

JUNE 1727 was freezing, nowhere more than in the Highlands. But the citizens of Dornoch had a different reason for lighting a big bonfire one day that month on the open space which passed for their market-place.

Theirs was a miserable little town. According to its minister in 1791, the Rev John Bethune, writing in the *Old Statistical Account*, it lay "in the last stage of decay", with no more than 100 houses and 500 people. Presumably it had already been well on the way downhill in 1727.

The main reason Dornoch existed at all was as the seat of a bishopric, but bishops had long vanished from Scotland. The castle in which they used to reside had been besieged and slighted during the Reformation. Its massive walls, restored as a hotel today, still stood open to the sky.

Opposite, the cathedral, partly ruinous too, had become for all its medieval grandeur a humble kirk. Bethune said it was "a very incompetent house of worship, being extremely cold, and beyond the powers of an ordinary voice". The churchyard doubled as the market-place, with the road to the north running through.

This was the scene of such public events as Dornoch ever saw. If crumbling and destitute, it remained the head burgh of Sutherland, where magistrates and ministers met to deliberate, in English, about good order and sound doctrine among the county's Gaelic-speaking peasants. Sometimes they were obliged to set a stern example. That was the reason for the bonfire. They had it lit to burn a witch.

Under lowering skies, they brought Janet Horne to the place of her execution. She had been held in little comfort, so she felt very chill. Her face brightened as she approached. "An teine beag! - The little fire!" she mumbled in pleasure, spluttering from laughter like a small child, and rubbing her hands as she was led up to the flames. The crowd noted with interest her choice of adjective. If she had exclaimed "An teine mor!", the people would have said she was seeing hellfire.

She sat there "very composedly", while the other instruments of her death were prepared. By the normal procedure the witch would be tied to a stake and strangled. Her body would be covered in pitch, or shoved into a barrel of pitch, and consumed on the pyre.

Horne hailed from the parish of Loth, up the coast near Helmsdale. She had been tried with her daughter who, however, was acquitted as an unwilling accomplice. The chief crime laid to the mother's charge was that she had maimed the girl by turning her into a pony, summoning the devil to get her shod her with horseshoes, then riding on her to a witches' sabbat. The sole fact amid this farrago of nonsense was that the daughter had crippled hands and feet. Since she later bore a son with the same deformities, we may conclude that some unfortunate genetic defect was to blame.

HORNE was the last witch to be burned in Scotland. It does not cast the nation in a good light to find this going on when Newtonian physics had already been introduced at Aberdeen University, when students in Edinburgh were debating the respective philosophical merits of Bishop Berkeley and John Locke, when the merchants of Glasgow waxed richer every year from trade to America, and when the country's first blast-furnace was just being built.

Yet in a strange way the belief in witchcraft was a facet not of the ancient, but of a more modern Scotland. It had not been made a criminal offence till 1563. Before that there had been witches, so called by themselves or others. But they were seldom persecuted or killed.

To the still half-pagan mind of the medieval Scot the air was full of good and evil presences, from saints down to sprites. Any effort to get rid of them would be at once futile and

# Damned to the judgment of the little fire



THE 1720s

In 1727 an aged Janet Horne was brought to the stake at Dornoch and became the last woman in Scotland to be burned as a witch.

**Michael Fry** recalls the terror of the witchhunts

perilous, likely to open a supernatural Pandora's box. The best thing was appeasement, with little gifts left out overnight.

It was the Reformation that drove witchcraft underground and made death a normal punishment for it, on the authority of the Mosaic text, "Thou shalt not suffer a witch to live." To hunt down and root out witchcraft became one of the Scots' missions as a chosen people, part of the grand design for a Reformed, godly nation.

Now they were wholly christianised for the first time, taught to place personal salvation and orthodox belief above all else. This was why the Kirk set so much store by literacy, and by the sermon, the most potent new mode of expression. Simple peasants, who had little other contact with the outside world, were browbeaten every Sunday by their minister's ferocious eloquence, his lurid images of hell and the devil, his message of predestination, that it was utterly vain for any of them to try redeeming himself.

The State joined the Church in enforcing higher moral standards. It too underwent a revolution, especially in its jurisprudence, through the College of Justice already established in Edinburgh as a central court for the nation in 1532. Before that most courts, where they existed, had been local, concerned with righting the wrongs done to individuals; and where courts did not exist there was always the feud. Now, in place of this casual and ramshackle structure, justice became majestic, above all retributive, a means of attacking deviance and imposing general, abstract laws.

Feudal justice did not at once disappear. It was still dispensed in the so-called regalities, where noblemen held kingly powers over life and death on their own lands. Just two crimes could not be alienated to regalities, but had to be tried in the cen-

tral system. One was treason, the supreme offence against the king. The other was witchcraft, the supreme offence against God.

Some Scots, as they examined their consciences and inquired into the state of their souls, were almost bound to conclude that they must be damned, that the devil was their master and that they should worship him. There seems no doubt that covens of deluded satanists did spring up.

At any rate, witchhunts went on for the better part of two centuries after the Reformation, reaching peaks every so often before receding again. In that time, at least 3000

usually a mole or a birthmark, which did not make her cry out in pain when pierced, it was taken as absolute proof that the devil had touched her there.

The most hysterical and sadistic witchhunt came in the 1660s, after the Restoration when Scottish national neurosis was acute. George Mackenzie of Rosehaugh then embarked on a prominent legal career. His personal culture was aristocratic, with little time for the people and their Presbyterianism, which he condemned for its violence, rebellion, and disloyalty in his book *Religio Stoici*. "Bluidy Mackenzie" never hesitated to use the full rigour of the law.

But he must have had a heart, for he was moved to pity by a helpless old woman awaiting her fate: "She told me under secrecy that she had not confessed because she was guilty, but being a poor creature who wrought for her meat and being defamed for a witch, she knew she would starve, for no person thereafter would either give her meat or lodging, and that all men would beat her, and hound dogs at her, therefore she desired to be out of the world. Whereupon she wept bitterly and upon her knees called God for a witness to what she said."

The Scottish Government of the time was authoritarian, and cracked down on all popular disorder, even if directed against the devil. Mackenzie and other lawyers did not doubt the existence of witches, but still wanted to make sure they would be dealt with by due process. They introduced safeguards, modest but enough to put a stop to the great witchhunts.

Odd trials and executions still took place, and even spread to the Highlands, till now almost free of them: perhaps a sign that this region, too, was at last leaving behind its half-pagan past. More than half a century later we find the

Lord Advocate, Robert Dundas of Arniston, writing a snooty letter, dated March 5, 1719, to the Sheriff of Caithness.

Dundas had reports from there of "very extraordinary, if not fabulous, discoveries of witchcrafts". He pointed out that "it is the part of every sheriff, when things of that kind fall out, to transmit an account of it to those whom His Majesty is pleased to employ to look after these matters, it being our duty". He pulled the sheriff up and warned him not to proceed with the case on his own authority, because it was "above the jurisdiction of an inferior court". But there is no hint in the letter that Dundas disbelieves in witchcraft.

As an evangelical Presbyterian, one of the "high-fliers" as they were dubbed, Dundas probably did believe in witches, along with the other teaching of the old-time Covenanting Kirk. What was happening to it worried these people. Despite the guarantees in the Treaty of Union, the Parliament in London still did not like Presbyterianism, and had clipped its wings, notably with the Patronage Act of 1712, which robbed congregations of the right to call their own ministers. The high-fliers were vigilant, but nervously aware of the need to forestall further encroachments.

DUNDAS had among his friends the Rev Robert Wodrow, minister of Eastwood, famed as a preacher and active in the politics of the Kirk. He had belled the cat at the Hanoverian succession by asking King George I for repeal of the Patronage Act. He got nowhere, but people often asked him to position himself so as to bring his influence better to bear, to accept a charge in Glasgow or even Edinburgh and to serve his turn as Moderator of the General Assembly.

Yet he preferred to stay in rustic Renfrewshire, for he had a big writing project in hand. In 1721-22 he published his monumental *History of the Sufferings of the Church of Scotland from the Restoration to the Revolution*, a riposte to Mackenzie's attack. The Covenants, Wodrow countered, had to be understood in context, as an effort "through so much blood and suffering" to preserve Protestant liberties. It was a reasonable view, though hardly what the Covenanters themselves would have said. Wodrow in effect apologised for them, tried to make them respectable for a new, less-fraught age.

Wodrow also kept a commonplace book, which he called *Analecta*, things picked up on his daily round. It is full of rumours of Jacobite plots, and remarks on the "terrible increase of popery" (in fact, Scottish Catholicism was now in sharp decline).



Illustrations: *A History of the Scottish people*, TC Smout, Fontana Press; inset from *Edinburgh*, Allan Massie, Sinclair Stevenson

Trials of life: the devil preaching to the witches in North Berwick and scenes relating to incidents which the East Lothian witches "confessed" to at their trial in 1590 and (inset) Sir George Mackenzie.

Ever present in its pages is the Duke of Argyll, victor over the Jacobites in 1715, rising on the back of that to political mastery of the country, as one of the few among his compatriots whom the English trusted: he was, after all, an Old Etonian. But Wodrow trusted him not a bit. He noted down for future reference how the duke was a secret Jacobite, or had introduced the Prince of Wales to the whorehouses of London. Argyll's ancestors had fought and died for the Covenant, yet he himself seemed to be an agent of servitude and corruption.

Why else, high-fliers asked, did the duke pack the General Assembly with his minions? In 1726, Wodrow recorded in horror the presence of a young advocate, George Ogilvy, son of the Lord High Commissioner, the Earl of Findlater (and so a nominee of Argyll): "One who does not look as if he were 20 or 24 was designed to be chosen ruling elder from the burgh of Cullen in this Assembly. His reputation is not entire. He is alleged deistical in his principles. He fell into fornication." Here was the threat made flesh, in false doctrine and evil habits.

More even than with the duke, Wodrow was obsessed with John Simson, professor of divinity at Glasgow University, and successor there to Wodrow's own father, so he probably felt a proprietary interest in the orthodoxy of the

chair. For his taste Simson's teaching placed far too much stress on the "lights of nature", contrary to a Calvinism which held that the only things worth knowing came through revelation.

And did Simon believe in the divinity of Christ? He seems to have been a mild-mannered fellow who deferred to his critics, so he was difficult to pin down. Anyway, he did not believe in the divinity of Christ enough for the Presbytery of Glasgow, hard men all, who denounced him to the General Assembly. Lo and behold, there "we had a report that some members from burghs, Inveraray and the like, were writ to come up and support a person that was much wronged". In other words, according to Wodrow, Argyll backed Simson.

**W**HAT, after Presbyterianism had broached a new and temperate path, was to be done about this blatant subversion? One course, perhaps, would be more zeal in matters of less political import, to display the Kirk's authority and its command over the minds of Scots. Wodrow would at last, in 1729, get Simson deposed from his chair, but meanwhile he turned to witches.

Wodrow doubtless believed in witchcraft too: at any rate, people thought it worth bringing cases to his attention, and one high-flier

urged him to publish a treatise on the subject. This was another fresh face at the General Assembly of 1726, a young minister from Ross, the Rev James Fraser, son of a Covenanted manse whose father had been banished to America by James VII. He had even suffered a bit himself. Episcopians – for which read Jacobites – had resisted his induction at

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Alness that spring, as they were sometimes still numerous enough to do in Highland parishes: they locked the kirk and made him preach in the graveyard.

The year after that first meeting, in April 1727, Fraser wrote to remind Wodrow of his suggestion. He was prompted by the discovery of a witch among his own flock, and then by this: "There has been a great noise in the parish of Loth, in Sutherland, by which the minister is said to have suffered. He is not yet recovered,

however, the case has been examined into, and the women were, I know, before the presbytery."

This minister was the Rev Robert Robertson, of an age with Fraser, and presumably acquainted with him, who may anyway have been in poor health because he was to die early. Wodrow recorded the news, in rather garbled form, with a tale about a minister losing the sight of one eye through sorcery.

What was going on at Loth? One surmise we can make about its people is their Calvinist orthodoxy. The minister who later wrote the parish up in the *Old Statistical Account*, the Rev George McCulloch, boasted there was not a single religious dissenter among them, though he found as well a spontaneous evangelical life so ardent as to unnerve him: "Though there be no open schism to divide them in public worship, they have their lay leaders, some of the boldest and most conceited speakers at fellowship meetings, whom they implicitly believe."

Here the scene was set for Scotland's last burning of a witch. We have a christianised peasantry bent on rooting out deviance; McCulloch remarked that "the common people entertain strong prejudices against their relations to this day". We have a sick minister and ready ears for malicious gossip in a paranoid high-flying presbytery. We have a confused and senile old woman, who

when brought before it agreed with all the charges, good-naturedly and winking at her clerical accusers. We have her passed to the civil power, to a sheriff who must be presumed by the precedents to have got permission to proceed. We have a trial and a jury, overawed by the combined forces of Church and State, pronouncing a verdict of guilty. And we have a sentence of death. But behind the scenes, some very long fingers may have reached out to choke the life from Janet Horne on that dreich day in the summer of 1727.

Seven years later the law against witchcraft of 1563 was repealed, though not on any Scottish initiative. The English were repealing their law, and somebody in the House of Lords thought to bring Scotland in by an amendment. A substitute came in the Witchcraft Act of 1735, which admitted only the crime of pretended witchcraft and set a maximum sentence of a year's imprisonment and pillorying on quarter-days.

No Scot was ever prosecuted under it. The Act could not indeed be applied in Scotland, which had no prisons, no pillories, and no quarter-days. But for many years afterwards, in their Presbyteries and assemblies, high-fliers protested that this reform was "contrary to the express law of God".

■ The next instalment of The Millennium Project will appear in *The Herald* on Thursday, November 7.