

*Marks of an Absolute Witch: Evidentiary Dilemmas in Early Modern England.*

Orna Alyagon Darr.

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This well-researched and richly informative book examines the development of standards of evidence in English witchcraft trials, with close attention paid to the debates surrounding them and the “special interests” that helped to shape outcomes. Witchcraft, a crime with potentially grave consequences for a community, was also notoriously difficult to prove without a confession, falling into what Darr calls a “serious-but-hard-to-prove” category plagued by evidentiary ambiguities. While some assumptions about evidence were widely shared in this transitional period for English criminal law, others were contested, with positions often varying according to region, class, professional affiliation, religious doctrine, and other social or

cultural factors. Darr's larger aim here is to show that "evidentiary techniques are socially constructed through a symbolic struggle between various social and cultural groups" (6), and to call into question the views of legal historians who hold that rules of evidence develop through a more orderly and objective unfolding of judicial logic. Her claims are grounded in an analysis of 157 documents published between 1561 and 1756, including legal manuals, witchcraft pamphlets, religious tracts, and demonologies — texts she finds to be the richest source of information about conflicting attitudes toward witchcraft — and she draws helpfully from the work of recent historians on witchcraft (Sharpe, Gaskill, Gibson, Clark, Levack) and early modern criminal law (Shapiro, Langbein, Cockburn) to supplement her analysis of the primary sources.

The general outline of her overview of pretrial and trial procedures and of the main types of evidence used against accused witches will be familiar to readers of recent historical work on English witchcraft. But her well-organized presentation, thorough familiarity with the existing scholarship, and judicious selection of supporting material makes the book a highly usable reference tool as well as a fresh contribution to the field. No other scholar has provided such a detailed account of the varieties of evidence used in witchcraft trials or of the questions and debates associated with them. Chapters cover the use of circumstantial evidence about neighborly quarrels and the accused's reputation and behavior, searching and pricking for the devil's mark, physical evidence such as clay figures or drawings of circles, testimony about imps (i.e., familiar spirits), the swimming test, scratching, and experiments undertaken to determine supernatural activity. Also considered are judge's biases; credibility issues regarding testimony by children, other known witches, and experts, such as physicians; hearsay evidence; and the use of oaths as a guarantee of courtroom honesty. Confession, supposedly the gold standard for evidence in witchcraft trials, is, rather oddly, treated last, but Dorr shows that it too presented evidentiary dilemmas.

The book as a whole is particularly good at demonstrating the range, sophistication, and power of skeptical questioning, especially by physicians, clerics, and legal writers. Darr shows that contemporaries raised modern-sounding questions with some frequency. How could a witch's curses be distinguished from everyday anger? What distinguished witch-caused illnesses from natural ones or from divine punishment? When was a fleshy protuberance a devil's mark or teat for suckling imps and when was it simply a wart? How could one tell the difference between an imp and a natural animal or pet? It is rather reassuring to see the vehemence with which some writers denounced some of these practices. Physicians were especially likely to attack beliefs about the devil's mark. Thomas Ady, for example, called such beliefs "folly and madness," which "to affirm, is a phantastick Lye, invented by the Devil, and the Pope," and John Webster thought prickers were "wicked Rogues" who used "wicked means and unChristian practices" to cause innocent deaths (127). Though questions about distinguishing imps from actual animals were less frequently raised, even advocates of witch-hunting sometimes asked, as John Gaule did, "Who can flatly atest w[i]th a good

Conscience, that this or that Dog, Rat, Mouse, &c. is the Witches Imp or Familiar?" (147). Darr is especially successful in her chapter on the devil's mark at showing the way perspectives on evidentiary value could vary according to occupation or professional affiliation. Other chapters show greater variation within groups. Her chapters on imps, the swimming test, and scratching, for example, reveal how divided Protestant clerics could be when considering popular beliefs that had no clear scriptural basis.

Darr is sometimes on shakier ground when she wanders away from specifically legal issues. Her flat claim that the "English concept of the witch's familiar had no parallel in European countries," for example, deserves qualification. (Robin Briggs, for one, has noted the existence of stories about animal familiars in France and the duchy of Lorraine.) Although she describes the period under study as an "era of transformation" (10), she pays little attention to the chronology of shifts in attitudes within the two centuries she covers. Some will question her decision to exclude trial documents from her study. Nevertheless, this important and highly useful book significantly enriches our understanding of the evidentiary dilemmas in witchcraft trials and will be an enduring contribution to the fields of witchcraft studies and legal history.

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