VEXILLUM
the undergraduate journal of classical and medieval studies

Issue 2

2012
Reflections on the *Malleus Maleficarum* in Light of the Trial of Joan of Arc

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*The sensational European witchcraft trials of the sixteenth and seventeenth centuries had their foundations in medieval ideologies. In 1487 Heinrich Institoris, with some help from James Sprenger, published what became the definitive text on the subject, called The Malleus Maleficarum, or The Hammer of Witches. Within fifty years, the position put forth in the treatise became widely accepted, and it became the guidebook for judges prosecuting witchcraft trials. Did the treatise reflect what people at the time believed about witches, or was it a departure from learned thought? About fifty-five years before the publication of The Malleus Maleficarum, Joan of Arc was tried for heresy, including witchcraft, by an ecclesiastical court. An examination of this trial reveals that, while its judges and Institoris agreed about the activities of witches, they differed on a key point: the witches’ pact with the devil. Institoris’s theoretical basis for the existence of witches was their pact, while the judges in Joan’s trial did not believe witches had these pacts. This indicates that the publication was not representative of beliefs then current in France.*

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The historian Richard Kieckhefer separates witchcraft into three categories: sorcery, invocation, and diabolism. He defines sorcery as “maleficient magic,” essentially a spell or curse designed to cause harm. Invocation, according to Kieckhefer, involves calling on the devil to assist in the magic, while diabolism is an explicit pact with the devil, which includes worship and sexual intercourse. He argues that “diabolism played little or no role in popular belief” and that the idea of diabolism “was evidently the product of speculation by theologians.” However, this is not reflected in Joan of Arc’s trial, as she was not accused of diabolism, but of witchcraft in a general sense. This suggests that in France prior to the publication of the Malleus Maleficarum, many learned people may not have believed in diabolism—only in sorcery and invocation, which they grouped together as witchcraft.

Joan of Arc, an illiterate peasant from France, began having revelations of angels speaking to her when she was thirteen years old. Four years later, in 1429, she followed what she believed to be the advice of St. Catherine and St. Margaret and went to the Dauphin of France, the future King Charles VII; convinced him to give her an army; lifted the siege of Orleans; and pushed the English out of Reims so that Charles could be crowned. She cut her hair short and wore men’s armor while leading the soldiers, who believed she was sent from God. In 1431 she was captured by the Burgundians, who sold her to the English to be tried by an ecclesiastical court in Rouen for heresy. The trial had three parts: a preparatory interrogation in which the judges asked Joan questions from January 9 to March 25, during which she was not officially charged with anything; the

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3 Kieckhefer, 6.
4 Kieckhefer, 31, 38.
6 Karen Sullivan, The Interrogation of Joan of Arc (Minneapolis: University of Minnesota Press, 1999), xii.
accusation phase, in which she was read the seventy counts against her, all of which she denied; and the sentencing phase, in which the twelve counts for which she was convicted were read in public. Following the sentencing phase, she confessed to all the charges against her, though a day later she recanted her confession and was subsequently burned at the stake as a relapsed heretic.

Although the English were motivated to find Joan guilty of heresy, as her actions allowed their enemy to take the crown of France, the questions she was asked were based on information obtained from people she had known throughout her life. As the historian Frances Gies notes, three men were sent to the village where she grew up and to the various places where she stayed while on her campaign. The investigators, named the Lorrainer, Bailly, and Petit, all reported favorably. The Lorrainer said that “he had found nothing in Joan which he would not wish to find in his own sister.” These three men brought a large array of trivia to the attention of the court, and it was on this information that the judges based most of their questions for Joan. They did not inquire about every aspect of her life, only those events that could be related to one of the crimes of which she was suspected, mainly heresy and witchcraft.

The information about witches in the preliminary questions could be seen as a reflection of what the common people who knew Joan believed about witchcraft; however, as the findings were not entered into the court record, it cannot be known what the judges chose to leave out. Also, as the records do not show the questions the investigators asked the people, it is unknown whether the people knew the information they were giving was related to witchcraft. Therefore, the questions reflect only what the judges believed could be incriminating evidence of Joan’s participation in witchcraft and not the beliefs of the common people who supplied the information. The judges were the type of learned men whom Kieckhefer claims believed in diabolism, while the ordinary people did not, though this is not reflected in Joan’s trial record. While this seems to

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contradict Kieckhefer’s argument, he makes very clear distinctions about the years of the trials he examined, which all came after Joan’s. The learned people prior to the publication of the *Malleus Maleficarum* agreed with the commoners about witches’ behavior independent of the devil.

Joan was captured within the jurisdiction of Pierre Cauchon, the Bishop of Beauvais, who was one of the primary judges. Assisting him was Jean Le Maistre, who represented the Inquisition, and Beupere, Midi, and Coucelles, who represented the esteemed University of Paris. Masters of theology also wrote letters giving their opinions on the accusations. Essentially, the judges represented a high echelon of ecclesiastical men. They did not have different categories of witchcraft, and the record shows that their conception of it fits most closely to what Kieckhefer defined as sorcery, not diabolism.

On matters of sorcery, the judges in Joan’s trial and the *Malleus Maleficarum* are in agreement. Institoris wrote that witches can “transport themselves from place to place through the air.” The subject was certainly a matter of interest in Joan’s trial. The judges asked her questions about her jump out of the tower of Beaurevoir, when she heard the English were on their way to take her to trial. They asked her whether “the leap was made at the counsel of her voices” and whether she knew that she would survive the fall. She answered that St. Catherine told her “almost every day not to jump,” but that she leapt anyway and “commended herself to God,” not intending to kill herself. The judges wanted her to admit that the voices told her she would survive the fall, as it was a very high tower, asking again the next day “how she expected to escape from the tower...between two pieces of wood.” Joan testified that she had been hurt in the fall.

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9 Barrett, 2.
11 Barrett, 113.
12 Barrett, 114.
13 Barrett, 119.
and did not escape. The judges were suspicious about whether she believed she could fly or not, even though she obviously could not fly, as she had not escaped.

Similarly, both the *Malleus Maleficarum* and the judges in Joan’s trial were suspicious of fairies, as superstitions about their existence were loosely related to witchcraft. Institoris wrote that those whom old women call “the Good People” are actually witches or “devils in their forms,” and a footnote written by Montague Summers in his translation of the *Malleus Maleficarum* indicates that the Good People are fairies. The fact that fairies could actually be witches or devils indicates that old superstitions were regarded as a belief in witches. That the fairies could be either witch or devil makes the fairies very sinister.

The suspicion of fairies was present in Joan’s trial, as was their association with witchcraft. On February 24, 1431, she was questioned about a tree that grew near her village. She answered that some “called it the Fairies’ Tree; and near by is a fountain,” and that she heard “that people sick of the fever drink of this fountain and seek its water to restore their health.” The judges then questioned her about her association with the tree, for merely knowing of a magical tree was not incriminating. She testified that “sometimes she would go playing with the other young girls, making garlands…and often she heard the old folk say that the fairies frequented it.” She then stated that those old folk were not in her family; however, further questioning revealed that her godmother, Jeanne, the wife of Mayor Aubery of Domremy, said to Joan that she had seen the fairies there. Evidently, Joan was aware that having a witch in the family was cause for concern. Three weeks later, still as part of the preliminary trial, Joan was asked if her godmother was “held to be a wise woman,” and Joan answered further that “she [Jeanne] was held and reputed to be an

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14 Summers, 193. [Part II, Qn. 2, Ch. 8].
15 Barrett, 64.
16 Barrett, 65.
17 Barrett, 65.
honest woman, and not a witch or sorceress.” However, when questioned about “those who consort with fairies,” Joan answered that “she [herself] did not believe in it and thought it was witchcraft.” Even though Jeanne saw and believed in fairies, Joan maintained that her godmother was not a witch, because she did not consort with them. The judges indicated their association of fairies and witchcraft by inquiring about the reputation of Joan’s godmother, yet another instance of their ideas and Institoris’s ideas agreeing on a subject.

The judges in Joan’s trial and the authors of the *Malleus Maleficarum* thought witches used objects to create their magic. Institoris wrote that witches “make their instruments of witchcraft by means of the Sacraments or sacramental things of the church, or some holy thing consecrated to God.” The historian Keith Thomas recounts that a “plethora of sub-superstitions...accumulated around the sacrament” and that one who sneaked a piece of the consecrated wafer out of the church “was widely believed to be in possession of an impressive source of magical power.” Since with holy objects everyday things could be transformed into magical ones, witches’ objects were not limited to the holy. Things that could hold magical power also included herbs, wax figures, animal testicles, serpents, bird’s nests, twigs, seeds, grains, and bones. Joan’s judges were concerned about the objects she had: her armor, her rings, her sword, and her standard, which was a banner with an inscription. The armor was part of the heresy accusation, for a woman dressing like a man was seen to defy God’s natural order. The other objects, however, were investigated for their magical properties.

The judges asked Joan about her rings during three different sessions of the preliminary trial. The first time, she described her rings and demanded that the court return those they

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18 Barrett, 119.
19 Barrett, 130.
20 Summers, 115. [Part II, Qn. 1, Ch. 5]
22 Summers, 118, 121, 135, 138. [Part II, Qn. 1, Ch. 7]
confiscated, though it did not.\textsuperscript{23} She denied that she had ever “cured anyone with any of her rings,” showing that the judges were interested in their magical properties.\textsuperscript{24} The second time, the judges asked whether the “good wives of the town did not touch her ring with their own,” and Joan replied that “many women touched my hands and my rings; but I do not know with what thought or intention.”\textsuperscript{25} The final time, the judges fixated on the inscription, which was marked with three crosses and the words “Jhesus Maria,” and inquired why Joan “gladly looked at this ring when she was going to battle.”\textsuperscript{26} She responded that it was in honor of her parents who gave her the ring and also to honor St. Catherine.\textsuperscript{27} As the judges could not prove the ring performed miracles, they were then interested in whether Joan received strength for battle from looking at the ring. Their interest in the ring related to their notion of sorcery, the concept that witches used what Kieckhefer categorized as “extraordinary substances.”\textsuperscript{28}

Similarly, the judges believed Joan’s sword had extraordinary properties. Joan testified that the angels told her that the sword was behind the altar at the church of St. Catherine de Fierbois, the namesake church of one of her three angels. She sent a man to retrieve the sword, and, when the priests of the church rubbed the sword, “all the rust fell off at once without effort,” and they gave it to her.\textsuperscript{29} The judges asked whether she had the sword with her when she was captured, which she did not.\textsuperscript{30} They seemed to think the sword had protective powers. Then they inquired as to “what blessing she said or asked over the sword,” and “if she ever put her sword on the altar … to bring it better fortune.”\textsuperscript{31} Since they thought the sword protected her, they wanted her to admit that she had charmed the sword to give it those properties. Even though Joan testified that she

\textsuperscript{23} Barrett, 79.
\textsuperscript{24} Barrett, 79.
\textsuperscript{25} Barrett, 88.
\textsuperscript{26} Barrett, 129.
\textsuperscript{27} Barrett, 129.
\textsuperscript{28} Kieckhefer, 5.
\textsuperscript{29} Barrett, 71.
\textsuperscript{30} Barrett, 71.
\textsuperscript{31} Barrett, 71.
found the sword in an extraordinary way, the judges did not think that it was magical on its own; they believed she caused it to be magical.

The judges also thought that Joan’s standard or banner had magical properties as a result of some action she had taken. They wanted to know the pattern of her standard, and she stated that it had “a field sown with lilies; the world was depicted on it, and two angels,” and on it was again written, “Jhesus Maria.” They asked Joan who told her to write these words on it, and she said it was by the angel’s command. A few days later they returned to the subject, asking for the name of the soldier who “caught butterflies in her standard,” an event Joan denied. They asked whether “she herself threw or had others throw holy water” on the standard, which she denied. Again, the judges thought Joan created an extraordinary object through either the words inscribed on it or some action linking it to the sacrament or both.

Up to this point, Joan’s judges the *Malleus Maleficarum* were in agreement as to the activities that Kieckhefer defined as sorcery. They both associated witches with the ability to fly, with fairies, and with charmed objects. However, the two sources disagree about two fundamental ideological principles: that witches had a pact with the devil that included sexual intercourse, and that witches perform harmful magic rather than healing magic. The absence of these two activities from Joan’s trial is crucial, for she would not have been considered a witch without them if she had been tried according to the *Malleus Maleficarum*.

A witch’s pact with the devil was the way she obtained magic, according to the *Malleus Maleficarum*. Through her pact, “the witch truly and actually binds herself to be the servant of the devil and devotes herself to the devil, and this is not done in any dream or under any illusion, but

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32 Barrett, 73.
33 Barrett, 73.
34 Barrett, 73.
35 Barrett, 73.
she herself bodily and truly cooperates with, and conjoins herself to, the devil.” Institoris clarifies that by “bodily and truly cooperates,” he meant in a sexual way. According to this document, witches “devote themselves body and soul to all evil...and indulge in every kind of carnal lust with Incubi and Succubi and all manner of filthy delights.” This was also the reason most witches were women, according to the text, for “all witchcraft comes from carnal lust, which in women is insatiable.” The historian Hans Peter Broedel argued that it was “the specifically sexual link between demons and witchcraft” that Institoris thought characterized witches, distinguishing them from seers or medicine men. Although Kieckhefer argued that the belief in diabolism came solely from the learned classes “who could make no sense of sorcery except by postulating a diabolical link between the witch and her victim,” diabolism was not present in Joan’s trial. Joan’s virginity was verified by Charles VII before he allowed her to act on his behalf, and it was not in question throughout her trial. As Gies described the proceedings, a committee of ladies examined Joan and found her to be “a true and complete virgin.” She also testified that she was a virgin and had “vowed to keep her virginity as long as it should please God.” She stated further that she believed the angels would no longer come to her if she did not stay a virgin. Throughout the trial the judges referred to her as the “woman commonly known as The Maid,” indicating they, too, believed she was still a maid.

In addition to a pact with the devil, another key component of witchcraft was the intent to do evil. According to Institoris, a witch will “produce real and actual evils and harm.” Broedel argues that “the alleged witch had to be linked directly to some specific injury.” This emphasizes

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36 Summers, 7. [Part I, Qn. 1]  
37 Summers, 21. [Part I, Qn. 2]  
38 Summers, 47. [Part I, Qn. 6]  
39 Broedel, 24.  
40 Kieckhefer, 36.  
41 Gies, 55.  
42 Barrett, 101.  
43 Barrett, 105.  
44 Summers, 6. [Part I, Qn. 1]
the negative, destructive property of a witch’s activity. However, Joan’s activities that the judges thought were miraculous or magical were all positive. The judges asked her whether she had found a missing pair of gloves that the king was consecrated with, whether she had pointed out a married priest, and whether she had found a missing cup, all of which she denied. Even the miraculous act to which Joan admitted was positive: She testified that women were praying before the image of Our Lady for a stillborn child that had been dead for three days, and “she went and prayed with the other maidens, and at last life appeared in the child, which yawned thrice, and was afterwards baptized: and immediately it died and was buried in consecrated ground.” Such an act was seen to have saved the soul of the child, as it could go to heaven after being baptized, indicating that this revival was not a malicious act. Thomas argues that, beginning with Edward the Confessor (r. 1042-1066) and practiced until the eighteenth century, English kings performed the same miracles, curing people with ailments in their head, neck, and eyes. However, as kings were believed to be anointed by God, they were seen to have special powers that a lay person could not claim. The judges did not mention whether the miracle was suspicious because it was a commoner performing it or whether it was seen as witchcraft, but the important point is that the miracle was a positive one, not an act intended to cause harm.

During the exploratory pretrial phase, the judges asked Joan many questions, some relating to witchcraft, as has been noted above. It is clear from these examples that the judges believed in sorcery and superstition, though not in diabolism and the inherent evil nature of a witch’s activities. This conflicts with the major basis of Institoris’s theory on witches, that witches enter a pact with the devil to commit evil. At the beginning of the trial on March 28, the articles of the accusation were read aloud, and the goal of the trial was stated partly as, “to the end that she should be

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45 Barrett, 87, 111.
46 Barrett, 89.
47 Thomas, 193.
denounced and declared by you her said judges as a witch, enchantress, false prophet, a caller-up of evil spirits, as superstitious, implicated in and given to magic arts." The accusations included charges that Joan had “performed, composed, mingled in and commanded many charms and superstitions...called up demons and evil spirits,” and that she “was lessoned and initiated by certain old women in the use of spells, divinations, and other superstitious works or magic arts.” Joan denied all the charges that did not match her earlier answers. Another accusation was that Joan was “deceived by evil spirits, and that she ha[d] frequently consulted them in her actions; or, to mislead the peoples, she ha[d] perniciously and falsely invented such fictions.” This shows that the judges believed that the angels who spoke with Joan were either evil spirits or just figments of her imagination. The devil is not mentioned anywhere, nor is an explicit pact. This conception of a witch would fall into Kieckhefer’s definition of invocation, as the judges saw that Joan spoke with evil spirits but not with the devil. Institoris does not make distinctions such as these; for him the definition of a witch is absolute.

Following the reading of the accusations, the judges drew up twelve charges against Joan, but, ultimately, despite their previous rigorous questions that pertained to the subject, only one, the fourth question, contained a reference to witchcraft: “The said woman says and affirms that she is as certain of future and purely contingent events, and that they will be realized.” Thomas argues that the Church did not object to attempts to “foretell the future by purely natural means,” indicating that it was the belief that Joan’s saints were actually evil spirits that was the issue. Of all the accusations of witchcraft, only a charge of knowing the future made the final cut, which shows the judges were uncertain of the proof of witchcraft, as Joan’s denials were never refuted. The

48 Barrett, 139.
49 Barrett, 142, 143.
50 Barrett, 166.
51 Barrett, 227.
52 Thomas, 254.
historian Marina Warner argued that the judges “concentrated on charges of minor sorcery because by implicating her in such activities, she would be naturally guilty of the more fundamental crime.” However, the judges did not find Joan guilty of the graver crime, as they apparently did not feel there was enough proof to convict her of sorcery. Concerning the voices, the charge was that she did not have sufficient evidence to prove to herself that they were angels, and, since her belief was accepted so lightly, the voices were merely superstitions. This sounds more like heresy for circumventing the church’s role rather than a charge of speaking with evil spirits.

The twelve charges were sent to many prominent members of the church, and eight of their letters are included in the trial record. Of all these prominent men, only two even mentioned anything related to witchcraft. The Lord Bishop of Lisieux wrote, “One of two things must be accepted: either that there have been deceptions and phantasms on the part of devils who usurp the form of angels and sometimes counterfeit the appearance and likeness of different persons, or that they are lies humanly conceived and invented to abuse gross and ignorant natures.” Again, he did not equate Joan’s voices with a pact with the devil, merely that she might have been deceived by the devil. He believed she was either gullible or a liar, but not a witch. Master Raoul Le Sauvage, bachelor of theology, was even more forgiving, calling her “presumptuous” for divining the future and advised the judges to “take into account the frailty of womankind” and to allow her to be “charitably admonished to reform, and not to presume so much upon revelations which may be uttered and invented by the evil spirit.” He wanted to allow Joan to be forgiven for her crimes, to allow her to reform her ways.

The judges then threatened Joan with torture, something the Malleus Maleficarum strongly recommended. Institoris wrote, “she is to be exposed to questions and torture to extort a
confession of her crimes.”  The judges showed Joan the instruments of torture that would be used against her “in order to restore her to the way and knowledge of truth, and by this means to procure the salvation of her body and soul which by her lying inventions she exposed to such grave perils.” 

However, due to “the hardness of her heart and her manner of answering,” it was decided “that the torments of torture would be of little profit to her,” and they did not do it. Institoris would have disagreed with this decision, for he felt that even though a witch “will sooner be torn limb from limb than confess any of the truth,” due to the devil’s help, she might eventually confess if the devil abandons her.

The judges convicted Joan on every charge, including those of belief in evil spirits and divination. The historian Regine Pernoud argues that, since the judges had “absolutely no foundation” to build a case against her for witchcraft, they made her “male attire the symbol of her refusal to submit to the Church,” indicating that Joan’s answers were insufficient for a guilty verdict. Once she knew that she was going to be burned, Joan confessed to all charges and put on women’s clothes again. The judges removed the death penalty and excommunication from her sentence and instead sentenced her to life imprisonment. However, the following day she again wore men’s clothes and renounced her confession, saying she confessed, “only for fear of the fire.” The judges declared her a relapsed heretic in public, and her sentence was the same sentence Institoris would have recommended. The *Malleus Maleficarum*’s sentence for one “who hath confessed to Heresy, is Relapsed, and is also Impenitent” is that their “temporal body should

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57 Summers, 223. [Part III, Qn. 13]
58 Barrett, 279.
59 Barrett, 280.
60 Summers, 223. [Part III, Qn. 13]
62 Barrett, 319.
be consumed in the flames.” It was a common belief that witches should be burned for their crimes.

The *Malleus Maleficarum* became the authoritative guidebook within fifty years of its publication, according to Broedel, and through it “the learned definition of witchcraft had stabilized.” Thomas argues that it was the publication of this treatise as well as a papal bull issued in 1484 that linked witchcraft with heresy by insisting on the witches’ pact with the devil. As the very prominent judges in Joan’s case did not believe in diabolism, it can be safely asserted that, in France prior to the publication of *The Malleus Maleficarum*, even the learned classes did not believe in diabolism only in sorcery and invocation, which they grouped together as witchcraft. It seems that Institoris created a new theory of witchcraft that blended previously held notions of witchcraft, such as sorcery, with more theoretical and ideological notions, such as diabolism. Perhaps he encountered the idea of diabolism from a different region, and the *Malleus Maleficarum* is not representative of beliefs in France only. As Kieckhefer showed, witchcraft trial records are few prior to the publication of *The Malleus Maleficarum*, though it seems that its publication shaped not only the trial method, but also the theoretical conception of witches in France.

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63 Summers, 259. [Part III, Qn. 31]
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