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‘God will punish both poor and rich’: the idioms and risks of defiance in the trial of Margaretha Horn, 1652

While it is possible to attribute the restrained pattern of witch-hunting in early modern Rothenburg to the interaction of the beliefs and the legal and social priorities of both the councillors and their subjects, we must not forget another factor that was vital in ensuring that most of the Rothenburg witch-trials were unlikely either to end in verdicts of guilt or to spiral out of control into chain-reaction type ‘witch-panics’. This was the courage of the men and most especially the women, who formed the majority of those accused of witchcraft, in bearing the psychological and physical suffering caused by the experience of incarceration, interrogation and perhaps even torture without breaking down and admitting that they were witches. The reluctance of the council to resort to torture rapidly and without restraint, in addition to the knowledge that verdicts of guilt in witch-trials were the exception rather than the rule in Rothenburg, were doubtless crucial in giving many prisoners in the city gaol the strength of mind to resist the pressure to confess. However, they also drew on and displayed their own resources of piety, anger, desperation and stoicism to help bolster this resistance. One accused witch called Margaretha Horn not only refused to confess to witchcraft in 1652 but also developed a sophisticated rhetoric of defiance against the city council and its handling of her case in the course of her interrogation. Her trial is of such interest because it underscores particularly effectively the point that women on trial for witchcraft were not ‘mere mouthpieces of a patriarchal elite’, whose statements and confessions were simply forced rehashings of that elite’s demonology.¹ On the contrary – and despite the fact that power over the trial process lay ultimately with the council – alleged witches were capable of contributing to and of shaping the course of interrogations in idiosyncratic ways. At the same time, however, the trial of Margaretha shows that it was becoming increasingly problematic for women accused of witchcraft in early modern Rothenburg to articulate defiance against their accusers and the council without this defiance being interpreted as additional evidence of their alleged identity as witches.

A swarm of fleas

On 6 August 1652 sixty-year-old Margaretha Horn, who lived in the village of Bettenfeld with her husband Hans and two unmarried daughters, Eva and Cordula, was arrested on suspicion of having caused a swarm of fleas to plague her nearest neighbour, Leonhard Gackstatt. According to Gackstatt the fleas were everywhere: in his house and garden and in the clothes and bedding of all the family members, who had been bitten bloody by the insects. Nor could they be got rid of; after strenuous cleaning and airing efforts the fleas would return to the house within the hour.² Gackstatt claimed that Margaretha had caused the fleas to infest his house by means of a ritual she had carried out on Shrove Tuesday of 1652. Margaretha was supposed to have swept out her own house, to have deposited the waste onto Gackstatt's dung-heap and to have stuck the broom with which she had done the sweeping on top of the waste, thereby magically transferring the dirt and vermin from her own house to his. In custody Margaretha admitted having carried out the ritual cleaning and depositing of waste but explained that she had done so with no evil intentions, that she had not put the waste onto Gackstatt's dung-heap, and that many other women of the area also practised this custom of sweeping out on Shrove Tuesday: one of her married daughters had learned of it while in service in Rothenburg several years earlier.³ Any fleas that existed in Gackstatt's house were not the result of her witchcraft but of his bad housekeeping; all seven members of his household apparently slept in the same room as his chickens, pigs, calves and goat. Margaretha also alluded at this point to the great enmity which Gackstatt possessed against her: he had sought to take her life before, she claimed, and was now trying to make a witch out of her by falsely accusing her of having created the fleas.⁴

The allegation made by Gackstatt against Margaretha was, in fact, the final stage in a feud between them which may have begun as early as 1639, when Margaretha had moved from Gebstattel to Bettenfeld, but which by 1652 involved all members of the Horn and Gackstatt households and was common knowledge in Bettenfeld. Gackstatt may have believed that Margaretha was a witch from 1639 because her first marriage had been into the family of the old herdsman of Gebstattel, whose members were all reputed witches; by 1652 – and in addition to the flea-swarm – he also blamed her for the low milk-yields of his cows. For her part, Margaretha held Gackstatt responsible for the death of her son Michael, claiming that Gackstatt's violence towards Michael had caused the internal injuries of which he had later died.⁵ The events of Shrove Tuesday in 1652 brought the tension between the two households to an open breach: Hans Horn and Gackstatt almost came to blows over the alleged flea-making ritual, armed with a hoe and axe, respectively, while it prompted their

wives and children to taunt and throw stones at each other.⁶ Hans Horn tried in vain to restore accord between the households through the mediation of neighbours in May, then – presumably in desperation, as it was a high-risk strategy – reported to the council in Rothenburg in late June that Gackstatt had accused one of his own sons of adultery six years earlier.⁷ This pre-emptive strike, which constituted an attempt to shift official attention onto the alleged wrongdoings of the Gackstatt family and away from the fleas, backfired badly, however. Gackstatt countered Horn's accusation with the allegations of witchcraft against Margaretha and it was Margaretha who was taken into custody to suffer the rigours of a formal trial.⁸

From the beginning the councillors approached the case as if Gackstatt's story was the most credible version of events and viewed Margaretha's protestations of innocence as an unhelpful stumbling block to the smooth progression of the trial. This was surprising, as Margaretha's reference to the enmity which Gackstatt bore her should have encouraged them to investigate his allegations against her as stringently as possible. The councillors could, for example, have attempted to establish the relative credibility of Gackstatt and Margaretha by asking their neighbours for evidence about their reputations. However, this was not done until late August and after Margaretha had already been interrogated three times, and even then these other witnesses were only asked about Margaretha's reputation and not Gackstatt's.⁹ The councillors could also have decided to treat Gackstatt's allegations as slander and placed the onus on him to prove them. They did not take this course of action, despite the fact that Margaretha repeatedly asked them to do so and despite the fact that they had adopted this approach in several other previous witch-trials.¹⁰ Three case-specific factors probably encouraged the councillors to handle the case in a manner which worked to Margaretha's disadvantage. The first was the fact that Gackstatt was a subject of the Margrave of Brandenburg-Ansbach, a powerful, Lutheran, neighbouring territorial lord with whom the councillors probably thought it best not to lock judicial horns by taking Gackstatt into custody in Rothenburg. Gackstatt was thus not arrested in the course of the case: he merely gave two statements to the council on 28 August and 20 September and never had his testimony tested under the pressure of formal questioning.¹¹ The second factor which worked against Margaretha was the advice given to the council by its theological and medical advisors about Gackstatt's allegations. On 8 August the council asked Superintendent Georg Zyrlein and another leading urban cleric, Michael Renger, and the city physicians, Josaphat Weinlin and Johann Georg Sauber, the question which was central to the case, that of whether the infamous flea-swarm had a natural or supernatural cause.¹² On 11 August the clerics penned a short, terse response to the council in which they were unwilling or unable to comment on the origins of the fleas and which stood in marked

contrast to the exceptionally detailed and explicitly moderating opinion Zyrlein had written on the case of Margaretha Hörber in 1627.¹³ The physicians were less cautious. In a much lengthier report to the council on 13 August they deduced – without going to Bettenfeld to see it for themselves – that the flea-swarm had been produced unnaturally from demonic causes rather than naturally from corrupt matter. This was because it was unusually large, because it plagued only Gackstatt's house rather than any others, and because it could not be got rid of by the usual means. The physicians' report, which constituted the first of its kind in the history of the Rothenburg witch-trials, was thus extremely harmful to Margaretha because it gave the councillors expert confirmation of what they seem to have thought about the fleas all along. The physicians also condemned the act of ritual Shrove Tuesday magic to which Margaretha Horn had already confessed, thereby implying that it might have been the cause of the flea-swarm.¹⁴ Both theologians and physicians recommended that the council seek further advice on how to proceed against Margaretha from legal experts, although the council chose not to do this until 9 September when it asked jurist Georg Christoph Walther for his opinion on the case.¹⁵

The third factor which unwittingly prejudiced the councillors against Margaretha was her behaviour in custody: the final summary of her crimes listed her insolent and insulting speech as evidence which had added weight to the suspicion that she was a witch.¹⁶ The first signs of her impatience with the way in which the council was handling her case emerged towards the end of her first interrogation on 6 August. After a series of questions about the flea-swarm which were worded in a manner which implied an assumption of her guilt in having caused it she was asked by Michael Schwarz and Johann Ludwig Völcker, the two councillors deputised to question her, about how she thought her case was to proceed and how she thought she would gain her release from gaol. She said simply that 'my lords will know what to do' and maintained that the onus lay on Gackstatt to substantiate his allegations.¹⁷ She was then asked whether she wanted to make the customary plea to the council for her release. She replied that 'the authorities did not carry the sword of justice for nothing' and that 'they will know how it ought to be used'.¹⁸ She requested justice rather than clemency because she believed herself innocent, but to the councillors her refusal to beg for mercy was doubtless perceived as defiance of their paternal benevolence. Moreover, her comment that the councillors would know how the sword of justice ought to be used implied that they were using it improperly in assuming that she was guilty of witchcraft.

Margaretha's responses to questions grew increasingly impatient during her second interrogation on 12 August. For example, Schwarz and Völcker pointed out that Gackstatt swore she had caused the flea-swarm, to which she responded that 'if he said much he must also prove much'.¹⁹ Her interrogators

also claimed that it was known that she made and used salves, the implication being that these were her means of bewitchment. She replied that she made salves for her family's medicinal use and that apothecaries also made salves, the implication being that apothecaries were not accused of witchcraft as a result.²⁰ She expressed her hatred of Gackstatt with increasing vehemence, calling him a liar, a whoremonger, and someone who cursed and caused evil.²¹ On this occasion she did ask the council for mercy in the name of the Last Judgement but refused to be cowed into making a confession of witchcraft.²² On being threatened with torture she proclaimed her innocence and said that God would punish her accusers; on being offered help if she confessed she said that 'my lords could help by judging the case according to imperial law', with the implication that they were failing to do so.²³ It was at the end of this second interrogation that the case took a surprising turn. Schwarz and Völcker asked her to tell them about an angel she claimed had come to her in gaol a night or two earlier and she obliged, telling them that the angel, which had been small and which had spent the night sitting on her lap, had comforted her by telling her that her soul belonged to God.²⁴ Her interrogation stopped at this point, doubtless because her interrogators needed advice from the rest of the council on what to make of the angel's alleged appearance.

Details of the angel's next nocturnal visit to Margaretha dominated her third interrogation on 16 August when she began to use the angel's voice not only as a far more powerful means of articulating her impatience with the way in which the council was handling her case but also as a way of criticising the council's administration of justice more generally and of threatening it with dire retribution if it did not set its house in order. In so doing Margaretha shifted the dynamic of the questioning process in her favour, so that her interrogators were hanging on her every word and at one point even allowed her to leave the room so that she could have more time to recall what the angel had said to her. She also devised a way of refusing to respond to her interrogators when it did not suit her: she claimed that the angel had told her to remain silent if they asked any 'evil' questions.²⁵

Margaretha began by remembering that the angel had said the following rhymes to her, the second a more succinct version of the first:

You have been given up to the executioner,
 God give the councillors the Holy Ghost, so that they consider the matter
 properly,
 You have cried out for the Emperor's law,
 God give the councillors the Holy Ghost, so that they reach their verdict justly.²⁶

If my lords do not reach their verdict justly,
 They will lose their imperial law.

If my lords do not want to run a good council,
He [the Emperor] will set a new council in their place.²⁷

Further exhortation to recall what the angel had said brought further criticism from Margaretha. She implied that the council's implementation of the law was motivated by the desire for profit rather than for justice and criticised the preachers of Rothenburg for not speaking out against this.²⁸ The world was evil, she said, and God would punish it if the council did not:

If the authorities do not punish their city and rural subjects, then God will punish both poor and rich with the flux [dysentery], ten times more severely than they have been punished with the war [the Thirty Years' War], so that no-one will be able to remain free of the stench.²⁹

Margaretha added that if Gackstatt caused her death with his accusations she would call him to account at the Last Judgement.³⁰

In making these pronouncements Margaretha was building on the idea she had alluded to at the end of her first interrogation: that the council would exercise its legal power justly only by confirming her innocence. Through the angel's voice in the two rhymes, however, she added a threatening nuance: that the council would lose its power if it found her guilty. By referring to the imperial law she wished to be judged by and which she suggested the council risked losing if it acted against her illegally, Margaretha reminded her interrogators that there was a power beyond Rothenburg in the person of the Emperor to which the council historically owed its political and judicial autonomy. She also reminded the council that it was ultimately accountable to the Emperor for its exercise of judicial power and that it was possible for the council's subjects to seek redress from the Emperor if they felt that the council had exercised this power arbitrarily. These reminders may have struck a particularly raw nerve among Rothenburg's councillors in 1652. Since the late 1630s the ever-increasing taxes imposed by the council on its citizens and subjects to pay the war-debts incurred by the city, coupled with the secrecy with which all council business was shrouded, had created a popular suspicion that the council was made up of close relatives who dealt dishonestly and in their own interests with the citizenry's money. In 1645 a citizen had been arrested for accusing the mayor of stealing the townspeople's money after an edict had been issued ordering all citizens who could no longer pay their taxes to suffer the quartering of two or three soldiers in their houses. The tension reached crisis-point in April 1652 when a deputation of angry citizens demanded that the council submit its annual accounts to public scrutiny. The council refused to comply with this request so the citizens took their complaints to the Emperor; the dispute was finally resolved (largely in the council's favour) in 1653.³¹

This dispute formed the backdrop against which the case against Margaretha was tried, and her comments were calculated to remind the councillors of the threat of imperial displeasure which was hanging over them. Her reference to a possible loss of power for the councillors at this time may also have reminded them of another threatening force – that of popular discontent – to which they could hardly afford to remain impervious: the events of the Peasants' War of 1525, when the patrician oligarchy had been ousted from government of the city on a tide of social and religious unrest, was hardly such a distant memory.³² God was the third and most powerful force with which Margaretha threatened the council. Through the threat of the dysentery epidemic if the council failed to wield the sword of justice properly Margaretha again touched a raw elite nerve. The Thirty Years' War had just visited devastation – including epidemics which respected neither wealth nor status – on Rothenburg and its hinterland unprecedented in the area's history.³³ Moreover, for many years and in an attempt to steer their subjects away from sin the Rothenburg authorities had stressed the idea that the sins of the individual invited the wrath of God upon the whole community.³⁴ Margaretha had learned this lesson well but turned it against the councillors by suggesting that it was possible for them to behave in a manner which threatened divine retribution for rich and poor alike. Her reference to the fact that she would call Gackstatt to account for his false accusations at the Last Judgement can also be interpreted within this egalitarian theological framework. She was reminding the councillors that earthly injustice would not go unseen and unpunished by God and that everyone – themselves included – would be called to account for their actions on that day when earthly distinctions of wealth and status would finally be rendered meaningless.

The angel which Margaretha claimed to have encountered was doubtless not an entirely strategic creation on her part. She seems to have been a woman of very steadfast faith who might well have believed that God would send a divine emissary to her in her hour of need, particularly as Lutheran pastoral teaching had, for over a century, aimed to convince people that they were permanently surrounded by angels which 'stirred feelings of fear and anxiety, as well as bringing comfort and solace'.³⁵ The way in which she described her first encounter with the angel certainly suggests that his appearance may have sprung from her desire for comfort and companionship in her cell. When pressed for more details about the angel's appearance she said that he was like a person but as small as a two-year-old child, with a head like an apple, no hair, and bare, white feet.³⁶ This description, coupled with the fact that Margaretha later said that the angel was called Michael and that she had held him on her lap, suggests that she may also have imagined the angel as her deceased son Michael for whose death she held Gackstatt responsible.³⁷ It was when she realised how avidly her interrogators were interested in the angel's words, however, and

when she realised what she could say to them through the angel's voice, that Margaretha began more deliberately to express her defiance through this new channel and to shift the emphasis of her rhetoric from her personal impatience with the council to articulate broader contemporary public discontents.

What she said about the angel and the way in which she said it was also very similar to the pronouncements made by the c. 150 popular prophets whose stories we know about from other Lutheran areas of early modern Germany. These prophets commonly claimed to have had encounters with angels who asked them to tell their contemporaries to repent, although they sometimes also used their prophecies in order to make political points.³⁸ For example, in 1648 a vintner called Hans Keil from the Württemberg village of Gerlingen claimed to have met an angel in his vineyard who allegedly threatened the people of Württemberg with collective punishment if they did not repent, and criticised the authorities for their extortionate taxes. David Sabeau has shown that Keil fashioned his description of the encounter and the angel's words from sermons he had heard and from devotional literature, songs and broadsides – particularly about visions experienced by other people – he had read.³⁹ Margaretha probably drew on similar cultural resources for her prophecy in 1652. Even if unable to read, she would have heard the theme of divine retribution for sin dealt with in sermons and council ordinances and would doubtless have heard songs, rumours and recitations of broadsides dealing with visions and wonders during the tempestuous years of the Thirty Years' War. She may even have known of Keil's prophecy, as verbal and written accounts of it had circulated in southern Germany before the Württemberg authorities managed to quash them in 1648.⁴⁰

Of course, the problem with the strategy of defiance employed by Margaretha was that the power to categorise the being she claimed had appeared to her in custody as either good or evil lay entirely in the hands of the councillors and their advisers. Sure enough, when jurist Georg Christoph Walther was finally asked for his opinion on the case on 9 September he noted caustically that one would have to be a 'simple sheep' indeed to believe that Margaretha's visitor had been a good angel: it was far more likely to have been the devil in disguise, who made a habit of visiting his imprisoned confederates, the witches.⁴¹ Conversing with the devil was subsequently cited against Margaretha as one of the strongest proofs of her identity as a witch and of which she had to purge herself by suffering torture.⁴² Another problem for Margaretha was that she was defiant at all: her increasingly impatient protestations of innocence, which to a modern-day reader of her trial-documents show immense strength of will on her part, were almost certainly perceived as obduracy and insolence by the men questioning her and the councillors and their advisers who deliberated on her case. This was because they were members of a patrician, urban,

Lutheran elite who expected subservience from their peasant subjects and who, as Sigrid Brauner has suggested, measured the women they encountered by the standard of the demure, obedient housewife they had been educated to understand as the feminine ideal and who were therefore particularly disconcerted when they encountered verbally assertive women in the context of witch-trials.⁴³ As a peasant and a woman, Margaretha Horn should have shown herself doubly submissive to the authority and mercy of the councillors in the questioning process. That she did not do so must at one level have piqued their egos. At another, it would have encouraged them to believe that she was wilful and unnaturally hard-hearted and therefore more likely to be a witch.

Margaretha's verbal defiance was mirrored for the councillors by what they perceived to be her physical defiance, which they regarded as additional evidence of her true yet still concealed identity as a witch. For example, her apparent inability to shed tears during her time in custody counted as a presumption of guilt against her from first to last, the first time that this had happened in a witch-trial in Rothenburg.⁴⁴ As physicians Weinlin and Sauber explained, tears came from the fluid in which the human heart swims. When the heart was moved by emotion this water flowed to the eyes to produce tears.⁴⁵ Margaretha's failure to cry in custody signified an absence of the emotions of fright and sorrow proper to her situation if she were innocent of the alleged witchcraft and suggested to the men watching her that the devil rather than God held sway over her heart. It also signified that she was unnatural corporeally as well as emotionally, and therefore more likely to be a witch, because one way in which witches' bodies were imagined at this time was as harder and drier than the open, leakier body of the normal woman, dominated as it was by cold and wet humours.⁴⁶ Margaretha told her interrogators that Gackstatt's accusations had caused her such grief that she had already cried herself out but this prosaic explanation for her inability to shed tears in custody was ignored by the councillors, despite the fact that physicians Weinlin and Sauber conceded that it was at least medically plausible.⁴⁷

The council made a last attempt to break Margaretha's resistance during her final interrogation on 22 September. After again refusing to confess to any acts of witchcraft she gave vent to her rage against Gackstatt, expressing the hope that he would burn in hell and be torn by as many demons as she had shed tears. She was then subjected to two further ordeals intended to help establish her 'true' identity as either a witch or a godly woman. First she was asked to recite a prayer. She did so perfectly until she came to a line which called on God to protect her from the devil, at which point she muddled the words. She was probably simply too tired or confused at this point to remember the prayer correctly, but her failure in reciting it counted as another presumption of guilt against her, despite the fact that her frequent protestations of piety throughout

her time in custody might have been expected to suggest to her interrogators that she was a woman of stalwart faith. She was then examined for the insensible mark on her body which demonological lore held that the devil left on witches as a sign of their allegiance to him. The executioner stuck a needle into likely spots on her back so that she bled profusely and in the process discovered a suspicious mark between her shoulder-blades which allegedly did not bleed and was insensible. Again, Margaretha's prosaic explanation for the mark – that it was the scar of an abscess she had suffered some years earlier – was ignored. With these additional presumptions of guilt against her and in the face of her continuing obduracy she was finally tortured with thumbscrews five times, as hard as the executioner could turn them, as her interrogators noted. Even this level of physical suffering failed to force Margaretha into producing the desired confession of witchcraft, however, and the interrogation ended with her calling again to God to comfort her in her suffering.⁴⁸ A day later jurist Georg Christoph Walther wrote an opinion on her case in which he pointed out that she had purged herself of the presumptions of guilt which had existed against her by suffering torture and that any further judicial action against her would be unlawful. The council should therefore err on the side of caution, leave the ultimate judgement of innocence or guilt in so uncertain a matter as witchcraft to the all-seeing power of God, and release her from custody.⁴⁹ In writing this opinion Walther appears to have been blissfully unaware of the fact that he was, ironically, advising the councillors to do what Margaretha had wanted all along: namely to try her case according to the precepts of imperial law and in a manner for which they would be able to answer with a clear conscience to God at the Last Judgement.

The council decided to follow Walther's advice and freed Margaretha on 1 October, although on the basis of a surety which, far from exonerating her, implied that she might well have been guilty of witchcraft.⁵⁰ But why were the councillors even at this late stage of the case unwilling to relinquish their suspicion that Margaretha might indeed have been a witch, despite her consistent insistence on her own innocence? Her defiant behaviour had been crucial in prejudicing the council against her throughout the case but may have been of particular significance during her final interrogation when it seems to have reached an apogee of insolence and obstinacy in the councillors' eyes. It was noted that Margaretha laughed on being threatened with torture, a reaction which may have stemmed from desperation or hysteria on her part but which would have strengthened her interrogators' perception of her as non-submissive, hard-hearted and witch-like.⁵¹ After understandably but unwisely wishing the torments of hell upon Gackstatt she also as good as cursed her interrogators with the observation that 'he who does me an injustice, must fry and suffer there [in Hell] eternally'. She also told them to look to their salvation, with the

implication that they were setting this at risk by their unfair treatment of her.⁵² That her interrogators continued to think that Margaretha was a witch who was concealing her true identity beneath a sham of godliness can be seen in the fact that they continued to regard her as supernaturally hard of emotion and body. They noted that she barely cried out while suffering torture and that her hands seemed hardly bruised or bloody at all at the end of her ordeal; her supposed physical insensibility was listed in the final summary of her case as another of the presumptions of guilt of witchcraft which had existed against her.⁵³

The careful noting by her interrogators of all manner of evidence of perceived defiance on the part of Margaretha Horn was a new development in the witch-trials that occurred in Rothenburg: it also happened, although to a less detailed degree, in the case of Catharina Leimbach, the blacksmith's wife from Wettringen, whose trial for the alleged bewitchment of eight-year-old Barbara Schürz began on 30 August and ended with her release from custody on 5 October 1652.⁵⁴ It is, of course, impossible to claim with certainty that Margaretha and Catharina were qualitatively more 'defiant' than any of the women who had been tried for witchcraft in Rothenburg in the past, although the use by Margaretha of the angel's prophecy to criticise the council's application of the law suggests that her resistance of authority was unusually marked and sophisticated. Margaretha and Catharina both seem to have possessed exceptional strength of will, an unshakeable faith in their own righteousness, and a vivid sense of God's commitment to them.⁵⁵ Such traits may have been particularly strong in women of middle years, for whom age had strengthened their sense of identity. The self-reliance and piety of Margaretha and Catharina may also have been strengthened because they and their families had managed to survive the ravages of the Thirty Years' War, which was no mean achievement, given that Bettenfeld and Wettringen had suffered population losses of 58 per cent and 76 per cent, respectively during the war years.⁵⁶ That both women were more concerned about answering to God rather than to the council for their actions is conveyed clearly in their interrogations and, while this was theologically an entirely correct position for them to adopt, it probably discomfited the councillors to be so clearly reminded of the limits of their earthly jurisdiction by two peasant women.

It is equally difficult to say with certainty why the councillors evinced such concern with the issue of defiance in the witch-trials of 1652. They may have been particularly sensitive to the issue of popular defiance of their authority because of the on-going dispute with their subjects over the issue of their taxation policies, especially as Margaretha Horn had said during her third interrogation that she would make public the angel's criticisms of the council on her release from gaol.⁵⁷ The councillors were probably also more generally concerned about the issue of witchcraft in the summer of 1652 because they were

faced with what for Rothenburg constituted an unprecedented 'outbreak' of witch-trials: Mathes Leimbach, Barbara Bratsch and Barbara Schürz as well as Catharina Leimbach and Margaretha Horn were all in gaol at the same time between late August and early October as claims of witchcraft against them were investigated. However, another reason for the relatively severe treatment of both Catharina and Margaretha by the councillors and for their increased concern with the women's apparent defiance may have been a shift in their perception of what constituted a valid proof of possible guilt in cases of witchcraft.

Generations of councillors and their advisers had long recognised that witchcraft, as a secret crime, was exceptionally difficult to prove at law.⁵⁸ Throughout the early modern period they remained largely reliant on verbal testimonies and an evaluation of their relative credibility in order to arrive at verdicts in witchcraft trials, with the essential question remaining: who should be believed, the alleged witch who maintained her innocence or her accuser who claimed she was guilty of witchcraft? However, in the course of the seventeenth century – and particularly in 1652 – the councillors began to display greater enthusiasm for certain physical indicators of an alleged witch's innocence or guilt which could be both observed and tested, at least according to the logic of demonological lore. Thus in the trial-records of Catharina Leimbach and Margaretha Horn great emphasis was placed by the authorities on the fact that neither woman was able to shed tears while in custody, on the fact that Margaretha had a mark on her body which did not bleed when pricked and that she was barely bruised by the thumbscrews, and on the fact that both women displayed unnatural emotions in custody by, for example, laughing when about to be tortured.⁵⁹ Various reasons may explain why the councillors suddenly chose to place such emphasis on these pieces of evidence when most of them appear to us to have had perfectly plausible, non-supernatural explanations. One councillor may have recently read a demonological treatise which discussed these physical 'proofs' of guilt or had heard of them having figured in witch-trials elsewhere. He may then have used his influence to help raise their evidential status in 1652 as a way of keeping Rothenburg abreast of the latest methods of witch-identification. Another possibility is that the trial-records are showing us the effects of a vicious circle, in which Margaretha's initial defiance in custody encouraged the councillors to suspect that she was a witch and thus to interpret any evidence that they saw subsequently in a way which would confirm this suspicion. However, in the case of Margaretha we may also be seeing the first glimpses of a long and complex legal development by means of which physically tangible and observable evidence, ideally seen and evaluated by male experts, was gradually being elevated in status in comparison to verbal testimony as a more valid form of legal proof. That this process was shaped by a class and gender dynamic is also suggested by in her case: throughout, the

councillors valued the consistent verbal testimony of this redoubtable middle-aged peasant woman less highly than they did the external clues to her identity which they could observe and evaluate for themselves. Thus they ignored her prosaic explanations for her failure to shed tears and for the mark on her back, for example, and chose instead to 'see' these phenomena as deeply sinister. Of course, the more Margaretha protested her innocence, the more defiant she appeared to the councillors. Her trial therefore also shows that it was becoming increasingly difficult for women accused of witchcraft in Rothenburg to deny their guilt without behaving in ways which risked being interpreted by the authorities as witch-like.

Late seventeenth-century changes

None of the individuals involved in the 1652 witch-trials were found guilty of or punished for the crime of witchcraft. However, various features of these trials suggest that the councillors in Rothenburg and their advisers were beginning to adopt a more severe attitude towards alleged witches. In both cases the councillors chose consistently to regard the testimony of the accusers rather than the accused as more credible, in both cases the main suspects (Catharina Leimbach and Margaretha Horn) were tortured fairly severely, and in both cases the wording of the sureties on which the women were released were so grudging as to barely exonerate them of suspicion. In the trial of the Leimbachs, moreover, such punitive bail conditions were imposed on Mathes Leimbach that they almost certainly ruined his family financially.⁶⁰ These changes in council attitude discernible in 1652 were the precursors of a more general shift in attitude towards and handling of witch-trials which was to become more marked in Rothenburg in the second half of the seventeenth century. This shift was not significant enough to shatter the general pattern of restraint in terms of the number and outcome of witch-trials in the city: the years *c.* 1650–*c.* 1700 saw no mass episodes of trials and executions and verdicts of guilt in witch-trials were still the exception rather than the rule.⁶¹ However, from about 1650 the Rothenburg authorities seem to have become more convinced of the reality and threat of witchcraft than they had been before, more inclined to give accusers rather than accused witches the benefit of judicial doubt during trials, and less confident in their ability to handle cases quickly and in the interests of social harmony.

These changes can be seen in various aspects of later seventeenth-century trials. Accused witches had to work harder to convince the council of their innocence in the context of an interrogation process which became lengthier and more intimidating. Appolonia Glaitter of Windisch-Bockenfeld, who was

accused of witchcraft in 1671, was incarcerated for fifty-two days, interrogated six times and tortured with thumbscrews three times before finally being released from gaol, despite the fact that the case against her consisted of a flimsy tissue of dubious circumstantial and hearsay evidence woven together by neighbours who admitted from the outset that they bore her malice.⁶² The trial of Glaitter was also significant for two other features which likewise support the idea that the council had lost confidence in its ability to resolve witch-trials satisfactorily. The first was the fact that, for the first time in the history of witch-trials in Rothenburg, the council asked the legal faculty of a university (Tübingen) for advice on the case; it then looked to the university of Altdorf for advice on a witch-trial which occurred in 1673.⁶³ The *Carolina* had advised judges to seek advice in this manner in 1532 but the council had never hitherto felt the need to do so, having relied almost exclusively on its own municipal jurists for expert legal opinion.⁶⁴ The council also, unusually, looked to an external jurist, Johann Höfel of Schweinfurt, for advice on the trials for witchcraft of Michael Würth in 1663 and Anna Margaretha Rohn in 1673.⁶⁵ Secondly, the paperwork on the trial of Glaitter was extremely voluminous, running to around 300 pages of statements, interrogations and legal opinions. Other late seventeenth-century trials generated similar or even greater amounts of documentation, suggesting that the councillors were finding it increasingly difficult to arrive at clear conclusions about guilt or innocence in instances of alleged witchcraft.⁶⁶

The above observations are not intended to suggest that expert opinion in witch-trials necessarily worked to the detriment of the alleged witch. In the case of Glaitter it was primarily the careful and scornful demolition of the circumstantial evidence against her by the Tübingen jurists – plus the ultimate willingness of the council to follow their advice – which helped ensure Glaitter's release from custody.⁶⁷ In other cases, however, expert opinion had more detrimental effects on accused or self-confessed witches. While the Rothenburg jurists consistently adhered to the idea that legal caution was better than legal excess in witch-trials throughout the early modern period, by the later seventeenth century the Rothenburg clerics and physicians called on to offer their opinions on such trials were most likely to do so in ways which supported the idea that witchcraft was real and thus in need of more severe handling. For example, in the trials of Margaretha Horn in 1652 and Anna Margaretha Rohn in 1673 the testimony of city physicians served to encourage the council to believe that supernatural rather than natural phenomena were at hand: the flea-swarm plaguing Leonhardt Gackstatt in the trial of Margaretha and the bizarre emergence of needles from a wound in her arm in the trial of Rohn.⁶⁸ The clerics also played roles in certain late seventeenth-century witch-trials which probably helped heighten anxieties about witchcraft felt by the councillors and

their subjects. Intensive pastoral care doubtless only helped convince self-confessed witch Anna Margaretha Rohn, who claimed that she was being plagued by witches and the devil from 1664, of the reality of her disturbing fantasies and to persuade her to repeat them with increasing vehemence until the council had little choice but to begin formal judicial proceedings against her in 1673. In 1692 the foremost ecclesiastical official in Rothenburg, Superintendent Sebastian Kirchmeier, became even more deeply embroiled in a witch-trial. He tried to start a mass-hunt in the city by means of the intimidating and leading questioning of two individuals already gaoled on charges of witchcraft, although his endeavours stemmed as much from a desire to settle personal scores as they did from a genuine theological conviction about the need to eradicate witches.⁶⁹

Expert opinion, then, could have positive or negative effects on witch-trials from the point of view of alleged witches and potential suspects. In the same way it is possible to regard the voluminous documentation produced by the later seventeenth-century trials as not necessarily and unequivocally detrimental to the cause of the accused. Tom Robisheaux has suggested that the very volume of expert opinion and written documentation in such trials could actually slow down the whole judicial process, which might make guilty verdicts less likely, or even cause it to collapse altogether. This was because medical and legal experts interpreted the signs of bewitchment at length and within specialised forms of learned discourse which non-expert magistrates found increasingly difficult and time-consuming to consider. As Robisheaux writes in conclusion regarding a long and complex witch-trial from the Lutheran county of Hohenlohe in 1672: 'what slowed a witch trial like this one, what made conviction difficult for the authorities, was the legal process of reconciling so many different and complex ways of reading the signs of bewitchment'.⁷⁰ However, while allowing for these provisos and acknowledging the need to evaluate the severity or otherwise of trial-processes on a case-by-case basis, I would still argue that we can – overall – read the greater reliance by the Rothenburg councillors on expert and particularly external opinion and the increasingly voluminous nature of trial-documentation in the later seventeenth century as evidence of an increase in their own uncertainty about how best to handle witch-trials. By looking at the Rothenburg witch-trials over the whole early modern period it is possible to see that this uncertainty constituted a change from an earlier conciliar attitude which had been defined by four main factors: a scepticism about certain aspects of witchcraft based on the *Canon episcopi* and Lutheran theology; a legal caution in witch-trials based on judicial precepts regarding slander and moderate interpretation of the *Carolina*; a humility which encouraged the council to leave the ultimate verdict in witch-trials up to God rather than to reach definitive conclusions about guilt or innocence themselves; and a concern for social harmony which the council believed witch-trials were

more likely to destroy than affirm.⁷¹ These factors had tended to influence trial-procedure to the advantage of accused witches up until about 1640, whereas the greater uncertainty evinced by the council in the later seventeenth century tended to have the opposite effect.

Why might the council have become more uncertain in its handling of witch-trials and perhaps even more anxious about the threat that witches and the devil posed to the souls of its subjects in the second half of the seventeenth century? One reason may have been the fact that Rothenburg itself, rather than the city's hinterland, provided the context for an increasing number of witchcraft cases in the course of the seventeenth century. The years 1605 and 1629 saw the trials of Hans Georg Hofmann and Barbara Rost, while in 1639 self-confessed child-witch Brigitta Hörner disturbed the city with her tales of witchcraft. Another self-confessed witch, Anna Margaretha Rohn, unsettled both the councillors and her fellow citizens for even longer, suffering spectacular fits from 1664 until 1673 which she claimed were the result of her enthrallment to witches and the devil.⁷² Then in the 1690s a large-scale witch-trial threatened to erupt in the city hospital as a result of the allegations of self-confessed child-witch Hans Adam Knöspel, who had been quartered there and who infected other inmates with his stories of witchcraft.⁷³ It may ironically have been the case that the council unwittingly helped accelerate the spread of ideas and anxiety about witchcraft from the rural to the urban populace by its policy of housing self-confessed child-witches in the city hospital, a fate first experienced by Margaretha Hörber in 1627.⁷⁴ The fact that several seventeenth-century witch-trials and some of the most spectacular episodes of self-confession occurred against an urban backdrop thus probably made the problem of witchcraft and how to resolve it particularly pressing and even personal to the councillors, given the myriad personal connections that linked them to the city's inhabitants.

Another reason for the councillors' increased uncertainty about how best to handle cases of witchcraft in the second half of the seventeenth may have been the fact that they had lost confidence more generally in their own political power and significance. The Thirty Years' War inflicted more damage on Rothenburg and its rural hinterland than any other episode of conflict in the area's history. As a result of the council's equivocal policies in the early war years, the fact that Rothenburg had the misfortune to be situated at an important crossroads of troop movements, and the fact that its medieval defences were woefully inadequate to resist the might of seventeenth-century armies, the area suffered terribly at the hands of both sides in the conflict. Between 1622 and 1631 imperial and Catholic League troops were quartered in and marched through the city's hinterland, then in 1631 Rothenburg was taken by the Swedes and then by imperial forces in what became known as Rothenburg's

year of misery and lamentation. Between 1631 and 1635 and again between 1640 and 1648 Rothenburg was at the centre of the Franconian war-zone, with Bavarian, Swedish, French and imperial troops marching through and living off its land. By 1648 about 70 per cent of the hinterland's population was dead or had fled the area, many farms and fields had been destroyed or fallen into disrepair and disuse, many village churches had been damaged, formal religious life in the hinterland had all but collapsed, and all citizens and subjects had been squeezed to the point of financial exhaustion for the contributions demanded by the frequently changing resident armies. The scale of damage was reflected in the length of time it took to rectify: in some rural areas sixty years passed before pre-war levels of productivity were again attained.⁷⁵ Overall this terrible experience may have made the councillors realise that, for all their claims to authority within the city, they were of little or no significance politically and essentially powerless militarily within Germany as a whole, at the same time as it had highlighted particularly starkly their inability to fulfil adequately their traditional role as the *Schutz und Schirmherr* or 'protector' of their subjects. At a psychological level, then, the impact of the memory and aftermath of the war on the councillors' collective self-confidence from the 1650s may have manifested itself in a greater degree of uncertainty and inconsistency in their handling of witch-trials.⁷⁶

The council may also have felt that it had to treat accused witches more severely from the mid-seventeenth century onwards because of increased popular pressure to do so. That a certain proportion of the council's subjects was becoming impatient with its relatively lenient treatment of suspected witches is suggested by the final opinion written on the 1652 witch-trials by jurist Georg Christoph Walther. Walther advocated freeing Margaretha Horn and Catharina Leimbach from custody because they had purged the presumptions of guilt which had existed against them by suffering torture but pointed out to the councillors that to end their trials in this manner would cause critical talk among the populace. Walther stated that people were already saying that the council had no heart for punishing witches and proceeded against them too timidly, and the defensive tone in which he offered justifications for the release of the two women hints at the level of popular criticism he either knew about or expected to be voiced. It was all very well, he noted, for people with no responsibility for criminal justice to express their opinions on trials, but verdicts had to be left to those who bore responsibility for them. To execute someone was a weighty matter and one could never deliberate for too long in cases involving capital sentences. Moreover, secular authorities could act no further in criminal cases than was allowed to them by the constraints of legal procedure and by God; if God kept a matter hidden from them they had to leave any punishment of it to God's final judgement. It was

presumptuous for people to think that they could intervene in the meting out of divine justice.⁷⁷

How might we account for the popular impatience with the handling of witch-trials by the council which Walther's comments suggest was apparent in 1652? Had the council's subjects become more concerned about witches and their activities by the mid-seventeenth century or were they expressing long-standing levels of concern more openly? The former was probably the case but the relationship of distrust which had developed between the council and its subjects over the former's financial policies by the 1650s may have encouraged more open expression of popular dissatisfaction with council rule.⁷⁸ It is, of course, impossible to prove that the inhabitants of Rothenburg and its rural hinterland were more fearful of witches in 1652 than they had been a century earlier: an emotion cannot be plotted on a graph. However, the events of the Thirty Years' War described above may well have created the context within which concern about witchcraft could more easily be fostered, particularly after 1631 when the impact of the war on Rothenburg and its hinterland was most severe. Against the backdrop of material damage to life, limb and property provided by the war Rothenburg's subjects may have become generally more desperately and selfishly fearful for the survival of themselves and their families. It seems reasonable to suggest that their fears of the threat of witches to the things which helped guarantee that survival – their health, food supply and livestock – might have grown as well. Moreover, the experience of living in this area during the war, when the threat of death due to epidemic disease or at the whim of marauding soldiers was ever-present, must also have had a psychological impact, perhaps causing the anxieties of those individuals who were already prone to fear of death, disease, misfortune and witchcraft to become even more heightened.⁷⁹

The Thirty Years' War may also have provided a context within which the inhabitants of Rothenburg and its hinterland were able more rapidly to gain knowledge of a more diverse set of beliefs about witchcraft and of different ways of handling witch-trials from other parts of Germany as a result of the frequent troop and population movements in and out of the area. As we saw in Chapter 4, in 1629 Catholic cavalrymen quartered in Rothenburg's hinterland tried to start a witch-hunt in order to terrorise the locals and to show them and the city council how witches should best be treated. It is possible that the soldiers involved in this episode had been in or near the Franconian Catholic prince-bishoprics of Würzburg and Bamberg, within which exceptionally severe witch-trials were raging at this time and wanted to pass on this example of Catholic severity to the 'lenient' Rothenburg Lutherans.⁸⁰ An idea expressed by Brigitta Hörner, the eight-year-old orphan who told stories of witchcraft in 1639, also appears to have had a Catholic source and may have spread more

rapidly to Rothenburg via Catholic troops. Brigitta claimed that she was a witch because she had been baptised as such by the pastor of her home village of Spielbach. This was the first time that the idea of a witches' priest who could baptise children in the devil's name emerged in a Rothenburg witch-trial; in the opinion that he wrote on the trial of Brigitta jurist Georg Christoph Walther noted that this was a Catholic notion rooted in an erroneous belief in the sacral power of priests and one of which he had learned while conversing with a Catholic jurist from Würzburg.⁸¹ In addition to hearing of this idea from the nearby city Würzburg, Rothenburg's subjects may also have learned – again via soldiers – of the case of the alleged witches' priest Michael Campensis, a Jesuit who was executed for witchcraft in Trier in 1627 in a case which subsequently gained significant notoriety.⁸² These learning processes may have raised popular concern about witchcraft and, more importantly, given Rothenburg's inhabitants harsher yardsticks against which to measure the handling of witchcraft accusations by the council.

There is also evidence to suggest that there was an increased emphasis on and concern with matters supernatural during the Thirty Years' War among at least some sections of Rothenburg's population. The chronicle of Rothenburg during the war years written by Sebastian Dehner abounds in examples of strange signs allegedly seen by the city's inhabitants: fiery skies in 1630, 1640, 1642 and 1646, three suns in the heavens in 1630, 1636 and 1645, a pond in which the water changed into blood in 1646, and so on. In 1640, 1645 and 1654 mysterious banging, rumbling and wailing noises apparently emanated from the town-hall to suggest that it was haunted, although Dehner may have emphasised these in his chronicle as part of his criticism of the council's financial policies in order to imply that the councillors were in league with the devil. Most disturbing of all were the cries of a strange bird which became known onomatopoeically as the Uhu in 1640, 1645 and 1654. While steadfast Lutherans would have understood these signs as exhortations from God to repentance – and this was how Superintendent Zyrlein interpreted the cries of the Uhu in sermons preached in the 1640s and 1650s – those of weaker faith may have regarded them as elements within an imagined set of darker portents of disorder and evil into which witches and their activities could also easily be incorporated.⁸³ The attempts by the council to strengthen Lutheran piety among its subjects suffered severely during the war years. Organised religious life in the hinterland collapsed: twenty-one of the thirty-two rural parishes suffered vacancies for anything up to thirty-three years and ecclesiastical visitations of the rural hinterland were suspended between 1621 and 1642.⁸⁴ Once resumed, they would record with lamentations the lack of basic religious knowledge possessed by peasants who had grown up during the war.⁸⁵ The city parishes were not as badly affected but formal urban religious life would also have been

significantly disrupted by the war. Whatever small success the council and Consistorium may have had in persuading its subjects away from belief in both black and white magic before the 1620s would thus have been adversely affected by the traumatic events of the next two decades.

By the 1640s and 1650s, then, the impact of the Thirty Years' War may have created a context within which fears about witchcraft were more likely to arise among the city's subjects and be taken more seriously by the city councillors. This was because the war radically accentuated the likelihood of and thus the fears about material hardship and death for the area's inhabitants, because it raised their general sensitivity to the presence of the supernatural in everyday life, and because it produced the financial problems which caused particularly strong feelings of dissatisfaction with council policy to emerge among the populace. Moreover, it is likely that the psychological impact of the war continued to be of significance for the inhabitants of Rothenburg and its rural hinterland in the second half of the seventeenth century as stories of war experiences were told and memories about its horrors perpetuated. This was because the efforts to rebuild and repopulate the hinterland villages, to reinvigorate the agrarian economy and to replenish the city's finances dominated the policy-making of the council and the lives of its subjects throughout this period, and because the area's material well-being and very existence as an independent political entity continued to be threatened by military aggression from the 1670s onwards, this time on the part of the French armies of Louis XIV.⁸⁶

In postulating this scenario I do not want to suggest that the inhabitants of Rothenburg and its rural hinterland became *en masse* more credulous about witchcraft, more fearful of witches, and thus keener to see them punished as a result of their experiences and memories of war during the seventeenth century. For certain people such experiences may have led to a strengthened trust in God rather than a greater fear of witchcraft; this – ironically – seems to have been the case for Catharina Leimbach and Margaretha Horn, the two main suspects of the witch-trials of 1652. Moreover, there are hints to suggest that the spectrum of popular opinion about witchcraft described in Chapter 1, within which some people were terrified of witches while for others they were the subject of humour, was still present in Rothenburg in the seventeenth century. In the opinion that he wrote on the 1605 trial of Hans Georg Hofmann, for example, jurist Friedrich Prenninger conceded that the alleged presence of a poltergeist in David Walther's house was causing much concern in Rothenburg, especially among those who were weak of faith. However, Prenninger also noted that some people thought the matter a joke, with one unnamed individual claiming that if the noise in Walther's house stopped he would make noises in his own house in order to fool people into thinking that it too was haunted.⁸⁷ A similar sense that the level of popular fear

about witchcraft was still far from uniform and that popular opinion was still divided on the question of how severely to treat accused witches was also conveyed in the opinion written by jurist Georg Christoph Walther on the 1652 witch-trials. Walther pointed out to the council that, in addition to expecting criticism from those who thought it had treated Catharina Leimbach and Margaretha Horn too leniently, it should also expect criticism from those who felt that it had treated them too harshly in having tortured them.⁸⁸ Here we can see that the concern for personal honour and the awareness of the adverse effects which torture could have on the honour of an individual and his or her family, rather than fear of witchcraft, could still define popular responses to particular trial-episodes.

What is suggested by the overall tone, length and handling of the post-1650 witch-trials in Rothenburg, then, is a more complex and by no means wholesale shift in attitude towards witchcraft on the part of successive generations of city councillors, their advisers and their subjects. The councillors seem to have become less confident in their own sense of authority and in their traditional religious, legal and political precepts for the resolution of witch-trials. At the same time they appear to have become more aware of the divisions of popular opinion regarding their handling of witch-trials and to have found it harder to know which faction of popular opinion to please: that which wanted more severe council action or that which thought the council was already acting too severely. In calling more frequently on external and expert opinion in order to help it reach trial-verdicts the council was reflecting as well as perhaps exacerbating its own uncertainty and confusion over what to think about witches, particularly as the city's own clerical and medical experts tended to influence later seventeenth-century witch-trials in ways which were more likely to heighten rather than lessen the concern that witchcraft posed a genuine threat to the city and its subjects which needed combating. Moreover, while a spectrum of attitudes towards witchcraft ranging from derision to terror existed at all social levels throughout the whole early modern period, it may have been the case that the experience and memory of war caused the delicate balance within this spectrum to swing perceptibly in favour of greater fear of and credulity about witches from the mid-seventeenth century onwards. It was thus only the dogged insistence of the Rothenburg jurists that due legal restraint should not be abandoned in witch-trials, the ultimate unwillingness of the councillors to ignore this legal advice, even in cases when they appear to have believed in the guilt of an alleged witch, and the resolute refusal by individuals like Margaretha Horn to confess to being witches which ensured that late seventeenth-century Rothenburg did not see more trials, verdicts of guilt and executions for witchcraft.

Notes

- 1 Purkiss, *The Witch in History*, p. 91. Purkiss criticises feminist historians for assuming that women witnesses in witch-trials were such ‘mouthpieces’, and for their preoccupation with torture and execution which reduces the accused witch to ‘a tortured, voiceless body’ which was ‘nothing but an instructive spectacle of violation and dismemberment’, *ibid.*, p. 14.
- 2 RStA Interrogation Book A898 fols 480r, 487r, 493r, 512r. For full case-documents, see *ibid.*, fols 485r–535v; A491 Bettenfeld Village Acts fols 45r–57r.
- 3 This custom of Shrove Tuesday sweeping to rid the house of vermin is recorded in the *Handwörterbuch des deutschen Aberglaubens*, ed. Bächtold-Stäubli, vol. 2, pp. 1249–1250.
- 4 RStA Interrogation Book A898 fols 486r–490r (Margaretha’s first interrogation, dated 6 August 1652). It is possible to reconstruct Gackstatt’s accusations from the questions put to Margaretha; no formal statement from Gackstatt was recorded until 28 August 1652. Margaretha’s daughters Eva and Cordula had helped their mother with the Shrove Tuesday sweeping and Gackstatt tried to shift the focus of the investigation onto Cordula in a later statement dated 20 September 1652 (fols 532r–524v) but Rothenburg’s council never questioned or arrested her or Eva.
- 5 For references to their feud, see *ibid.*, fols 487r–488r, 510r, 512v, 517v–518r. For references to Margaretha’s previous marriage in Gebstattel, see *ibid.*, fols 514r–514v, 517r–519v.
- 6 *Ibid.*, fols 489v, 523v.
- 7 *Ibid.*, fols 485r, 517v.
- 8 The wife of Bettenfeld’s herdsman made the first official report to the council about Gackstatt’s flea-swarm, *ibid.*, fol. 480r. Margaretha later claimed that she had done this at Gackstatt’s bidding, fol. 487r. If so this was clever of Gackstatt as it enabled him to bring his accusation against Margaretha to the council’s attention without taking personal responsibility for it. The council had briefly investigated Horn’s allegations against Gackstatt’s family (fols 481r–483r) but apparently took no further action.
- 9 *Ibid.*, fols 513r–514v.
- 10 For Margaretha’s pleas, see *ibid.*, fols 489v–490r, 497r. For discussion of other trials where witchcraft accusations were treated as slander, see pp. 23–24.
- 11 For Gackstatt’s statements, see *ibid.*, fols 512r–512v, 523r–524v. Rothenburg’s council may have thought it best to avoid further conflict with the Margrave because in the summer of 1652 it was involved in a dispute with him over the issue of ecclesiastical visitations in the seven parishes of Rothenburg’s hinterland for which he still held patronage rights, see StAN Ro. Rep. 2089 fols 187r–203v.
- 12 RStA Interrogation Book A898 fol. 493r.
- 13 *Ibid.*, fol. 495r. For Zyrlein’s opinion in the Margaretha Hörber case (discussed pp. 53–54. 114–115), see RStA Interrogation Book A886 fols 283r–286v.
- 14 RStA Interrogation Book A898 fols 503r–505r.
- 15 StAN Ro. Rep. 2087 fols 57r–60r. Walther’s opinion covered both Margaretha’s case and that involving the members of the Leimbach household and Barbara Schürz which was under investigation at the same time and which is discussed pp. 150–160. For this reason it is bound with the Leimbach case documents in a volume of the Consistorium’s records in the Nuremberg State Archive. The council may have delayed asking Walther his opinion on Margaretha’s case because of her introduction of the angel into the proceedings and because of the opening of the case involving the Leimbach household on 26 August.
- 16 RStA Interrogation Book A898 fol. 533v.
- 17 *Ibid.*, fols 486r–490r, especially fol. 489v: ‘solches werden meine Herrn ausszüüben wissen’.
- 18 *Ibid.*, fol. 490r: ‘die Obrigkeit trage dass Schwert nicht vmb sonsten, werde wissen wie Sies brauchen solle’.
- 19 *Ibid.*, fol. 497r: ‘Möge sagen was Er wolle, ob Er viel sage, müste Er auch viel beweisen.’
- 20 *Ibid.*, fol. 499r. For an account of how witches were believed able to make fleas out of salves from the case involving Hans Christoph Emmert in 1676 (listed in the Appendix, see

- Schraut, 'Niederstetten 1676', p. 159.
- 21 *Ibid.*, fols 497v, 498v.
- 22 *Ibid.*, fol. 498v.
- 23 *Ibid.*, fols 499r–499v: 'die Hern können helffen, die können ja solches richten wann sie das Recht vnd ritterlich Keyserlich Recht brauchen wollen.'
- 24 *Ibid.*, fols 500r–500v.
- 25 *ibid.*, fol. 510r.
- 26 *Ibid.*, fol. 507v:
 Mann hat dir anbotten, den Hencker vnd darnach dir ringen,
 Gott gebe den Herren den heyligen Geist, dass sie sich wol besinnen,
 Du hast geschreyen nach Keyser Recht,
 Gott gebe den herrn den heyligen Geist, dass sie führen ihren Urthl recht.
- 27 *Ibid.*, fol. 509r:
 Wann meine Herren nit führen Ihr Urtheil Recht,
 So vierlieren Sie Ihr Keyserlich recht.
 Wann meine Herrn nit führen wollen ein gueten Rath
 Woll er setzen einen neuen Rat.
- 28 *Ibid.*, fol. 509v.
- 29 *Ibid.*, fol. 510r: 'Daferne die Obrigkeit Ihre Statt vnd Vnterthoenen Vfm Landt, nicht straffen theten, dass Gott mit der Ruhr . . . vnd sonsten dermassen arme vnd reiche, Zehenmal mehr ass vorhin mit dem Krieg Straffen wollen, dass Niemand vor gestanck bleiben könne.'
- 30 *Ibid.*, fol. 506v.
- 31 For details of this dispute, see Winterbach, *Geschichte der Stadt Rothenburg*, vol. II, pp. 131–132; Heller (ed.), *Rothenburg ob der Tauber im Jahrhundert des grossen Krieges*, pp. 148–149; Rank, *Die Finanzwirtschaft der Reichsstadt Rothenburg*, pp. 125–129; Weigel, *Rothenburger Chronik*, p. 222; RStA B25 (Chronicle by Nikolaus Göttingk), fols 315v–316r (which dates the first submission of complaints by the citizenry to the Emperor to 27 April 1651 and which names Michael Würth – who was accused of witchcraft in 1663, see Appendix – as one of the ringleaders in the dispute). Weigel argues that the dispute led to the introduction of minute-keeping for council-meetings in 1653 (*Rothenburger Chronik*, p. 222) but this practice was not in fact started until 1664.
- 32 For details of the Peasants' War in Rothenburg, see Quester, *Das Rad der Fortuna und das Kreuz*; Baumann (ed.), *Quellen zur Geschichte des Bauernkriegs aus Rotenburg an der Tauber*.
- 33 See Heller (ed.), *Rothenburg ob der Tauber im Jahrhundert des grossen Krieges*, pp. 36–146; Moritz, *Die Folgen des Dreissigjährigen Krieges*, pp. 54–90.
- 34 See for example the council's reference to the need to publish ordinances against the use of magic in order to deflect God's wrath from the inhabitants of Rothenburg and its hinterland, RStA Ordinances A363 fols 279r–282r (1639).
- 35 Gordon, 'Malevolent ghosts and ministering angels', pp. 101–102.
- 36 RStA Interrogation Book A898 fols 507r–507v.
- 37 *Ibid.*, fol. 509r.
- 38 Beyer, 'A Lübeck prophet in local and Lutheran context', especially pp. 168–169, where Beyer notes that in a Lutheran context 'saints were exchanged for angels, who were usually dressed in white'. A case of witchcraft from seventeenth-century Rye in England also uncovered claims of the appearance of prophetic angels by one Anne Taylor, see Gregory, 'Witchcraft, politics and "good neighbourhood"', p. 45.
- 39 Sabean, *Power in the Blood*, pp. 61–93.
- 40 *Ibid.*, pp. 79–82.
- 41 StAN Ro. Rep. 2087 fols 59v–60r. Walther referred to Margaretha as the Flea Woman (die Flohfrau) in this opinion as if her guilt were proven rather than still a matter of supposition.
- 42 RStA Interrogation Book A898 fol. 533v.
- 43 Brauner, *Fearless Wives and Frightened Shrews*, especially pp. 113–119.
- 44 RStA Interrogation Book A898 fols 489r, 493r, 533v.

- 45 *Ibid.*, fols 504v–505r.
- 46 This idea is explored by Diane Purkiss in *The Witch in History*, pp. 119–144, especially pp. 121, 125–127.
- 47 RStA Interrogation Book A898 fols 489r, 504v. As the physicians also pointed out, however, the problem was that no-one but Margaretha knew whether she really had cried so much.
- 48 *Ibid.*, fols 526r–532v. The mark had already been found on Margaretha’s back during her fourth interrogation, see *ibid.*, fol. 521v. The only other alleged Rothenburg witch who had hitherto been examined for a witches’ mark – although not pricked in this manner – was Magdalena Dürr, whose case is discussed pp. 136–143; see RStA Interrogation Book A887 fols 569v–570v.
- 49 StAN Ro. Rep. 2087 fols 95r–97v.
- 50 RStA Interrogation Book A898 fols 533r–534r. The shame of the witchcraft trial dogged the Horn family for years afterwards. In order to try to restore his family’s reputation Hans Horn was forced to beg Rothenburg’s council for a formal attestation to his wife’s good character in 1659. This was grudgingly given in 1660. See *ibid.*, fols 535r–535v and Bettenfeld Village Acts A491 fols 45r–49v for details of the aftermath of the trial.
- 51 RStA Interrogation Book A898 fol. 530v.
- 52 *Ibid.*, fol. 531r: ‘wer mir vnrecht thut, muss immer vnd ewig dorten braten vnd leyden’.
- 53 *Ibid.*, fols 532r–532v, 533v.
- 54 See pp. 150–160 for a full discussion of this case.
- 55 For their interrogations, see RStA Interrogation Book A898 fols 486r–490r, 497r–500r, 506r–510v, 520r–521v, 526r–532v (Margaretha); StAN Ro. Rep. 2087 fols 10r–14v, 44v–49r, 79r–86r (Catharina).
- 56 Moritz, *Die Folgen des Dreissigjährigen Krieges*, pp. 89–90.
- 57 RStA Interrogation Book A898 fol. 509v.
- 58 This point is discussed on pp. 32–33, where I argue that it tended to encourage Rothenburg’s councillors to treat witchcraft cases with caution.
- 59 For the evidence pertaining to Margaretha, see RStA Interrogation Book A898 fols 493r, 530r–530v, 532r–532v, 533v. For that pertaining to Catharina, see StAN Ro. Rep. 2087 fols 46v–47r, 48r, 49r, 83v, 85v.
- 60 The Wetttringen case is discussed on pp. 150–160.
- 61 See Appendix for an overview of the later cases. As this period forms a distinct episode in the history of Rothenburg’s witch-trials, I intend dealing with it in a separate monograph. Anna Margaretha Rohn in 1673 and Barbara Ehness in 1692 were executed for witchcraft during this period, although in both cases there were specific circumstances which helped explain why the authorities deemed the death-penalty deserved: Rohn was a self-confessed witch who had claimed that she was in the devil’s clutches for nine years before her trial and who also confessed to infanticide, while Ehness had attempted murder by means of poison.
- 62 RStA Interrogation Book A908 (unpaginated), case-documents dated from 11 July to 11 October 1671. Glaitter’s case is discussed in Rowlands, ‘Witchcraft and old women’.
- 63 For the Tübingen jurists’ opinion in the Glaitter case, see RStA Interrogation Book A908, document dated 19 August 1671. For the Altdorf jurists’ opinion on the Anna Margaretha Rohn case, see RStA Interrogation Book A909 fols 311r–313v, 357r–361v. The councillors had also asked the Altdorf legal faculty for an opinion in the case of Ulrich Helfer, a man tried for treasure-seeking in 1659, see StAN Ro. Rep. 2087 fols 254r–255r, 296r–307r. In 1692 Rothenburg jurist Johann Georg Krauss drafted a request for advice to the Tübingen legal faculty during the trial for witchcraft of Barbara Ehness but did not send it, see RStA Interrogation Book A925, letter from Krauss dated 23 May.
- 64 Radbruch, *Die Peinliche Gerichtsordnung*, pp. 130–131. The council had called on the two Nuremberg jurists (Gugel and Hardessheim) to whom it paid an annual retainer for advice on the allegations of witchcraft which arose in the village of Oberstetten in 1582, see RStA Interrogation Book A875 fols 221r–223v.

- 65 RStA Interrogation Book A902 (unpaginated), opinion dated 2 February 1663 (Würth); Interrogation Book A909 fols 352r–355r, 368r–371r (Rohn).
- 66 For other long cases see for example the trials of Barbara Ehness in 1692 (RStA Interrogation Book A925 fols 1r–129v); of Anna Maria Knöspel, her son Hans Adam Knöspel and Hans Georg Nunn between 1689 and 1694 (StAN Ro. Rep. 2087 fols 620r–863v); and of Anna Margaretha Rohn in 1673 (RStA Interrogation Book A909 fols 188r–399v).
- 67 See n. 63 for details of the Tübingen opinion.
- 68 RStA Interrogation Book A898 fols 503r–505r (physicians' report in Horn's case); Interrogation Book A909 fols 206r–208r, 227r–229r, 266r–267r, 274r, 337r–338r, 372r–375v (physicians' reports in Rohn's case). Rohn's admission that she herself had faked the appearance of the needles from her wound was ignored by the council – another example of their late seventeenth-century tendency to 'see' as sinister phenomena which had prosaic explanations.
- 69 See n. 66 for details of the trials of Anna Margaretha Rohn, Hans Adam Knöspel and Barbara Ehness. In 1692 Kirchmeier tried to persuade Ehness and self-confessed child-witch Hans Adam Knöspel, who was still being held in the city hospital after his trial in 1689, to accuse other individuals whose names he fed to them of witchcraft.
- 70 Robisheaux, 'Witchcraft and forensic medicine', pp. 212–213.
- 71 These themes are discussed in Chapters 1 and 2.
- 72 See RStA Interrogation Book A884 fols 510r–611v (Hofmann); Interrogation Book A888 fols 1r–32v (Rost); Interrogation Book A895 fols 165r–174v, 408r–420v (Hörner); Interrogation Book A909 fols 188r–399v (Rohn).
- 73 See nn. 66 and 69 for details of Knöspel's case.
- 74 Hörber's case is discussed pp. 105–124.
- 75 For details of the course of the Thirty Years' War in Rothenburg and the devastating impact it had on all aspects of life in the city and its rural hinterland, see Heller (ed.), *Rothenburg ob der Tauber im Jahrhundert des grossen Krieges*, pp. 36–190; Schmidt, 'Auswirkungen des Krieges auf Stadt und Land'; Rank, *Die Finanzwirtschaft der Reichsstadt Rothenburg*; Moritz, *Die Folgen des Dreissigjährigen Krieges*, especially pp. 54–90, 132–176; StAN Ro. Rep. 2096 fols 33r–65r.
- 76 Diane Purkiss also points to the psychological effects of the English Civil War, although she argues that they caused a more specific 'crisis in masculinity' which some men coped with by directing violence at 'the figure of the witch as a condensed, displaced image of all there was to fear', 'Desire and its deformities', pp. 105–106.
- 77 StAN Ro. Rep. 2087 fols 95r–97v.
- 78 This popular dissatisfaction with the council's financial policies is discussed earlier in this chapter in the context of the Margetha Horn trial; see n. 31.
- 79 Kunstmann also alludes to the possibility that the impact of the Thirty Years War may have encouraged greater anxiety about witchcraft in Nuremberg, which also experienced unusually severe witch-trials after the war in 1659 and 1660, see *Zauberwahn*, pp. 196, 200–201.
- 80 For details of the severe trials in the Franconian prince-bishoprics see Behringer, *Hexenverfolgung in Bayern*, pp. 236–241.
- 81 RStA Interrogation Book A895 fols 171r–173r; for full case-documents, see *ibid.*, fols 165r–174v, 408r–420v. See also Rowlands, 'The "Little witch girl"'.
82 For discussion of this case, see Schad, 'Ein Priester auf dem Scheiterhaufen', and 'Kriminalfall Michael Campensis'.
- 83 For the many signs and portents recorded by Dehner for the war years, see Heller's edition of Dehner's chronicle, *Rothenburg ob der Tauber im Jahrhundert des grossen Krieges*, pp. 36–37, 49, 54, 109, 121, 122, 123, 124, 125, 127, 128, 129, 130, 132, 133, 139, 140, 144, 146, 148, 175, 181, 182, 185, 189–190, 232–233. See *ibid.*, p. xvi for the idea that Dehner was critical of the council's taxation policies.
- 84 On the rural parish vacancies, see Moritz, *Die Folgen des Dreissigjährigen Krieges*, pp. 17–32, 151–159. On the lack of ecclesiastical visitations, see StAN Ro. Rep. 2096 fol. 33r.

- 85 See for example *ibid.*, fols 69r–71r (visitation of 1652), fols 250r, 258r (visitation of 1660).
- 86 The attack by French armies in 1688, for example, destroyed much of the work which had been done in Rothenburg's hinterland to restore the damage done by the Thirty Years' War, see Moritz, *Die Folgen des Dreissigjährigen Krieges*, pp. 158–159. For details of the lengthy rebuilding programme undertaken by Rothenburg's council after the Thirty Years' War, see *ibid.*, pp. 132–176.
- 87 RStA Interrogation Book A884 fols 556r–560r.
- 88 StAN Ro. Rep. 2087 fols 95r–97v.