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WITCH-HUNTS IN POLAND, 16th–18th CENTURIES

Witchcraft is a subject which has not yet been adequately examined in Polish historiography although historians became interested in witch-hunting at a time when the devil's hapless accomplices were still being burnt at the stake in Europe¹. The new trends which appeared in Western literature in the sixties of the 20th century, after the introduction of sociological, anthropological and ethnographic methods into historical research, have resulted in many interesting works in Europe, but Polish historians have not followed suit.

The only comprehensive study on witchcraft to have appeared in Poland, a work which is still referred to in western publications, is Bohdan Baranowski *Witch Trials in Poland in the 17th and 18th Centuries* (Łódź 1952). Apart from *Farewell to the Devil and the Witch* (Łódź 1969) Baranowski's later works deal with the life of the lower classes in the old Polish–Lithuanian Commonwealth, witches and belief in sorcery being just one of many questions discussed by the author². Baranowski's remarks on witchcraft in these books are mostly quotations from his works and they do not add much to what we already know. They are decidedly addressed to the general public. Baranowski presents interesting details concerning customs, but he does not draw general con-

¹ Cf. E. Potkowski, *Dzieje czarownicy — od historiografii problemu do antropologii historycznej (History of the Witch — from the Historiography of the Question to Historical Anthropology)*, in: *Pochwała historii powszechnej. Book offered to Professor A. Bartnicki*, Warszawa 1996, pp. 61–62.

² B. Baranowski, *O hultajach, wiedźmach i wszetecznicach. Szkice z obyczajów XVII i XVIII w. (Rascals, Witches and Harlots. Essays in 17th and 18th Century Customs)*, Łódź 1963.

clusions and shows no ambition to map the development of witch trials and the belief in magic³.

Even though Baranowski's book sheds light on many previously unknown aspects of witch trials in Poland, it has many shortcomings. What is most regrettable is that the author has examined only those territories of the old Commonwealth which are within the frontiers of post-war Poland. The result is that the eastern territories, previously under Polish jurisdiction, have been excluded from his book⁴. Another disquieting fact is the choice of sources, though this is partly due to the state of our archives. The archival materials which the author takes into consideration in drawing general conclusions concerning the whole country are from only part of Great Poland, and this is, from the voievodships of Łęczyca, Sieradz and Kalisz and from the Wieluń region.

However, what arouses greatest doubts is the author's way of using sources, for it greatly distorts the picture. Careless footnotes are another shortcoming⁵. It is also regrettable that in trying to find the reasons for witch-hunting, the author focuses on socio-economic relations and the class struggle and exaggerates the role of the Church in the campaign against the devil's accomplices. He has paid insufficient attention to the intellectual and cultural framework of witch-hunting. Nor has he presented the mental patterns which prevailed at that time, even though

³ Several interesting articles have appeared in addition to the Baranowski's books. The most interesting are those by G. Adamczewska, *Magiczna broń i jej rola w walce między wsią a dworem w Sieradzkim w XVII i XVIII wieku (The Magical Weapon and Its Role in the Struggle between the Village and the Manor House in the Sieradz Region in the 17th and 18th Centuries)*, "Łódzkie Studia Etnograficzne", vol. V, 1963, pp. 5-16, and B. Janiszewska-Mincer, *Bydgoski porces o czary w 1638 roku (The Bydgoszcz Witch Trial of 1638)*, "Prace Komisji Historii" III, series C, N° 4, Bydgoszcz 1966, pp. 105-124.

⁴ See B. Baranowski, *Procesy czarownic w Polsce w XVII i XVIII wieku (Witch Trials in Poland in the 17th and 18th Centuries)*, Łódź 1952, pp. 30-31.

⁵ My article is based on the archival resources of the Central Archives of Historical Records in Warsaw. The sets of municipal books referred to by Baranowski are in a very bad state and are therefore inaccessible. Of all the books referred to by Baranowski in the footnotes I had access only to the municipal book of Warta, Central Archives of Historical Records, Warta, call number 48, the bibliography of ft. 33 is quoted after G. Adamczewska, *op. cit.* My observations are highly disquieting, considering that I have only verified one book. Fn. 7, p. 100 and fn. 2, pp. 111 are questionable. Contrary to what Baranowski says, there is not a word about witch hunts in the municipal book of Warta (Central Archives of Historical Records, Warta, call number 48) on pages 177 and 101.

they exerted the decisive influence on the conditions in which witch-hunts were started and terminated. Baranowski's analysis of the problem seems to indicate that in his view causality is not a complex phenomenon consisting of a combination of factors and that culture is not first and foremost a mental category.

These remarks show that the question of witch trials in Poland requires a new study based on modern research methods. My article will deal only with a few questions, but they seem to be important for changing the still prevailing view of witch-hunting in the territories of the old Commonwealth. The main subject of my reflections will not be the alleged accomplices of Satan but the judges, witnesses and onlookers who accompanied the witches in the last moments of their lives. No serious attempt has so far been made in Polish literature to define the circle of persons responsible for witch trials. The picture we have been offered is unconvincing, for what is missing is a broad presentation of the factors which induced local communities to persecute women of a certain type. The motives behind the witch-hunts can be understood only if one knows the environment in which the witches lived. It is the attitude of small communities to some of their inhabitants that can provide the key to the internal mechanisms of witch-hunts. An analysis which ignores the surroundings in which the witches lived will only superficially disclose what was behind witch-hunting.

Let us have a look at the Polish witch trials from another angle than the one chosen by Baranowski, (that is, without regarding these trials as a shambles and murder in the majesty of the law). We would also like to indicate some of the anthropological traces which may provide inspiration in research into witch-hunting in Poland in the 16th–18th centuries.

1. "An offence committed by unbridled tongues"⁶

The picture of witch-hunting outlined by Baranowski shows Poles in the early modern era as a people obsessed with witches, a people striving to exterminate them at any price. It seems, however, that such a one-sided presentation of the problem is not justified in the light of sources. Baranowski passes over in silence cases of undeserved (according to his term) charges.

⁶ Central Archives of Historical Records (henceforward referred to as CAHR) Warta, call number 48, p. 43.

In raising this question the author of *Witch trials* confines himself to a few casual remarks. He says that 17th and 18th century sources mention two kinds of witchcraft cases: the proper witch trials (cases for *maleficium*) and the much more frequent cases of undeserved charges (i.e. defamation cases). Baranowski rightly points out that the latter were a daily occurrence. He explains that the persons who submitted cases of undeserved charges were afraid of being suspected of witchcraft, they wanted to secure themselves as early as possible against the possible consequences of being suspected of contacts with the devil⁷. By emphasising that cases of this kind were usually submitted by rich persons, he draws attention to the class character of the administration of justice.

It seems, however, that this question cannot be discussed in the context proposed by the author of *Witch trials*. It is a well known fact that the law costs were by no means insignificant. Poor people, even if they were accused of discreditable deeds, preferred not to run the risk of losing the little that they had, in particular if this would have involved them in a conflict with very rich burghers who had a hold on assessors. They realised that they would have stood little chance of winning the trial. But rich citizens did not hesitate to risk losing a part of their property in order to preserve their standing in the local community. The most effective way of clearing their good name was to submit their case to court. When the leading citizens of a town certified that the person suspected of witchcraft was innocent, the victim of slander could be almost sure of a secure future. Nobody in his right mind would have antagonised the most influential citizens of the town.

More attention should be paid to cases of undeserved accusations, a question which is not thoroughly examined in Baranowski's book. The first thing to be solved is the subject of indictment in trials of this kind. This is indispensable, for Baranowski has not equipped his terms with an adequate commentary and his categorisation of cases of this kind is incorrect in the light of sources. Cases of undeserved charges were a category unknown to the scribes who recorded the proceedings (at least not in the sense proposed by Baranowski). If we insisted on using this term in studies on witch-hunts, only the *maleficium* cases lost by the accuser could be called cases of undeserved charges,

⁷ B. Baranowski, *Procesy*, p. 82b.

but not cases for damage done to a person's reputation. Cases of this kind were at that time called cases of insult or defamation⁸. They could be called cases of slander, abuse, personal insults, offences against a person's honour or reputation.

Court records support this opinion. They usually contain an explanation that legal proceedings were started for "a shameful accusation of witchcraft"⁹ or "use of insulting words and accusation of witchcraft, defamation by various words, for indecently displaying the body with a view to insulting the accuser"¹⁰ or "for breaking window panes, throwing the whole household into confusion and bringing it into disrepute"¹¹.

Court records clearly show that the main problem which the suspects wanted the court to solve was the damage done to their good name; they wanted to clear their honour so that they might again enjoy good reputation in their local community. The records of these cases usually describe scenes of mud-sliding by the opponents who ignored the dictates of politeness and good manners. Some records cite the words used by the participants in proceedings. In Nieszawa, for instance, one of the participants was called "a thief, sorcerer, drunkard, etc."¹² Other records are casual and present the proceedings without paying attention to details. The scribes, bored with a scenario which they had witnessed for the umpteenth time, did not bother to record insults and invectives in detail. They frequently confined themselves to casual remarks that the case was started *ratione diffamacione gravis*¹³ or *ratione certarum calumniosarum*¹⁴ In such cases it is, of course, impossible to say whether the word "witch" was one of the insults.

It is difficult to criticise the scribes' perfunctoriness in recording the quarrels. The words used by the parties were coarse. Insulting words alluding to the world's oldest profession, words which are still regarded as the most venomous invectives in the Polish language, were often used in squabbles and quarrels at

⁸ CAHR, Warta, call number 48, p. 237, 245, 248v, 281.

⁹ CAHR, Białystok, call number 1, p. 107.

¹⁰ CAHR, Kowal, call number 16/14, p. 10.

¹¹ CAHR, Warta, call number 48, p. 10.

¹² CAHR, Nieszawa, bailiffs' records, call number 12, p. 99.

¹³ CAHR, Nieszawa, councillors' records, call number 18, p. 87v.

¹⁴ CAHR, Nieszawa, councillors' records, call number 19, p. 207.

that time¹⁵. They were exchanged with whole-hearted vigour. When a certain Mrs. Błaszowska "showered words of abuse"¹⁶ on Mrs. Sobolewska, the latter "returned them at once"¹⁷.

What violent scenes could take place between persons living near each other is shown in the following quotation: a certain Mrs. Sadowicowa "without any provocation, driven by spite, oblivious of God and of love of one's neighbour, attacked the noble Mrs. Wiśniewska, struck her with all might, wounding her; she also inflicted other bleeding wounds on her and covered her with bruises, in the eyes of many honest people she defamed the accuser by using foul, insulting words, such as witch and hag. She threw out into the street the bed clothes, utensils and other things of the accuser"¹⁸. The scribe's records clearly show that the assessors disapproved of Mrs. Sadowicowa's behaviour.

The accusation of witchcraft was used profusely. This is how a certain Mr. Łopatkowic, questioned by the bailiff's court of Nieszawa in 1716, spoke of the local townswomen: "In this town of Nieszawa nobody is honest, there are only whores and witches here, with the exception of Mrs. Kowalska..."¹⁹ (The court records do not explain why Mrs. Kowalska was thought by him to be the only honest woman in the neighbourhood.)²⁰

The attitude of the judges to Łopatkowic's deposition did not mean that they did not believe in witchcraft. On the contrary, they regarded witch-hunting as their duty and wanted to fulfil it to the best of their abilities. They proved their hostile attitude to Satan's accomplices on May 24, 1721. On that day the assessors and councillors of the township of Dobrzyń, recognising the Nieszawa court's greater competence, asked it for help in settling the matter of some Dobrzyń witches. Wishing to secure the quickest possible arrival of judges from Nieszawa, they sent a carriage which was to bring the judges to what they hoped would be "the certain execution and trial of women accused of witch-

¹⁵ CAHR, Nieszawa, bailiffs' records, call number 12, p. 46, 164v; Warta, call number 48, p. 152, 171.

¹⁶ CAHR, Nieszawa, councillors' records, call number 18, p. 71.

¹⁷ CAHR, *ibidem*.

¹⁸ CAHR, Nieszawa, bailiffs' records, call number 12, p. 54.

¹⁹ CAHR, Nieszawa, councillors' records, call number 19, p. 189.

²⁰ The mysterious Mrs. Kowalska was probably the wife of Adrian Kowalski, a local councillor, but since this is one of the most frequent names in Poland, it is impossible to define her social background.

craft"²¹. However, the Nieszawa assessors could not comply with the request of their Dobrzyń colleagues because the bailiff was too ill to travel, and according to the law, a trial had to be conducted by the bailiff and assessors.

In these circumstances, the Nieszawa men took the following decision: "wishing to gain for ourselves and for the whole town of Nieszawa the gratitude and good feelings of Your Honours (*i.e.* of the Dobrzyń office) and not to bring disgrace or invectives on the whole town of Nieszawa, we have decided unanimously, in view of the ill health of the bailiff, to send to this execution Mr. Adryan Kowalski, a *virum judiciosum* as well as an assessors and a municipal scribe, knowing that as *judiciosus in suo Munere et Iudicio* he will know what to decide *de Conscientia et fide jurata*. And we entrust him with all powers *de Iustitia peragenda...*"²²

These words show that the judges tried to perform their duties well. They knew that their conduct was all the time appraised by their neighbours and they did not want to damage their position and the position of their town. They wanted to consolidate the standing of their town in the neighbourhood. They wanted the Dobrzyń region to remain under the influence of Nieszawa. Being aware of the rivalry between the towns which employed an executioner, they feared that the Dobrzyń assessors, driven to despair by the witches' prolonged imprisonment, might ask another court for help. This would have undermined the prestige of Nieszawa and its inhabitants and would have reflected discredit on the political abilities and leadership of the fathers of the town. This is why, before sending the bailiff's deputy to Dobrzyń, they checked whether he was a good expert in law; they wanted to be sure that he would be equal to the task. They were certainly neither reckless nor shortsighted. They manifested good judgment and foresight. The behaviour of the Nieszawa officials does not conform to the stereotyped picture of the judge as a slow-witted ignoramus.

The judges found Łopatkowic's statement incredible and treated it with reserve, even though the word "witch" was not an insignificant invective and could have serious consequences. Everyday quarrels and squabbles frequently gave rise to deadly rumours. J. Bodin, an expert on the subject, author of the

²¹ CAHR, Nieszawa, councillors' records, call number 19, p. 287v.

²² *Ibidem*, p. 288.

famous *La Démonomanie des sorciers* (1581), considering the reliability of gossip said that as far as sorcerers were concerned, common gossip was absolutely unfailling²³. Nevertheless, in the context of Łopatkowic's statement the word "witch" was rather a crude invective than an accusation of all local women of witchcraft. This interpretation is confirmed by dictionaries of the Polish language, in particular *The Old Polish Dictionary*²⁴ and *The Dictionary of Polish Dialects*²⁵. Other dictionaries stress that "witch" is a depreciatory word with pejorative connotations²⁶ laying stress on ugliness, old age and spitefulness.

It is not without reason that the judges treated namecalling indulgently, even though witchcraft was a grave crime. They frequently did not ask the defendant why she had used the word "witch", even though had they wanted, they could have unleashed a local war against witches. Instead of starting proceedings for *maleficium*, they punished both quarrelling parties, irrespective of which of them had used the dangerous invective²⁷. This is what happened when the court thought that both parties were guilty of breaking the peace. But sometimes the situation took another turn and the court punished only the person who had used the insulting words²⁸. Usually this was a fine to be paid to the local church.

The significance of the question raised here can be realised if we remember how important honour was at the time when respect was one of man's most important properties. A public disgrace injured a person's honour and degraded the slandered person in the eyes of the neighbours. This could have serious social consequences. A person deprived of a good name and suspected of witchcraft could be ostracised by the community. In conditions where there are no alternative groups with which

²³ Cf. J. Delumeau, *La peur en Occident (XIV^e-XVIII^e siècles)*, Paris 1978, p. 321.

²⁴ *Słownik staropolski (Old Polish Dictionary)*, vol. 1, Warszawa 1953-1955, p. 345.

²⁵ *Słownik gwar polskich (The Dictionary of Polish Dialects)*, ed. J. Karłowicz, vol. 1, Kraków 1900, p. 273.

²⁶ *Słownik języka polskiego (Dictionary of the Polish Language)*, eds. J. Karłowicz, A. Kryński, W. Niedźwiedzki, vol. 1, Warszawa 1900, p. 374; *Słownik języka polskiego (Dictionary of Polish Language)*, ed. M. Szymczak, vol. 1, Warszawa 1995, p. 308.

²⁷ CAHR, Nieszawa, councillors' records, call number 18, p. 71; Kowal, call number 16/14, p. 10.

²⁸ CAHR, Kowal, call number 16/14, p. 107.

friendly relations can be maintained, ostracism is extremely onerous for it makes it difficult, if not impossible, for the isolated person to satisfy his/her basic psychic and emotional needs. The need to be accepted and to feel safe is particularly important. A 20th century man can realise the troubles that could afflict a slandered person only if he bears in mind the low mobility of societies of the traditional type.

2. Methods of inquiry and the inner side of verdicts

At first glance the records of witch trials seem to be all alike and very schematic. They seem to point to a one-track search for truth and a simplified way of interrogation. One could repeat after Aleksander Brückner that "All these trials ... make one weary by their uniformity. The names change but the problem is always the same: cows have become milkless, pigs and poultry have died, backaches, etc. the ailments are variants of the same song sung in Germany and repeated in our country..."²⁹

Court records also seem to prove that the proceedings against witches were schematic. Perhaps judges found the evidence irrefutable, for in many cases the indictment and the witnesses' statements were not even recorded. They seemed to be acting in the spirit of J. Bodin's advice and did not seek a large number of witnesses and evidence in such hideous cases³⁰.

Our research into the work of early modern courts shows, however, that the judges examined cases submitted to them more carefully than could be expected³¹. The fact that the same questions were repeated in successive cases was not due to the limited intellectual abilities of the interrogators. It was the result of the schematic structure of each offence and of the judges' conviction that each offence had certain characteristic features. This is why they abandoned the timeconsuming cause-and-effect interrogation and asked questions which referred only to the most important details of the crime. As a result, the course of events reconstructed by the court was clearer and more legible. Contem-

²⁹ *Encyklopedia staropolska (Old Polish Encyclopaedia)*, ed. A. Brückner, vol. 1, Warszawa 1939, p. 194.

³⁰ Cf. J. Delumeau, *op. cit.*, p. 320.

³¹ M. Pilaszek, *W poszukiwaniu prawdy. O działalności sądów kryminalnych w Koronie XVI–XVIII w. (In Search of Truth. On the Work of Criminal Courts in Poland 16th –18th Centuries)*, "Przegląd Historyczny", vol. LXXXIX, 1998, N° 3, pp. 361–381.

porary criminologists regard this method of conducting an investigation as rational if it concerns empirically verifiable criminal events. Nobody is surprised that police functionaries always ask law-breakers the same questions. On the contrary, schematic questions are generally regarded as justified. They do not signify thoughtlessness but show that the functionary has a rudimentary knowledge of crime.

Since people at that time did not distinguish the real world from the world of magic and were convinced that the two intermingled, did not the judges who investigated witchcraft cases assume that witchcraft was one of many crimes, that despite its exceptional character, that is, the renunciation of God, the accomplices of Satan should be subjected to the same methods of investigation as other criminals? In the opinion of people at that time the infernal powers constituted a real danger, a danger that was as real as theft or assault and battery. The evil powers were a permanent threat, everyone could come across them.

Almost everyone dabbled at white magic to secure himself against danger. This permanent association with magic is well illustrated by the evidence given by Lublin witches. One of them said that she had learned all the magical tricks which she used (for her own needs) from other people³². All members of a local community were probably no worse specialists in the matter than the witches in their milieu. The only difference was that the latter had less luck and were brought to court. Everyone knew something about magic. Everyone got in touch with it in one form or another. This is what made the defendants' statements similar and conditioned the range of interest of the investigators. Corroborative accounts seemed to indicate that magical practices had some characteristic traits. The judges may therefore have believed that witchcraft had some definite characteristics. If this was so, it can be assumed that by the generally applied method of interrogation they wanted to find out whether the interrogated witches had committed the crimes they were generally suspected of.

However, whereas in the case of empirically verifiable criminal acts, such as theft or homicide, some of the questions were a result of previously obtained answers, such questions were

³² M. Dąbrowska-Zakrzewska, *Procesy o czary w Lublinie w XVII-XVIII wieku (Trials for Witchcraft in Lublin in the 17th and 18th Centuries)*, "Prace i Materiały Etnograficzne", vol. VI, 1947, p. 231.

never asked in witch trials. This was probably due to the fact that the evidence given by witches could not be verified. No wonder, therefore, that a court conducting a case for witchcraft relied rather on rumour and demonological literature. Because of their opinion of the morale of the accused, the judges found it difficult to trust the information given by an alleged witch. They tried to tighten the reins of the arrested witches' imagination; all they wanted to know was whether the practices attributed to a witch did indeed take place.

Local inspections carried out by the administration of justice also indicate that the courts did not apply a special procedure in witch trials³³. Normal procedure sanctioned by common practice was used. Municipal books contain many descriptions of post-mortem examinations, examinations of wounds, and local inspections. They were carried out regularly for municipal law laid stress on causality, on establishing the relation between a culprit's act and its effects³⁴, irrespective of whether the accused was a person suspected of contacts with the devil or not. However, everything seems to indicate that this was done less frequently in witch trials. This is not surprising for only some magical practices left a material trace. A horse's head that had been buried under one's door could be brought to the court, but the use of more elusive forms of witchcraft, such as spells and incantations, could not be proved.

All this throws light on the witch trials held in Poland in the 16th–18th centuries. Polish witch-hunts seem to have been much milder than is generally supposed. What deserves attention is first and foremost the behaviour of the judges, who tried to act in agreement with reason and did not always behave like thoughtless automata passing severe sentences. It is a great challenge to historians to examine the reasons behind the judges' conduct. It would be worth while to fathom the assessors' reasoning quite impartially, without trying to whitewash their stance and also without trying to find them inhuman.

To take up the subject discussed in the previous section in which we presented Nieszawa judges who had repeatedly shown restraint when they were informed of public accusations of

³³ CAHR, Warta, call number 46, p. 135v.

³⁴ *Historia państwa i prawa polskiego (A History of the Polish State and Law)*, ed. J. Bardach, vol. 2, Warszawa 1966, p. 345.

witchcraft, let us consider whether the stereotype of the judge as a drunk, slow-witted churl is justified. This is not a trivial question, especially if we bear in mind that judges are the key that will allow us to understand the inner mechanisms of witch-hunting.

The courts in those days were not very moderate and did not hesitate to pass severe sentences, especially for grave crimes. There were several reasons for this. In a small community crime is conspicuous, it is not an anonymous deed. The victim is a well known person. It is worth remembering that in the 16th–18th centuries the courts did not have such perfect means for verifying the defendants' statements and for detecting crime as we have today. Despite this, they had to secure good and effective protection to the local population.

Imprisonment for a few or even a dozen years was unknown to municipal courts. The *Sachsenspiegel* provided for severe punishment of culprits. In view of people's reluctance to spend money on prisons, execution was the only efficient way of ensuring the security of one's family and friends. But the death sentence could include additional means which made the punishment more severe. In these circumstances, criminals, especially witches, could not count on a mild sentence. Witches were treated with extreme severity, they were put to torture and frequently sent to the stake, not because the judges treated all these uniform and boring cases thoughtlessly, but because they followed the letter of the law. There is no fault to find with them as far as the formal side is concerned. However brutal this may sound, it must be stated that in fulfilling their duty in the way they did the judges simply kept to the letter of the law. (They may have sometimes exceeded their powers by ordering an excessive amount of tortures, contrary to the law).

The sentence was frequently the consequence of a game. The judge could find the defendant guilty and conclude the case or he could order further tortures and pronounce more death sentences if the aim of the trial was to detect and punish a group of persons³⁵. Yet another point should be stressed; the judges were frequently in a difficult situation. They were slaves of the system. (In private towns they had to reckon with the opinion of the owner). Could they act differently and pass more lenient

³⁵ M. Komar, *Czarownice i inni (The Witches and Others)*, Kraków 1980, p. 54.

sentences or acquit a defendant? If they had treated the witches differently from the way they treated defendants in cases for *maleficium*, they would have probably condemned themselves to torture or to a death in torment³⁶. By meeting social expectations they gained popularity, eminence and the gratitude of the local inhabitants. They consolidated their position. A firm action against accomplices of Satan averted suspicious from themselves, and their uncompromising attitude was regarded as moral rectitude.

Yet another question should be taken into consideration in analysing and evaluating the attitude of judges. Irrespective of whether they really believed in witchcraft, it seems that what greatly influenced their attitude to the defendants was their conviction that they were always right for they served a higher cause, a cause that was above this world. Thanks to a witch's presence in court, witchcraft and all associated ideas ceased to exist only in people's consciousness; they ceased to be mere feelings and undefined ideas; they materialised in a perceptible form³⁷. The judge's verdict that the defendant was a witch, a physical person responsible for all incomprehensible mishaps and misfortunes, turned the witch from a threat to the physical security of a group into a guarantor of its mental coherence³⁸. The assessors did their best to prove that the way the group saw the world was correct. This was not a choice between one system of seeing the world and another but between the system of magic and the lack of a system³⁹. If the public had begun to have doubts about the prevailing system, this would first of all have endangered the authority of the judges who in the eyes of the public were part of this system. It can therefore be presumed that in witch trials the judges endeavoured not so much to punish a crime as to confirm the validity of the system which made the crime possible.

There is also the reverse of the medal. The judges were not always impeccable. One of their most frequently described characteristics is that they had a propensity for alcohol and were intoxicated during trials. But the picture of the judge as a

³⁶ *Ibidem*.

³⁷ Cf. C. Lévi-Strauss, *Structural Anthropology*, New York-London 1963, p. 205.

³⁸ *Ibidem*.

³⁹ *Ibidem*.

besotted ignoramus, a sadist, is rather improbable and too one-sided. We cannot but agree with M. Kamler that the majority of judges in small towns could not have been inveterate drunkards and sadists⁴⁰, even though records from that time indicate that the consumption of liquors by the bench was the source of many troubles. The authors of juristic studies and landowners tried, not without reason, to protect defendants from being sentenced by drunk judges⁴¹. Nevertheless, the question should not be demonised. Our view of the problem will change when we realise that people have a tendency to notice what is peculiar, unusual, extreme, while a routine conduct is usually passed over in silence. What is usual does not draw the attention of observers and does not prompt them to engage in long reflections. Many perfectly conducted cases have probably never been commented on by outsiders.

It is very difficult to establish, even approximately, the amount of alcohol consumed by judges during a trial. No bill for a witch trial has yet been found in the Commonwealth's court records, with the exception of some loose notes from the account books of the town of Chełmno, which have been assembled and published by M. Biskup⁴². The only document in Polish known to us which indicates all the costs connected with a witch trial comes from Bytom (1666), that is from a territory culturally akin to Poland. It is worth examining it to see if the assessors' thirst was really so great as is generally supposed.

Things may have of course been different in Silesia from what they were in the Commonwealth. It may be deceptive to assume that the customs in Silesia were similar to what they were in Poland. Nevertheless this is the only way to gain insight into the problem, and it is all the more justifiable as the Polish element

⁴⁰ M. Kamler, *The Role of Torture in Polish Municipal Judicature in the Second Half of the 16th and the First Half of the 17th Century*, "Acta Poloniae Historica" LXVI, 1992, pp. 55 ff.

⁴¹ B. Groicki, *Porządek sądów i spraw miejskich w prawa magdeburskiego w Koronie Polskiej (Order in Law Courts and Municipal Affairs Based on Magdeburg Law in Poland)*, Warszawa 1953, p. 29; M. Janik, *Z dziejów miasteczka polskiego w wieku XVIII (From the History of a Small Polish Town in the 18th Century)*, "Lud", vol. XIV, 1908, p. 286; *Polskie instruktarze ekonomiczne z końca XVII i z XVIII wieku (Polish Books of Economic Instructions from the Late 17th and 18th Centuries)*, ed. S. Pawlik, vol. 1, Kraków 1915, p. 15.

⁴² *Ziemia chełmińska w przeszłości. Wybór tekstów źródłowych (The Chełmno Region in the Past. Selected Sources)*, ed. M. Biskup, Toruń 1961, pp. 149-150.

wad very strong in Bytom. This is testified to by the fact that the municipal office conducted its correspondence with the lord of the "Bytom state" in Polish, while the chancery of Count Henckel von Donnersmarck wrote its letters in German. The inhabitants of Bytom did not use the language preferred by the count in written correspondence, although many people in Silesia, especially in towns, knew German⁴³. The municipal authorities of Bytom consistently used Polish as the official language. Legal proceedings were conducted in Polish and all letters and documents sent out by the municipal authorities, such as court verdicts, letters, bills, last wills and marriage articles were written in Polish⁴⁴. One of these documents issued by the Bytom office is a bill from a witch trial, which conveys much information not only about the fiscal side of these trials but also about the consumption of alcohol during the proceedings.

The bill made out by the bailiff's office in Bytom says: "today I gave the assessors money for 9 gallons of Nysa beer; that was the only payment for all their efforts"⁴⁵. The author of the note admits unequivocally that alcohol was the judges' only recompense for the time they devoted to the case. The post of the bailiff as well as that of the assessor was an honorary function; neither the bailiff nor the assessors were paid for the performance of judicial duties.

According to our system of weights and measures, these nine gallons equal well over 30 litres, a terrific amount of liquor for one sitting. The assessors could do whatever they liked with it. We have no intention of asserting that the judges were abstemious, we only want to point out that their sobriety depended on many factors.

Let us state first and foremost that judges could treat themselves to various kinds of alcohol and the reaction of each individual may have been different. Moreover, alcohol was thought to be a customary drink suitable for persons of high rank who could not content themselves with beverages of inferior

⁴³ U. Szumska, *Przyczynek źródłowy do praktyk sądowych w XVII-wiecznym Bytomiu (Sources to Judicial Practices in 17th Century Bytom)*, "Zeszyty Naukowe Wyższej Szkoły Pedagogicznej w Opolu", Historia, N° XI, 1972, p. 33.

⁴⁴ *Ibidem*.

⁴⁵ Quoted after *e a d e m*, *Przyczynek źródłowy do procesów o czary (Sources to Trials for Witchcraft)*, "Zeszyty Naukowe Wyższej Szkoły Pedagogicznej w Opolu", Historia, N° VIII, 1971, p. 79.

quality. Let us also remember that the number of persons constituting a bench varied. The bailiff had always to be present during legal proceedings. The number of assessors fluctuated between two and six. If a session was held in assizes, the bailiff and his companions usually added a few local officials to the bench as assessors. The number of potential consumers of intoxicants could thus increase considerably. Moreover, the length of trials varied. If the defendant did not plead guilty, a trial could go on for many days for judges wanted to get a confession, which was the most important proof in the eyes of the law. Moreover, we do not know whether the judges consumed the entire stock entrusted to them during one trial; they may have taken home what was left over. This does not change the fact that alcohol was a permanent element of judicial sessions, that it could act as a stimulant and exert an influence on the verdict; but it did not have to.

Even if the consumption of alcohol is taken into account, these remarks show that the legal services rendered by the courts of the old Commonwealth were not of the lowest quality, but they were not on the highest level either. The alcohol drunk during a session could influence a verdict, but the amount drunk was socially acceptable and did not make the judge unfit. Alcohol was a permanent element of life owing first and foremost to its low price (especially of beer). It is worth pointing out that as regards a alcohol consumption the Poles did not differ much from other European nations in the early modern period. In England nothing could be settled without sealing the deal by a large amount of beer⁴⁶. Its daily consumption was by no means insignificant, amounting to about one gallon (ca 4.5 litres) per person⁴⁷. In Poland, too, beer was an everyday drink. It was used to make soap and was given to children. It is not surprising therefore that consumption of alcohol during court proceedings was acceptable; it did not prevent judges from fulfilling their duties, and in the light of available information these were performed better than could be expected in the 16th–18th centuries.

⁴⁶ K. Thomas, *Religion and the Decline of Magic*, New York 1971, p. 17.

⁴⁷ *Ibidem*, p. 18.

3. Round the stake

During court proceedings the witches had to face not only the judges but also witnesses and the onlookers who stood round the stake. More attention should be paid to these persons. The accusers are outside our interest because their attitude to Satan's accomplices was unequivocal.

Witnesses did not often take part in proceedings. It seems that there were two reasons for this. First, confession was the most important proof of a defendant's guilt; when it was obtained, the interrogation was stopped; the case was concluded. Secondly, it was difficult to find persons willing to give evidence in witch trials. Even when such persons appeared in court, they were reluctant to vilify the defendant and were usually reticent⁴⁸. "I heard Mr. Gorlewic call Gałaszczyna a witch. I did not hear anything else for we came there too late"⁴⁹, statements of this kind can often be found in municipal records.

A similar example of, a witness's reticence, vividly described by a court official, comes from the town of Zielona Góra, then on the Polish-Austrian border. The daughter of a woman suspected of witchcraft wanted to save her mother from the stake. The occasion arose, for the witch dying at the stake recanted what she had said during the examination. The daughter asked the people who surrounded her to testify to her mother's recantation, but they all seemed to have grown deaf. Even the witnesses who later gave evidence in court about the events at the stake did not know what the witch's words referred to and the recantation could not be confirmed⁵⁰. The onlookers standing round the stake were obviously afraid of something. What was it? They probably did not want to get in contact with judges, for if by their statement they had not confirmed the judges' expectations, only a step would have separated them from being accused of witchcraft⁵¹. But their attitude may also have been due to more profound reasons. They may have been reluctant to break the principle of unanimity Nonconformism and the possibility of terror being

⁴⁸ CAHR, Niezawa, councillors' records, call number 18, p. 70v; call number 19, p. 208, 389.

⁴⁹ CAHR, Niezawa, councillors' records, call number 19, p. 208.

⁵⁰ See W. Krucz, *Wspólniczki diabła czyli o procesach czarownic na Śląsku w XVII wieku* *The Devil's Accomplices or Witch Trials in Silesia in the 17th Century*, Katowice 1985, p. 82.

⁵¹ Cf. *ibidem*, p. 83.

used against any person who thought otherwise scared them. In small (e.g. rural) communities the individuals subordination to the group is an absolute necessity. A group requires unanimity. A majority vote is not enough for he who wants to maintain his opinion threatens unanimity, which is the very existence of a group⁵². When a group defines in a clear, uncompromising way what it condemns and what it deems to be right, it is extremely difficult to break with it and run the risk of being accused of treason and co-operation with the defendant. Witnesses realised that a person accused of witchcraft could not prove to be innocent, for the charges were collective and unanimous. The only thing to do was to deny close contact with defendants. What awaited them filled everyone with fear.

The attitude of a mob watching executions is one of the most interesting aspects of witch-hunting, especially if we assume that there was social agreement on magic⁵³. Hatred and sympathy take a clear, unveiled shape in a crowd. What lay dormant in the soul of an individual breaks out spontaneously in a crowd⁵⁴. Where and in what circumstances did all the inhabitants of a commune acknowledge a woman to be a witch? "Village opinion on each individual was formed in the evening in the inn, on Sundays in the square in front of the church, in the wash-house (if such a place existed). There was usually no appeal against such opinion. It became a fact, irrespective of whether it was true or not, the village knew, or at least it was sure it knew, which boy was hard working and which one was lazy, how each girl conducted herself (and also which woman was in contact with the Evil One and which was not)⁵⁵.

Not many accounts of the outsiders' reaction to the executioner's way of acting towards the alleged accomplices of Satan have come down to us. But those which have, show that reaction to the scenes of torture changed greatly between the 16th and the 18th century. For the sake of comparison let us quote two

⁵² W. Kula, J. Kochanowicz, *Chłoptwo. Problem intelektualny i zagadnienie nauk społecznych* (*The Peasantry. An Intellectual and Social Question*), Warszawa 1981, p. 19.

⁵³ C. Lévi-Strauss, *op. cit.*, p. 241.

⁵⁴ W. Sobieski, *Nienawiść wyznaniowa tłumów w rządów Zygmunta III* (*The Crowds' Religious Hatred during the Reign of Sigismund III*), Warszawa 1902, p. 21.

⁵⁵ W. Kula, J. Kochanowicz, *op. cit.*, p. 19.

testimonies describing public executions in the 16th and in the second half of the 18th century.

This is how Marcin Siennik described a scene of quartering which took place in the market square in Cracow in 1564: "I remember that in my youth two persons in Cracow were sentenced to be quartered; this was to be done by the hangman, a certain Mathusz; some doctors were standing there; I don't know why; but some persons in the mob began to prattle that they would like to see where the stomach lies. On hearing these whispers, the executioner accounted himself to be wise and then started deriding the doctors; after opening up these two men, he said: doctors prattle much about man's stomach, its diseases, only to swindle money out of people; when he got the bowels he looked for the stomach and said: Come out..."⁵⁶ The account goes on. Jan Pilecki's physician describes man's anatomy in detail, maintaining a mocking, derisive tone throughout his description. The executioner talked freely with the onlookers who surrounded the place of torture. There is not a shred of compassion in the description. There is no pity and no sorrow. None of the persons watching the execution, including the author of the account, then a very young man, was moved by the plight of the convicts. The mob did not show any humanitarian feelings. Since public executions were frequent, people were accustomed to blood and violence. Executions were a form of entertainment which gave people much joy. Social sensitivity to physical pain was very low.

The situation was completely different during an execution which followed the last witch trial in Poland, the trial in Doruchów is enveloped in mist. According to an anonymous account published in "Przyjacieli Ludu" in 1835, the trial resulted in fourteen witches being burnt to death. The question has been recently discussed by J. Tazbir who undermined its reliability. Tazbir writes that a 1783 entry in Ostrzeszów castle records says that at the trial in Doruchów six witches were sentenced to the stake⁵⁷. But the year and the number of victims do not agree with the account in "Przyjacieli Ludu". Moreover, the reliability of the eyewitness is undermined by the fact that he described the tragic events dozens of years after they had happened⁵⁸. It is also

⁵⁶ M. Siennik, *Lekarstwa doświadczone (Tested Medicines)*, Kraków 1564, p. 95.

⁵⁷ J. Tazbir, *Opowieści prawdziwe i zmyślone (True and Invented Stories)*, Warszawa 1994, p. 143.

⁵⁸ *Ibidem*.

amazing that the trial at Doruchów is not mentioned in contemporary sources, though the execution of so many women must have had reverberations in Enlightenment Poland which already had an aversion to witch trials⁵⁹. This is why that account by the eyewitness is not a reliable source.

While the last two arguments may convince one that no such trial took place, the first one can be easily refused. Such grave crimes as witchcraft were usually entered in black books to which no special attention was paid; they were destroyed when they ceased to be interesting. The 1783 entry in castle records which says that the judges of Doruchów were punished for passing a sentence incompatible with the law is understandable, for the judges applied provisions which were invalidated in 1776. The eyewitness's account may be apocryphal⁶⁰. However, the author may have seen an execution of witches, perhaps the one described in the Ostrzeszów castle records, though there is no mention in sources of the Doruchów sentence having been carried out⁶¹. There is no doubt that if the author of the mysterious account really saw an execution of witches, it must have been one of the last executions in Poland. And it must have taken place in an atmosphere unfriendly to witch-hunting.

It follows from the account of the eyewitness that the ducking and burning of witches was still an extremely interesting event in the life of local communities, an event which like a magnet attracted crowds. The author bluntly admits that the ducking of witches "attracted crowds of people and there was a great commotion in the whole village and in the neighbourhood"⁶². He says that several thousand people wanted to see the ducking⁶³. At first the people eagerly awaited the executioner's doings, but their attitude soon changed. "When the smoke began to choke (the witches), the groans of the innocent victims seemed to be coming

⁵⁹ *Ibidem*.

⁶⁰ Cf. *ibidem*; J. Tazbir thinks this is a skilfully made apocryphal account.

⁶¹ The scribe who edited the Ostrzeszów castle records says that the Doruchów court sentenced several women to the stake but the sources do not say unequivocally that the sentence was carried out.

⁶² X. A. R., *Relacja naocznego świadka o straceniu 14-stu mniemanych czarownic w drugiej połowie 18-ego wieku (An Eyewitness's Account of the Execution of 14 Alleged Witches in the Second Half of the 18th Century)*, "Przyjaciel Ludu", vol. II, 1835, N° 16, p. 126.

⁶³ *Ibidem*, N° 17, p. 135.

from the depths of the earth. The assembled crowd... taking pity (on the victims) got furious with the landlord, who was sitting calmly on his horse; the landlord, hearing the angry complaints and threats of the crowd, rode away quickly"⁶⁴.

What did actually happen at Doruchów? Several thousand people, as the author says, came to see an execution, one of most popular forms of entertainment at that time. People from the neighbourhood, driven by curiosity, arrived at the scene attracted by the tales about the exciting experiences such a spectacle would provide. (In 1775 the burning of witches was a rare event). Excited by the extraordinary event, the people observed the doings of the executioner, his helpers, judges and the landlord. They were fascinated by this theatre of death. But they were unable to see the whole spectacle prepared for them, a spectacle which they at first applauded. From one minute to the next, the aversion of the crowd began to turn against the landlord, the instigator of the execution. The pain and suffering of the victims aroused the spectators' pity, even though the majority of them regarded the women as true witches guilty of hexing the landlord's wife who suddenly got *plica polonica*. The landlord had to flee from the place of the execution to avoid being lynched.

All this shows that in the 18th century the inhabitants of the Commonwealth were more responsive to physical pain than their ancestors in the 16th century. They probably still regarded pain as a permanent part of life, but some indefinable change occurred in the way they saw reality. The same conclusion can be drawn from the fact that the number of witch trials kept decreasing. The reason for this change in outlook, which led to a restriction of witch-hunts, should be sought in the social processes in the first quarter of the 18th century. The result was that by 1725 the number of witch trials had dropped by half.

4. The number of victims

Baranowski's book creates the impression that the Polish-Lithuanian Commonwealth was one of the leading countries in Europe as far as witch-hunts were concerned. The author seems to have wanted to prove that witch trials were not rare event in Poland. According to him, ten thousand witches were sentenced to death in Poland. Not a small number; as B. P. Levačk rightly

⁶⁴ *Ibidem*.

says, even half of this number would mean that there were more executions in Poland than in Great Britain (which had more inhabitants) and in the Scandinavian countries, put together⁶⁵. What is more, Baranowski asserts that 90 per cent of the witch trials in Poland ended with a death sentence.

Baranowski's calculations are questionable. They are a result of mere speculations. Baranowski assumed that in the period examined by him there were some 1,250 large and small towns in the territories of the Commonwealth which now belong to Poland. He then took it for granted that four trials for witchcraft were held in each municipal court, that is, a total of 5,000 trials. According to him, two persons on the average must have been sentenced in each trial. Hence his number of 10,000 victims sentenced by law courts. A similar number of witches, 5,000–10,000 according to Baranowski, must have been lynched. It is not known what is the basis of his calculations for they are not supported by sources. All the cases of lynching referred to by him come from the 19th century, and there were only a few (6) such cases.

This high rate of death sentences has not been established by fair calculations; it is the result of the author's inner convictions and feelings, for Baranowski regards the judges of that time as blood-thirsty individuals. In his statistics Baranowski took into account only cases for *maleficium* in which the plaintiff, having been injured by a person suspected of witchcraft, demanded justice. In his book Baranowski refers only to records of trials of this kind and, as has been said above, pays no attention to cases of defamation and vituperation.

This is by no means an insignificant shortcoming. Cases of defamation and vituperation were far more numerous than proper witchcraft cases and their omission obscures the picture. We will get a completely different picture if we bear in mind that many persons were not afraid to go to court and admit publicly that they were suspected of witchcraft. People who were told to their face that they were in contact with the Evil One sought justice, being convinced that they were innocent, even though witchcraft was an offence punishable by death. They believed that the judges would not be seized with fear of the infernal powers, that the law and justice would not send them to the stake groundlessly.

⁶⁵ B. P. Levack, *Witch-Hunt in Early Modern Europe*, London-New York 1987, p. 181.

It is necessary to make new calculations not only to get a reliable number of witches burned at the stake but first and foremost to find out how seriously the old Polish society was interested in the conviction of an alleged witch. However, it is not certain that reliable statistics of witches sentenced to death can be obtained in Polish conditions.

We have already mentioned that our sources are in a dreadful state. In addition to Poland's dramatic history, court scribes themselves were also responsible for this, for they sometimes cut out pages from municipal books⁶⁶. The assessors did not care to preserve the black criminal books which, having no entries conforming the possession of a property, quickly became obsolete and were destroyed. Cases of witchcraft were most probably entered in the black books, which were reserved for the gravest crimes, and witchcraft was one of the gravest crimes an inhabitant of the Commonwealth could have committed. Cases of lesser offences were usually entered in bailiffs' or councillors' books. This is also testified to by the small number of references to *maleficium* cases in the bailiffs' books kept by the courts which are known to have conducted many cases for witchcraft (e.g. the Nieszawa court).

Another thing which makes it difficult to ascertain the number of victims of the witch-hunts is the way in which court cases were recorded in books. The verdict was frequently ignored. The inhabitants of the old Commonwealth often contented themselves with lodging a complaint (called protestation) with the court against somebody wicked conduct⁶⁷. They saw to it that the scribe described the dispute in detail but, unlike us, they did not attach special importance to the verdict being entered in court records. One gets the impression that the main aim of their visit to the court was to inform the local inhabitants and the authorities of the disaster that had afflicted them. Their presence in court was meant as a signal to others that they were not passive towards their enemy, that they were active, that they wanted to prevent their situation from getting worse and get redress for the harm done to them. It seems that in the general opinion the court performed the function of a bogey well, irrespective of whether it

⁶⁶This is described *expressis verbis* by the assessors of the township of Kowal (CAHR, Kowal, call number 12/10, p. 28v).

⁶⁷This applies to both municipal and noblemen's courts.

recorded the final results of the trial or confined itself to describing the ghastly happening mentioned in the charge.

All this means that in Polish conditions it is impossible to ascertain the number of the victims of witch-hunts. The character and state of the extant sources makes it impossible to present the witch trials in exact quantitative categories to which we are accustomed in the 20th century. It seems however that there is a method of finding out, at least approximately, how often witchcraft cases were brought to court in the early modern period. The only reliable way of determining the extent of witch-hunting, a way which however is toilsome and time-consuming, is to count all the cases registered in court records in a given territory and then separate the proper trials for witchcraft from cases for undeserved charges. This would make it possible to define approximately people's sensitivity to the crime of witchcraft and to determine in percentages in comparison with other offences, how often cases for witchcraft came on for trial.

The results would not of course be faultless. Efforts to determine the number of victims of witch-hunts in the old Polish-Lithuanian Commonwealth are like walking in a quagmire. But the results would be much more reliable than Baranowski's calculations, which are rather an expression of the author's wishful thinking than a presentation of the picture preserved in sources.

5. *The logic of witch-hunts: research proposals*

If we do not want to content ourselves with the view that at the turn of the 17th century the Poles were seized with a strange mania for witch-hunting⁶⁸, new research methods drawn from allied humanistic disciplines, such as cultural anthropology and sociology, must be adopted in Polish studies on witch-hunting. They may allow us to reconstruct the way of thinking which induced people in the 16th-18th centuries to launch a peculiar form of social activity, namely, an open war against Satan's accomplices.

It is important to reconstruct the way of thinking at that time because belief in witchcraft, though not new during the Renaissance and Baroque, aroused such great commotion in society. Research into the way of thinking in the old Polish-Lithuanian

⁶⁸ Cf. B. Baranowski, *Procesy*, p. 25.

Commonwealth is indispensable. We cannot escape it, for culture is first and foremost a mental reality and not a set of actions or products of these actions⁶⁹. What is done is first conceived in the mind⁷⁰. The proposal to take up this kind of research may seem to be too bold, but a search for replies to unresolved research questions only in people's activity, without knowing all their motives, also the concealed and spontaneous ones of which they are not aware, cannot provide an exhaustive reply to questions about the causes and course of witch-hunts. People frequently do not realise the principles on which their mind works. This means that a historian researching the mechanisms of witch-huntings must realise that man's decision-making system is extremely complex.

Reconstructing of the Poles' mentality in the 16th–18th centuries may of course turn out to be deceptive. Nevertheless, it is worth making the effort for this can open up many still unknown opportunities. The achievements of the social sciences, which are related to history, allow us to expect interesting results. Our thinking is shaped by unconscious principles and assumptions. Historians are now beginning to realise ever better that in analysing some actions they must consider unconscious convictions⁷¹. These remarks are not meant to depreciate the historical method. Both history and ethnology have the same aim, namely, to understand human being better⁷². History organises its data round the conscious manifestations of social life, ethnology round its unconscious conditions⁷³. The research methods need not interlap. This might lead to chaos. But they must supplement each other. The historical method would make it possible to define the time, place and course of events while structuralist methods would show a fuller range of factors co-responsible for events taking a certain shape.

Two factors allow us to harbour the hope that reliable results will be achieved in the proposed research: the scientific achievements of C. Lévi-Strauss, founder of structural anthropology, and the fact that we rarely update even those laws of physics

⁶⁹ M. Buchowski, *Magia. Jej funkcje i struktura (Magic. Its Functions and Structures)*, Poznań 1986, p. 66

⁷⁰ *Ibidem*.

⁷¹ *Ibidem*.

⁷² C. Lévi-Strauss, *op. cit.*, p. 61.

⁷³ *Ibidem*.

which we know. This 20th century way of thinking has been vividly explained by B. Evans: "We may be through with the past, but the past is not through with us. Ideas of the Stone Age exist side by side with latest scientific thought... Giant planes throb through the stratosphere, but half their passengers are wearing magic amulets..."⁷⁴ It turns out that no society can regard itself free of the nonscientific perspective⁷⁵. It was only in 1951 that the Britain parliament repealed the last law referring to witchcraft.

C. Lévi-Strauss's research has shown that people, irrespective of whether they live in a primitive or an advanced society, observe the same general principles in their way of thinking⁷⁶. In other words, human thinking is characterised by the same logical structures in all epochs, though the individual variants which are their implementations may change⁷⁷. This means that the thoughts of our ancestors were determined by the same fundamental principles as ours are.

We can not assume that the inhabitants of the Polish-Lithuanian Commonwealth acted irrationally in witch-hunting while in other fields of life they used Cartesian logic. Our ancestors were rational people. Their behaviour was not groundless. As Max Weber says, rationalism is the most specific characteristic of western societies, it is a characteristic feature of all essential sub-structures of these societies' global structure, also of their morality and religion⁷⁸. *Malleus maleficarum* now thought to be a pack of rubbish, presented an impeccably logical picture of the world to the people of that epoch. The evil presented there was rational and understandable. What is more, the way it was presented is indicative of the authors' great intellectual ability⁷⁹. The existence of people engaged in witchcraft could not be denied when every village, every hamlet had a woman who knew the medicinal properties of herbs and when the belief in the effectiveness of magic was deeply rooted in people's minds⁸⁰. The achieve-

⁷⁴ B. Evans, *The Natural History of Nonsense*, New York 1940, p. 5.

⁷⁵ C. Lévi-Strauss, *op. cit.*, p. 256.

⁷⁶ M. Buchowski, *op. cit.*, p. 54.

⁷⁷ *Ibidem*.

⁷⁸ M. Weber, *Vorbemerkung zu den gesammelten Aufsätzen zur Religionssoziologie*, Bd. 1, Tübingen 1972, p. 11.

⁷⁹ M. Komar, *op. cit.*, p. 9.

⁸⁰ *Ibidem*, p. 10.

ments of contemporary science have greatly decreased the number of devotees of magic and induced us to rationalise our environment and the way of our behaviour. Nevertheless, mystical contemplation, a conduct that is particularly irrational when we look at it from the point of view of other fields of life, can also have a rational explanation⁸¹.

When we examine the old Polish society's attitude to magic and witchcraft we should therefore remember that magic was a way to systematise the world, a way which helped people to understand it. Not all phenomena could be understood with the use of empirical methods but people were determined to integrate their knowledge of the world into one whole. As the world was something that could not be fully understood, a pathological thought arose in people's minds alongside the normal one⁸². The reasoning of our ancestors was not incoherent. Their way of seeing the world was not only coherent, it was the only obvious way to use when they came across a thing or a phenomenon the elementary structure of which formed a picture of incontinuous complexity⁸³. Their way of perceiving reality included contradictions to which we must get accustomed; we must resign ourselves to coexist with them⁸⁴, without trying to impose the twentieth century technical and scientific views on the old societies.

Anthropologists assert that there are no reason for entertaining doubts about the effectiveness of magical practices⁸⁵. But if magic is to be effective, belief in it is indispensable, a belief in which occurs in three complementary forms: the magicians' belief in his effectiveness of his techniques, the patient's belief in the magician's powers, and collective opinion⁸⁶. It is easier to explain this question if we narrow it to mental diseases. The opinion on their causes differ in individual countries. The results of therapists' practices depend on whether they share the beliefs prevailing in a given culture, or on people's appreciation of the therapists' etiological theories. In other words, a joint vision of the world is indispensable for a real understanding between the therapist

⁸¹ M. Weber, *op. cit.*, p. 83.

⁸² C. Lévi-Strauss's terminology.

⁸³ C. Lévi-Strauss, *The Savage Mind*, Chicago 1973, pp. 267-268.

⁸⁴ Cf. G. Charbonnier, *Entretiens avec Claude Lévi-Strauss*, Paris 1961, p. 20.

⁸⁵ C. Lévi-Strauss, *Antropologie*, p. 240.

⁸⁶ *Ibidem*.

and the patient. A psychoanalyst will not cure a patient who does not believe in Oedipus complex. The magician will meet with the same failure if his patient does not believe that he is possessed by spirits. Both will be helpless unless they succeed in convincing the patient that their theory are true.

Magicians, like contemporary physicians, cure at least some of the cases they handle; C. Lévi-Strauss says that magical practices could not have spread so widely in time and space as they had if they had been ineffective⁸⁷. What is more, what we now call psychosomatic disorders constituted a large part of diseases in societies with a low level of security and were probably often subjected to psychological therapy, which a magician administered by complicated healing rites⁸⁸. The effectiveness of the therapy was increased by suggestion. The applied medicines, though nearly all ineffective, were like a placebo. Although healers could not do much to alleviate the patient's sufferings, belief in the effectiveness of magicians' medical practices kept spreading. After many diseases people recover without any professional help; this is why the help extended by medics and magicians was rewarded and regarded as effective⁸⁹.

The above remarks will be of little help in an examination of the secrets of Polish witch-hunts for they are not backed by large-scale research into sources. However, they indicate that by following the trail proposed by allied humanistic sciences we could fathom, at least to some extent, the complex system of social phenomena which engendered witch-hunts. Traditional historical methodology makes it impossible to get a better knowledge of the background of witch-hunting.

Conclusions

The questions discussed above only partly change the present view of Polish witch-hunts. But it was not our aim to elucidate all the obscurities and shortcomings in Baranowski's book. What we wanted was rather to arouse well-grounded doubts about the picture of Polish witch-trials presented by the author who is still referred to in studies on European witch-hunting. We have only signalled a few of the questions which Baranowski presented in

⁸⁷ C. Lévi-Strauss, *Antropologie*, p. 254.

⁸⁸ *Ibidem*.

⁸⁹ J. D. Bernal, *Science in History*, London 1954, p. 403.

a distorted form, questions which arouse most controversy fifty years after the appearance of his book. They clearly indicate that Baranowski, like other representatives of old historiography, was fascinated by bloodshed, and excessively exposed the scope of witch-hunting and the ruthlessness of the torturers. What escaped his attention is the basic problem in research on witch-hunts, that is, the relationship between the individual and the group or, to put it more directly, the relationship between certain types of individuals and certain requirements of groups.

Too much stress has so far been laid on the judges' cruelty. Available sources clearly show that many persons suspected of witchcraft had the courage to go to court and demand justice. What is more, they saved their neck, even though the court did not have to recognise that their complaint was justified. Municipal court records contain many more cases for defamation or for offences against honour, combined with an accusation of witchcraft, than for *maleficium*. Not all women suspected of witchcraft were tortured. Actions for witchcraft were taken only against some of them. It seems therefore that the judges were not inclined to recognise all local rumours as true. Only repeated accusations or a well founded piece of gossip could lead to an action against a suspected witch. Everyone could be suspected, for everyone, including the judges, knew some small magical tricks which were supposed to give protection against evil powers. Now and again, the judges themselves must have used magic to protect their property.

What was it then that in favourable circumstances made a local community single out a fellow townswoman or peasant woman as the devil's accomplice and thus pass a verdict on her? This was first and foremost the group's conviction that the woman used witchcraft against members of the local community. Doing harm to others was what distinguished the doings of a witch, while other people used magic only for their own benefit. It was not without reason that the witches brought to trial, refuting the charges against them, stressed that they had been using magic only for themselves and had had no intention of harming anybody. However, since most magical practices were performed in secrecy and seclusion, some traits, some signs had to be found that would have indicated that an inhabitant was engaged in black magic and was trying to kill other fellow citizens from a

hiding place. A convenient method was to compare the personal characteristics of individual women suspected of witchcraft with the stereotypes of the witch. It was known that plagues were the work of Satan's accomplices. If therefore someone was faring badly for no apparent reason and the rumour had it that it was surely the work of a witch, such a reason looked round to find a woman that turn out to be a witch. And the witch was, of course, found. But it also often happened that people, being aware of the social conditions in their group (a village or a small town), decided to get rid of hostile persons, taking advantage of the pattern of conduct used against witches.

What has been said above shows that the judges in witch trials were not always the lookout for the blood of Satan's accomplices. Though they were not people of high intellect and may have been addicted to alcohol, there is no denying the fact that they could investigate with great perspicacity and were capable of logical thinking. Their behaviour was determined by the weakly centralised Polish-Lithuanian Commonwealth, thus the inhabitants of small towns formed local organs of justice themselves. Judges were probably picked from the most deserving people who were capable of a certain type of mental speculation. People knew that the real worth of a judge depended on his being able to evaluate facts correctly. It is another question to what extent they were able to examine and pass fair judgments when the customs of those days permitted drinking in law courts and the weakly developed criminology made it difficult to get at the truth. The attitude of the owner of the town or village in which the trial was held was also extremely important. If he wanted a conviction, the bench had no possibility of opposing him for in private towns the owner's consent was required to become an assessor. Since they were at the owner's mercy, the judges were ready to do anything in order to defend their incomes (councillors and assessors were exempted from municipal taxes) and their social standing.

(Translated by Janina Dorosz)