Maleficent magic or abuse of the sacraments?
An Early 17th century inquisitorial manual and the Italian witch trials
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Publication date: 2002

Document Version
Publisher's PDF, also known as Version of record

Link to publication from Aalborg University

Citation for published version (APA):
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Presentation

Recent years’ witchcraft historians have turned their attention to the witches’ context instead of focusing only on the accused. Scholars are now also concentrating on the language of witchcraft, as opposed to only the actions of witches. The focus is on how the term *witch* was integrated into the belief system of early modern villagers. This new approach opens the door for new ways of looking at the conflict between the literate elite and the illiterate masses in post-Tridentine Italy (as well as in other parts of Europe). My interest is in the *beliefs* that these rituals worked – i.e. that pieces of paper with the apostle names written on them could have an effect in curing a fever. In this sense language becomes prominent. One might say that my purpose is to study the meaning of the term in early modern sense (popular and elite), compared to studying the content of the term. “Witchcraft” and related terms as “sorcery” hereby become words that need to be decoded in order to get a better understanding of the early modern belief system. The interesting part is to be found in the beliefs concerning these rituals, i.e. the kind of community such a belief system indicates. Therefore, it is not the magical rituals including charms and various kinds of prayers, but the different popular beliefs expressed in a variety of rituals, are my particular concern in this thesis. The belief system becomes comprehensible by studying the various kinds of accusations brought to the Roman Inquisition, initially concentrating on the accused and the accusation, but indeed also on the testimonies of the witnesses. By studying the accusations we are able to get a better understanding of the kinds of magical offences originally taken to the Inquisition, and of how the inquisitor comprehended them.

One of the phases in this inquiry is to clarify the popular beliefs regarding superstition, broadening our understanding of the relationship between the Roman Inquisition and the illiterate population. It is important to clarify the popular belief system, because it will help us reach the main goal - which is to understand the interaction, that took place between the Inquisition and the rural population: To what extent did the two *related* cultures influence each other. (evt. udelade: The question is not to ask if the illiterate population possessed a culture of their own, this would be
tautological. Today it is more relevant to examine to what extent elite and popular belief were related and how they interacted. By examining such interaction it is possible to determine to what extent the two cultures influenced each other.

**Manuals in general, Tedeschi’s studies and my own studies.**

The first stage of my research has been to clarify the inquisitor’s view on superstition. As skilled canonists, inquisitors were experts in the practical use of the Canon Law. This of course included how to react on witchcraft and other kinds of superstition. As guidelines the inquisitors had a number of manuals, in which aspects of their jurisdiction were discussed. The early seventeenth century inquisitorial manuals are obvious sources, when one wants to study the religious elite and its view on popular superstition. According to John Tedeschi, the manuals were often written by former inquisitors to advice younger colleagues in inquisitorial matters, and this must be the exact case with Desiderio Scaglia’s *Prattica per procedere nelle cause del Tribunal del Sant’Officio*. Before appointed cardinal in 1621, Scaglia worked as an inquisitor in several Italian regions, and the fact that his manual exists in great number of copies together with the contents of the text, indicates that he was highly esteemed by his contemporaries. In the beginning of the 17. Century, Paul V appointed him commissioner (*commisario*) of the Holy Office. The manual is written between 1617 and 1624, and having the chronology of Scaglia’s carrier in mind, he must have worked as an inquisitor at the time the persecution of superstition was at its highest in Italy. Furthermore the manual bears a strong resemblance with one of the other widely circulated texts at the time that is the unsigned *Instructio pro formandis in causis strigum* – Instructions on how to handle witchcraft.

The fundamental studies by Henry Charles Lea from the middle of the last century are still the most comprehensive attempts to describe the manuals used by the Roman inquisition regarding the concept of superstition and how to handle this intellectual crime. Lea referred to the manual and its contents. In an article from the late eighties, John Tedeschi briefly discussed Scaglia’s view on witchcraft and sorcery. Most recently Angelo Turchini has examined it as a whole in a short article. My studies are limited to chapter eight, the chapter concerning sorcery.
By studying Scaglia's chapter on sorcery, I have become convinced, that his considerations on superstition by far correspond with the belief system reflected in the trials (examined by scholars like Mary O’Neil and John Tedeschi). By superstition I mean all sorts of magical offences. I will try and elaborate on this, by outlining some of Scaglia’s observations on magical offences.

What is remarkable is Scaglia’s emphasis on the diabolical pact, in the sense of the distinction between an implicit or explicit pact with the devil. Hence the magician is always tied by the pact entered with the devil. The meaning of the pact was clear to Scaglia: The magician had sold his soul, or somebody else’s to the devil, because he believed it made him capable of performing magical rituals. By entering the pact, the magician had abjured his Catholic faith and agreed to desecrate Christ and the Virgin Mary. There could be several signs that such a pact had been entered, e.g. unknown words (parole incognite) and characters (carratteri) or abuse of the sacraments. The unknown words and characters were not offending as such; they did not posses any magical power on their own. But they were signs that magical actions might have been committed, and possession of such items, could be an indication of a person experimenting with magical rituals.

It can be difficult to estimate to what extent the two kinds of diabolical pacts differ from each other. The text is obviously written to a specialist audience. One can say that the chapter needs decoding before it is possible to comprehend, and thus to make an interpretation. This is apparent because it is obvious that the varied kinds of magical rituals and remedies characterise both pacts. At first there does not seem to be any sort of difference between the two (pacts). The difference, however, is to be found in the term “intention” – what was the intention with the magical deed? Did he/she want to heal or was the purpose to harm? Was the accused aware of the devil’s part in magical actions? A number of works on the persecution of superstition have shown how the differences between the elite and the illiterate population in comprehending superstition became distinct in the inquisition trials. The main difference is to be found in the interpretation of the devil, and his part in the magical deeds (and in society). The illiterate population had a hard time understanding how magic, which was intended to cure an illness, could be the result of a pact with evil. The Catholic Church was aware of the diverse interpretations of the devil. Therefore the distinction between the implicit and the explicit pact was quite essential. According to Stuart Clark the Church extended the philosophy of the two pacts in the late 15th century “…by working towards a demonolization of the traditional resources favoured by
ordinary people”. One can say that the distinction made it possible to judge all magical offenders in accordance with Catholic theology.

Scaglia, as well as the Catholic Church in general, actually found the use of magical rituals/remedies quite needless, because magic was in fact an illusion created by the devil with (the) permission from God. This is not the same as saying the Catholic Church rejected all kinds of spiritual power as illusions, i.e. when using the prayers, saints or the crucifixes. Church relics did to a certain extent posses a spiritual power, but it was crucial that they were administered by the ordained. If ordinary people were to experiment with church rituals and furthermore believed in their effect, it was to be characterised as abuso di sacramento – abuse of the sacrament(s). The fact that the devil was responsible for the illusion was (on the other hand) crucial. It reflected the diabolical pact. It was the devil, which tempted people to believe that they would profit from magical rituals in order to gain a more comfortable everyday life. But Scaglia and his colleagues were aware that the magical results were only an illusion. As Scaglia puts it: If a man tries to cast a magical spell on a woman to make her fall in love with him, the love she may feel is not sincere but only an illusion. (It seems that most of the trials conducted did not even go as far as discussing the illusions, instead they simply contained the abuse of the church). What was common though to the illiterate and the elite was the significance of the intention – i.e. asking what had been the motives for the magical activities? To Scaglia the intention marked the difference between the explicit and the implicit pact. The pact was deemed explicit, had the accused been aware that his magical acts were harmful and actually wanted to conspire with the devil. If he on the contrary did not intend to cause any sort of harm and was sincere in explaining his good intentions, then the pact was considered implicit. One can say that the difference is to be found in the meaning of damage. To the illiterate population the meaning was largely material. The damage could be sickness inflicted on a cow or another human being; the main thing was that the magical deeds produced a somewhat concrete consequence to the victim. To Scaglia (and the Inquisition) the material damage was only a symptom of the magician’s scheme with the devil, and thus only a part of the profanity against God. The damage equalled bad intensions and such were signs an explicit diabolical pact.
**Maleficium?**

It is rather complicated to understand how Scaglia distinguish one kind of magical crime from the other, because he does not separate the various offences in the sense of matching them with theological descriptions. But this only supports the assumption of Scaglia’s carrier as an inquisitor reflected in the manual. According to Mary O’Neil the Modenese inquisitors very rarely categorised the committed sin in correlation to the theological theories. Scaglia’s distinction between the implicit and the explicit pact is consistent throughout the text, but from the same text one can also draw a line between maleficient and non-maleficient magic. Scaglia discusses the well-known magical offences such as treasure hunting, fortune telling and love magic. This conforms to the actions warned against by Sixtus V in the bull from 1586; magic was also the most common accusation at the end of the 16th century. In fact it seems likely that the reason for Scaglia not giving any details on whether the activities were criminal or not, or maleficient, is because of Sixtus’ bull, suggesting the procedures and definitions were common knowledge to inquisitors. The bull made it clear that all sorts of fortune telling, treasure hunting, and abuse of the sacraments are made from a pact with the devil. It cannot have been necessary to explain the illegal contents in these behaviours; it seems only necessary to present the instructions in a more collegial way. But the bull does not use the term *maleficent* magic, and neither does Scaglia, at least not in any direct manner.

Although our writer has refrained from classifying the two varieties of magical purposes, it may be useful to try to outline such a categorisation. I would especially like to accentuate love magic, because Scaglia discusses the matter significantly. At first he explains in general the problems concerning love magic and how these beliefs are assaults on the idea of the free will. The important things were not so much the magical rituals, the main concern was whether the accused believed or had believed that she was able to manipulate the free will (*volonta libera*). Later on, dealing with prostitutes, Scaglia returns to the question of love magic. The prostitutes were the most likely to use this kind of magic. According to Scaglia prostitutes were notorious in their use of magical rituals in general. Again it was crucial to establish the intention behind the magical acts. Because of this, the accused had to go through a comprehensive questioning regarding whether she had ever thought it possible to manipulate the free will. If she still believed the devil was capable of such manipulation, she should abjure *de formali.*
Scaglia’s problems regarding the abuse of the free will, is concordant with the official view of the post-tridentine church. One gets the impression that Scaglia’s main concern is not the fact that someone tries to take control over another person, but rather the person who is the controlling part. This is most likely a consequence of the focus on superstition as a crime in the mind rather than actual actions. In theory it was important to determine the actual damage, but the trials have shown that in practice it seems that the Inquisition mainly persecuted people for the erroneous belief. Thus the intention was (again) of crucial importance, because if anyone actually thought he/she was able to control someone else’s destiny, it was like placing oneself in the position of God.

**Witchcraft**

(evt udelade dette afsnit: Outlining the mythological picture of the witch being a pure evil figure travelling through the air to the diabolical sabbat. In this definition the witch can harm whatever she wants just by looking at it, she does not need any remedies. Scaglia does not describe the witches’ Sabbath, but he does clarify how the witch is an evil creature, who does harm things for no reason but her own desire to do so. One can say that the witch described by Scaglia is a combination of the mythological witch and the sorcerer. According to Scaglia the witch can harm by using remedies such as puppets made from wax, magical powders in food, or writing occult words on fruits; but she can also harm by her hateful stare. The crucial point in Scaglia’s description of the witches is the harm they perform. Like the *Instructio*, Scaglia warns his colleagues not to jump to any conclusions regarding such matters. Witchcraft and any other kinds of magical accusation were very serious to the accused. If the accused admitted the commitment of such diabolical deeds she had to abjure *de formali* - If she denied these actions she was to abjure the milder *de vehementi*. As to milder offenders, the inquisitors were still to show precaution because of the consequences caused by an accusation and verdict – Scaglia in an example explains how a woman whipped in public would lose the love of her husband, and her daughters would have trouble marrying.)
Concluding remarks on preliminary studies

Studying this handbook for inquisitors one finds that its advice against superstition is almost identical with the warnings put out in the bull of Sixtus V. Both texts express how the authorities tried to discipline the popular beliefs. Scaglia’s manual is very concerned with sorcery and the use of magic, but what is all the more interesting are the many warnings against using the Church’s orthodox remedies (abuse of the sacraments). This suggests that the problem with sorcery was not the explicit diabolical pact as such, but rather the popular use of orthodox effects. From the trials we have seen that people thought it possible to transmit the power of the church to their own private purposes, i.e. prayers and saints in healing, treasure hunting and love magic. In popular belief the acts to ease one’s everyday life were largely regarded as Christian because of the prayers and saints, but in the eyes of the Catholic Church they were synonymous with magical actions and therefore superstitious. This of course explains why abuse of the church plays such an important role in Scaglia’s chapter regarding sorcery. When analysing Scaglia’s text one finds that the Inquisition was responsible for clearing up these religious errors committed by the population.

Next step

The sources to my project are many. I have restricted my research to the use of the archives of the Inquisition of Siena. More precisely the town Orbetello, which was under jurisdiction of the Sienese inquisitor. My main interest is the large number of trials and accusations beginning with the late 16th Century regarding the various magical offences.

John Tedeschi’s studies of the correspondence between the inquisitor and the Congregation in Rome have shown how the provincial tribunals were obliged to inform their superiors in Rome on developments in the particular cases. This is confirmed by the Sienese case. According to Professor Tedeschi nothing indicates that the Pratica and the Instructio were not followed in the trials, and my own preliminary studies of trials from around 1600 supports this argument. Therefore it is reasonable to conclude that the Pratica as well as the Instructio are reflections of the inquisitors’ actual experiences with sorcery and witchcraft, which had the aim of preparing readers for (current inquisitors) what they might experience in the field.
The idea of witchcraft persecution as the elite trying to force its beliefs on the illiterate masses are not new. In the beginning of the 1970’s Jean Delumeau published Catholicism Between Luther and Voltaire, in which he decapitated the myth of the pious medieval population. Today this approach is generally accepted. But the question to what extent the popular belief differed from elite belief is still under scrutiny. At least in the Italian case one cannot use theory of acculturation, as has been done with other parts of Europe. In the Italian case the problem with acculturation theory is that it presumes the meeting of two different cultures in which the one culture is superior to the other. The superior culture then tries to impose its values on the other. This kind of approach has been rather fruitful in studying the meeting between e.g. the Spanish conquistadores and the South American Indians. But in the Italian case it would be too rough a distinction between popular and elite culture. First of all the two cultures have the same Christian religion – asking a peasant of his religion, he would without doubt tell you that he is a devoted Christian. Secondly they have most often also the same language. As an alternative one should approach the problem with the comprehension that popular beliefs and elite beliefs are related, they are virtually two sides of the same story.

When understanding elite belief and popular belief as two ways of interpreting the same faith, what is one to look for in the trials concerning various kinds of superstition? First of all it is important to register the situations where it is evident that the accused or the witnesses understands the key terms (these key terms being superstition, magic, witchcraft, free will, etc.) differently from the inquisitor. An obvious example is magical healing. As mentioned earlier it seems to have been difficult for the population to comprehend that healing, which often included different kinds of prayers, was illegal, and meant an implicit pact with the devil. But since the saying “the one who knows how to heal, also knows how to harm” penetrated village life, magical healing seems to have been quite a risky business. Therefore the diversities in interpretation do not only show in trials including maleficium. They presumably occur in all kinds of accusations for superstition.

Other interesting episodes, would be when it is clear that other things overshadow the inquisitor’s formal agenda. Such things may be written between the lines in the accusation or they might pop to the surface during the trial. This could be a woman accused of witchcraft. From the accusation it appears that besides her reputation of being a witch she is also known to be a healer by magical rituals. More or less ignoring the witch accusation, the inquisitor might still take the case further, just to get to the bottom of her erroneous actions. Another possible scenario could be that
during the trial other kinds of magical rituals appear thus leaving the original charges behind. (Mary O’Neil has an example of this, where a woman charged with witchcraft is convicted of abuse of the sacraments). One last (preliminary) thing to look for is the types of crimes ecclesiastical people were charged with. One of the important visions with the Council of Trent was the urge to discipline the parish priests through better education and bishop visitations. But studies have shown that a large amount of the accused were actually ecclesiastical/priests. Despite their somewhat theological background, the beliefs system of the priest still seems closer, apparently, to the villager than to the inquisitor.

**Concluding remarks**

The Post-Tridentine Church was convinced that these popular errors derived from insufficient religious teaching and interpretation As a consequence it aimed at teaching the true faith to as many people as possible. A number of decrees were carried out to rectify the low state of the religion in the countryside, most of them characterised by the urge to make sure that the population received the right kind of Christian teaching. The learned members of the Catholic Church were convinced that the illiterate population could not help their erroneous behaviour, how were they suppose to know better? The part of Tridentine reform, which had the largest impact on popular everyday life, was probably the residence duty put on the bishops, and the increased demands to the education of the parish priest. The fact that the bishop was restricted to only one diocese, and furthermore should seek to visit the parishes every year must have had the aim of making the Church more present in the local community. One should refer to the bishop as the person in charge of how the parish priests passed on the teachings of Christianity to the parishioners. Despite these ambitious visions of disciplining the illiterate population the process caused conflicts. The inquisitor’s job in Post-Tridentine Italy was to solve these conflicts: To get people back on the right track, so to speak. This certainly sounds simpler than it was, it must have been a long and hard process causing a lot of confusion in the villagers’ minds.