indicates that the understanding of witchcraft and sorcery was shifting. George Sinclair's 1685 treatise *Satan's Invisible World* sought to counteract "the saducees and atheists of this present age," and "to prove the existence of Devils, Spirits, Witches, and Apparitions."[194] Although Sinclair himself asserted that the Devil and his servants were very real and present threats, his treatise is still useful in understanding the general decline in witch beliefs. Sinclair acknowledged the contemporary increase of skepticism, admitting that false stories of witches were on the rise, that such frequent elements of confessions as transformation into animals and magical transportation were widely denounced as impossible, and that among the public "it is commonly believed that many innocent persons have suffered as Witches."[195]

Judicial and legislative developments also reflected a decline in witch-belief in the early 18th century, as the Privy Council continued to curtail local officials' investigative and legal powers and demonstrated an increasing hesitancy to prosecute and execute individuals as witches. The Parliament of Britain (the English and Scottish Parliaments having been combined through the 1707 Acts of Union) did not formally end witchcraft persecution until the 1730s, but by this point prosecution and execution had been declining for over sixty years. The early 18th century saw the final executions for the crime of witchcraft in Scotland, as central authorities took greater control over proceedings from local officials and exhibited increasing hesitancy to issue death sentences. In July of 1706, the Privy Council ordered the execution of George and Lachlan Rattray for "witchcraft and malefice," but later issued two separate reprieves of execution, and finally commuted the Rattray's sentence to banishment in December of the same

[194] George Sinclar, *Satan's Invisible World Discovered* (Edinburgh, John Reid, 1685). Preface.
[195] Ibid.

year.[196] Historian W.N. Neill asserts that "an insane old woman from the parish of Loth" was the final person to have been executed for witchcraft in Scotland in 1722 and argues that the local sheriff "was exceeding his powers and the execution was practically illegal" by this time, though some have argued that the execution actually took place as late as 1727.[197]

Regardless of the exact date of Scotland's final execution for witchcraft, it is clear that by the 18th century witchcraft prosecution was at or nearing its end, and that both judicial processes and societal beliefs had shifted significantly. In 1736, popular skepticism and judicial hesitancy were formalized in British Parliament's Witchcraft Act, a document that provides some final evidence of James VI's legacy and the memory of the 1563 Witchcraft Act. The new Witchcraft Act was drafted "to repeal the statute made in the first year of the reign of King James the First…and to repeal an Act passed in the parliament of Scotland in the ninth parliament of Queen Mary, intituled [sic], *Anentis Witchcraftis*, and for punishing such persons as pretend to exercise or use any kind of witchcraft, sorcery, inchantment, or conjuration."[198] The shift in tone in reference to the 1563 Act, which punished "such persons as *pretend"* to utilize witchcraft or sorcery, makes quite clear that skepticism had become the prevailing sentiment, just decades after the 1660-61 witch-hunt brought about over 300 executions in a two-year span. That the Act "caused much laughter among MPs" when read before the Commons is evidence of just how far beliefs had shifted, even to the point of widespread incredulity.[199]

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[196] Julian Goodare, Lauren Martin, Joyce Miller and Louise Yeoman, 'The Survey of Scottish Witchcraft', http://www.shca.ed.ac.uk/witches/.

[197] W.N. Neill, "The Last Execution for Witchcraft in Scotland, 1722," *The Scottish Historical Review* 20, no. 79 (1923): 218-219.

[198] "1735: 9 George 2 c.5: The Witchcraft Act," *The Statutes Project: Putting Historic British Law Online,* http://statutes.org.uk/site/the-statutes/eighteenth-century/1735-9-george-2-c-5-the-witchcraft-act/. Accessed 3/12/20.

[199] "Religion and Belief: Witchcraft," UK Parliament, https://www.parliament.uk/about/living-heritage/transformingsociety/private-lives/religion/overview/witchcraft/

This paper has attempted to contribute to the ongoing discourse on Scottish witchcraft by examining at length witch beliefs and prosecution in the 16th and 17th centuries, and by challenging the long-held notion that James VI's involvement at the North Berwick trials marked the transition from *maleficium* to diabolism as the central component of witch beliefs. Chapter 1 examined references to folklore, *maleficium*, superstition, and sorcery in the early-to-mid 16th century as well as the earliest references to the Devil within witchcraft accusations and confessions in the decades prior to 1590; the study finds that while appearing infrequently and inconsistently, the notion of diabolism had begun to influence certain trials prior to North Berwick. This theme was continued in Chapter 2, which examined the early stages of the North Berwick trials and found that the search for the Devil's mark and beliefs in the Devil pact, aspects of the continental European witch stereotype that many historians have argued King James VI introduced to Scotland, actually pre-dated the king's involvement. As the chapter goes on to suggest, James's primary impact in 1590-91 was the legitimization of the use of torture and public promotion of the witch-hunt as evidence of the Devil's conspiracy against him, a propaganda campaign that spread knowledge of the events at North Berwick throughout Scotland and England and elevated the witch-hunt of 1590-91 to national stature. Finally, Chapter 3 examined Scotland's later national witch-hunts conducted between 1596 and 1662, and found that James's contributions to methods of investigative and judicial conduct—particularly the use of the Devil's mark as evidence of guilt and the use of commissions to grant wide latitude to local officials to apprehend, try, and execute suspects—remained in place for nearly a century, while the diabolical aspect of witchcraft continued to be superimposed over popular folklore and superstition well into the 1660s.

This paper has sought to reinterpret witchcraft persecution in early modern Scotland and contextualize the subject not simply around James VI's involvement, but within a broader religious, political, and legal context. Rather than 1590 serving as a turning point at which earlier ideas of sorcery and folklore were replaced by the Devil at the center of witch trials, this paper has attempted to demonstrate that beliefs in witchcraft were evolving constantly throughout the 16th and 17th centuries. A woodcut from *Newes from Scotland* demonstrates how references to the Devil and *maleficium* together characterized witch beliefs at the time of North Berwick. At the bottom of the image the Devil stands behind a pulpit giving a sermon to a group of witches, representing the idea of witches rejecting God and subverting the Christian sacraments through their allegiance to the Devil. The top of the image references a case of *maleficium* featured in *Newes from Scotland* in which a wise woman manipulated a love charm cast by John Fian and caused an ox to follow him, an act of sorcery that makes no mention of the Devil or any demonic elements.[200]

[200] *Newes from Scotland* in Normand and Roberts, ed. *Witchcraft in Early Modern Scotland* (London: Liverpool University Press, 2000), 320.

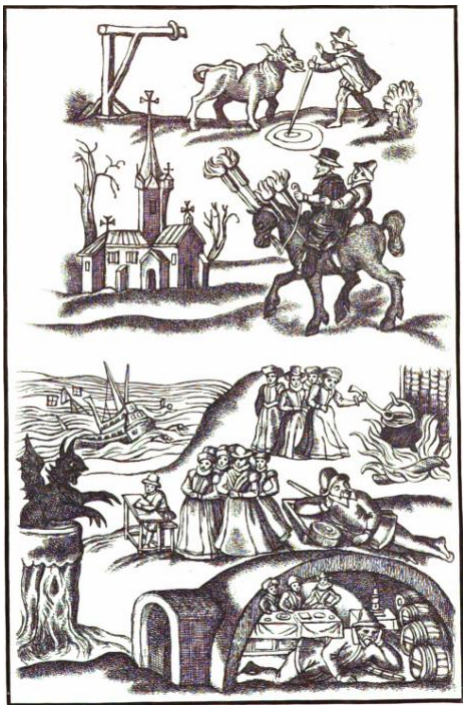

Image from *Newes from Scotland,* 1591 in *Register of the Privy Council of Scotland,* v. 5. David Masson, ed. (H.M. General Register House, Edinburgh, 1882) pg 9.

Historical events from the founding of the Church of Scotland in 1560, Scotland's first Witchcraft Act in 1563, the publishing of *Newes from Scotland* in 1591 and *Daemonologie* around 1597, the Covenanter movement in the 1640s and the English Protectorate over Scotland in the 1660s all affected the manner in which witchcraft was perceived as a diabolical crime, and the intensity with which witchcraft was prosecuted by officials. The association of the Devil with witchcraft in Scotland certainly helps to explain in part why rates of prosecution and execution were so much higher than in neighboring England, where historians have asserted that references to the Devil in trials were far less common, but differences in institutional processes and judicial systems were also important parts of the equation. King James VI's emphasis on the Devil pact in his treatise helped to publicize the diabolical aspects of witchcraft in Scotland, but it was his sanction of the use of torture, as well as his use of the Devil's mark as evidence and his granting

of expansive commissions for accusation and indictment, that were especially critical to shaping the conduct of prosecution in later decades.

The interpretation of witchcraft persecution as motivated by deliberate political and economic interests has also been a consistent theme throughout this work, helping to explain why large-scale witch-hunts emerged in the late 16th and 17th centuries and challenging some of the conventional terminology and depictions of witch-hunts as "panics" or "crazes." Each chapter has emphasized a different person or group's deliberate interest in shaping how witchcraft was understood and prosecuted. Chapter One considered the newly-formed Church of Scotland's interest in targeting witchcraft as a crime against God so as to strengthen its campaign against moral offenses and sin. Chapter Two examined James VI's efforts to depict the North Berwick witches as servants of the Devil in order to further his own image of piety and strength. And, Chapter Three outlines cases of individuals using accusations of witchcraft to seize property and wealth, as well as the Covenanter movement's renewal of the Church of Scotland and the instigation of the nation's largest-ever witch-hunt by Scottish officials after regaining political and legal control from England. True religious sentiments, beliefs in the reality of witchcraft, and fears of *maleficium* and the Devil undoubtedly played important roles in these proceedings, but this paper has endeavored to demonstrate that deliberate political and material interests were critical factors as well. For this reason, I do not condone the terminology of "witch panic" or "witch scare" frequently used in describing European and British witchcraft persecution.[201] Local trials and individual accusations of witchcraft frequently reflected personal social and financial interests, while larger national witch-hunts reflected broad political

[201] Christina Larner argues that the terminology of 'witch-craze' is apt based on the sheer scale of Scotland's national witch hunts and refers to these as "the major witch panics" throughout her writing: Larner, *Enemies of God,* 16.

ambitions on the part of powerful individuals and authorities. Descriptions that rely on the notion of "craze" or "mania" frequently misrepresent the various deliberate interests that instigated and shaped many trials and hunts.

This paper has traced beliefs in, and persecution of, diabolical witchcraft throughout 16th- and 17th-century Scotland to identify how and when these beliefs arose, how they differed between elite and unlearned populations, and why Scotland's rates of prosecution and execution were significantly higher than those of neighboring England. While building on the work of earlier and contemporary historians, their ideas and methodologies, this paper has suggested new interpretations of King James VI's significance to the idea of diabolical witchcraft, depicted the spread of beliefs in the Devil's role in witchcraft as a gradual and constantly evolving process, and emphasized the importance of distinct judicial and investigative precedents in separating Scottish witch persecution from English trials in the same period. In cases where the general populace's folkloric and superstitious beliefs did not align with elite and learned views of the Devil, the secular and religious authorities responsible for investigation, interrogation, and indictment frequently imposed diabolical and demonic themes on the accused through the use of torture and leading questions, so that by the era of Scotland's 'Great Witch-Hunts' the Devil had become the primary focus of most trials.

Ultimately, the analysis of various actors' deliberate interests in emphasizing and publicizing particular aspects of witchcraft points to the flaw in the rhetoric of "witch crazes" and "witch panics," and suggests that witchcraft persecution must be understood within the overall social and political context of regions and nations where witch-hunts arose. Thus, religious and folkloric beliefs, elite political machinations, Church and secular authority, and legal and judicial precedents were all factors that allowed witchcraft to be persecuted with such

intensity in 16th- and 17th-century Scotland. Scottish witchcraft persecution in the early modern era involved the gradual development of beliefs and institutions over two centuries, a long-term and complex process that cannot be distilled down to the involvement of any single monarch or the events of a single witch-hunt. Judicial processes, beliefs in sorcery and the Devil, and the involvement of local and national authorities were all elements that began to emerge in the 16th century. When combined, these factors allowed witchcraft persecution in Scotland to reach levels far greater than those in England, claiming well over 1,000 lives in a matter of decades.

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