

# Confessions of a Harvard-Trained Witch Hunter: An Analysis of Judge Samuel Sewall's Confession of his Role in the Salem Witch Trials

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Samuel Sewall was perhaps the most famous judge of the American Puritan era. His views were recorded in voluminous courts records, including the infamous Salem witch trials, his diaries, and his numerous tracts.<sup>1</sup> Born in 1674, he was commissioned as judge in May 4, 1691, with these words, “let us serve our generation according to the Will of God, and afterwards fall asleep.”<sup>2</sup> After he “fell asleep,” however, history awoke to render a verdict on his role in the Salem witch trials.

## Introduction: The Manner and Content of Sewall's Public Confession in the Witch Trials

### The “How” of the Confession—The Manner of Sewall's Recanting

Into the ivy-covered cedar meeting house of South Church of Boston Judge Samuel Sewall entered to experience a defining moment in his career in jurisprudence. Sewall passed his written confession to one of the Puritan ministers, then proceeded to take his seat in the pew as he was accustomed. As the minister began to read the confession, Sewall manly stood up in the presence of the congregation. The confession, read aloud by the minister, implored forgiveness from his onlooking peers. Sewall's role in the condemnation of twenty souls in Salem's witch trials enslaved him in wrenching guilt.<sup>3</sup>

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1 See, for example, Suffolk County Probate Court, Province of the Massachusetts-Bay in New England: *Samuel Sewall Esq.; Judge for the Probate of Wills, and Granting Letters of Administration, with the County of Suffolk; Purposes, God Willing, to Wait upon that Business, at his Dwelling House in Boston, Every Second Day of the Week* (Boston: Bartholomew Green, 1715).

2 Ola Elizabeth Winslow, *Samuel Sewall of Boston* (New York: The Macmillan Company, 1964), Prologue.

3 Mary Caroline Crawford, *The Romance of Old New England Churches* (Boston: L. C. Page &

His chosen means of catharsis was public recantation. What motivated the recantation? Was the recantation merely a religious phenomenon or a catharsis reasonably explained by the science of psychology? Or, does an analysis of Sewall's act require an intersection of the disciplines? Although historians chronicle Sewall's recanting, historians appear reticent to analyze the mind-set from which the recantation derives.

### **The “What” of the Confession—The Written Recantation**

At the crucial turning point in his social existence, Sewall, at age eighteen, perhaps redeemed himself from the harshest verdict of history when he stood before Boston's South Church while his words were read aloud to his peers:

Samuel Sewall, sensible of the reiterated strokes of God upon himself and family; and being sensible, that as to the guilt contracted upon the opening of the late commission of Oyer and Terminer at Salem (to which the order for this day relates) he is, upon many accounts, more concerned than any that he knows of, desires to take the blame and shame of it, asking pardon of men, and especially desiring prayers that God, who has an unlimited authority, would pardon that sin and all other his sins, personal and relative; and according to his infinite benignity, and sovereignty, not visit the sin of him, or of any other, upon himself or any of his, nor upon the land. But that He would powerfully defend him against all temptations to sin, for the future and vouchsafe him the efficacious, saving conduct of his word and spirit.

Sewall was alone among the judges in this confession. Later the same year, Salem jurors asked public forgiveness along with several ministers.<sup>4</sup> Under no ecclesiastical stricture, canon law, or coercion Sewall voluntarily humbled himself before peers over whom he was promoted as judge. His lonely abasement self-inflicted, he bowed into the posture of a confessor.

### **Analysis: The “Why” of the Confession—Sewall's Motivation**

Unfortunately, no extant work adequately delves into the motivating forces which culminated in Judge Samuel Sewall's break from his fellow jurists to admit he committed irreversible error in Salem—he could not bring back the innocent he condemned. Neither religious dogma, theological formulae, nor modern psycho-analytic matrices can fully label every rubric in the human psyche. The separate disciplines of religion, ethics, and psychology each fall short of a full purview of Sewall's motivation to lay himself bare before his peers. The answer is not “either, or” but “both, and”—the disciplines of psychology, ethics, and religion intersect to disclose Sewall's motivation as an outworking of his whole person. His act of public confession on January 14, 1696 in Boston's South Church was an outcropping of religious, moral, and psychological seeds.

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Company, 1904), p. 101.

4 Theodore Benson Strandness, *Samuel Sewall: a Puritan Portrait* (East Lansing: Michigan State University Press, 1967) p. 76.

Sewall's confession derived from the intersection of the religious, moral, and psychological dimensions of his psyche.

## **The “Who” of the Confession—Sewall's Psychological, Moral, and Religious Underpinnings**

### **His Critics and His Character**

Sewall had critics—they accused him being “commonplace,” “mercenary,” “selfish,” “sordid,” especially in marriage matches. Chamberlain, who wrote the lengthiest biography of Sewall, defends Sewall on every charge. Sewall's uncommon character, the character to swallow his pride by voluntarily admitting wrongdoing before his peers, was self-evident. Although Sewall was rich by the standards of his day, he loved money no more than “most people around him.” Further, he demonstrated the same frugality of his New England associates. Moreover, the concern for the violation of the rights of the falsely accused is anything but selfish. Chamberlain applies a maxim of Lafochefoucauld to Sewall—“seeking one's own, careful of the rights of others, is never selfishness.” Regarding Sewall's marriage, he married rich, being rich. This was, Chamberlain defends, the custom of the times.<sup>5</sup> The Puritan vernacular of his age codifies the spirit of Sewall's diaries—“he was a man in whom grace and nature had long striven together for mastery, and that each had several falls.”<sup>6</sup> Sewall was far from perfect, but no record implies that he was socially dysfunctional. Accordingly, social dysfunction was not the motivation of his public confession.

### **His Temperament**

Sewall was an exact Puritan in deportment. In exterior, perhaps no one was more Puritan. In his college life, in council, in the meeting house, and in social life—he maintained a “grave, granite temper.”<sup>7</sup> Sewall's rigidity is evidenced by his stern discipline of his children. Wendell, in his seminal work on Cotton Mather, a friend and contemporary of Sewall, cites an excerpt from Sewall's diary:

1692, Joseph [Sewall's eldest child] threw a knop of brass at his sister Betty on the forehead so as to make it bleed and swell; upon which, and for his playing at Prayer time, and eating when returning thanks, I whipped him pretty smartly. When I first went in he sought not to show and hide himself from me behind the head of the cradle.<sup>8</sup>

Despite an apparent rigid exterior, a deeper look into Sewall's psyche reveals he was far

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5 N. H. Chamberlain, *Samuel Sewall and the World He Lived In* (Boston: De Wolfe, Fiske & Company, 1898), p. 307.

6 *Ibid.*, p. 304.

7 *Ibid.*, p. 306.

8 Barrett Wendell, *Cotton Mather—the Puritan Priest* (New York: Dod, Mead, and Company, 1891), pp. 30, 31.

from melancholy in his temperament. Rather, Chamberlain argues “by nature Sewall was not a Puritan.” Chamberlain calls Sewall a “robust Englishman; led of his blood towards good dinners, merry wassail out of deep, silver-rimmed horns, as Saxons had done long before Harold had at Hastings; fond of merrymakings; a snatched kiss under the holly; a lover of little children gleesome in the Twelfth Night dances . . .”<sup>9</sup> The apparent discrepancy between Sewall's exterior and interior life may reveal a studied balance—an adaptable versatile personality which suits particular social surroundings. Or, the discrepancy may reveal a personality over-sensitive to surroundings, that “caves in” to various social pressures. Winslow, however, another biographer of Sewall, sees no discrepancy between his outward demeanor and apparent emotional surges. Rather, Winslow describes Sewall with a consistent, pervading optimism:

Samuel Sewall indulged in no Jeremiads.<sup>10</sup> He was by nature not inclined to look on the world around him with a disapproving eye. New England had been kind to him, and in his comfortable prosperity he lived on an even keel.<sup>11</sup>

Although Winslow's work is thorough, Winslow does not appear to penetrate the depth of Sewall's psyche as incisively as Chamberlain's. Inclusion of the evidence of the criticism of Sewall's detractors, Chamberlain's record, Winslow's record, and Sewall's diaries, Sewall appears to have experienced emotional surges more extreme than average. These apparent surges, however, fall short of what the modern field of psychology would call “manic depressive.” Accordingly, emotional instability was not the overriding motivation for Sewall's recantation.

#### **His View of the Value of Human Life**

Sewall's hierarchy of values prioritized life and liberty, in that order, above all others. Sewall's sense of priority of values protrudes in his diatribe against slavery, “The Selling of Joseph—A Memorial.” Sewall viewed life and liberty as singular gifts of God; therefore, both life and liberty should be cherished. Liberty, “in real value next unto life” according to Sewall, should not be surrendered. Further, liberty should not be deprived from others, including slaves.<sup>12</sup> Sewall did, however, couch his counsel that liberty should not be voluntarily surrendered or involuntarily taken from others with the proviso “but upon the most mature considerations.”<sup>13</sup> Mature considerations included the practice of indentured servitude and the taking of prisoners, but only in a “just” war. The legal institution of indentured servanthood allowed a party to surrender their liberty for a maximum of six years in exchange for room, board, right of passage, if necessary, to the Bay Colony, and some severance compensation. Sewall's view of the taking of prisoners

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9 N. H. Chamberlain, p. 306.

10 A “Jeremiad”, in Puritan parlance, was a particular variety of homily that derived from the prophet Jeremiah. As Jeremiah preached to an apostatizing Israel, Puritan ministers resorted to this variety of address to call an “apostatizing” colony to spiritual resurgence.

11 Winslow, p. 81.

12 Samuel Sewall, *The Selling of Joseph - A Memorial* (Northampton: The University of Massachusetts Press, 1969), pp. 16-17.

13 Ibid.

in a just war derived from Deuteronomic texts<sup>14</sup> and the Augustinian doctrine of just war.<sup>15</sup> Sewall's view of slave traders imaged Moses' view articulated in Exodus 21:16, "he that stealeth a man and selleth him, or if he be found in his hand, he shall surely be put to death." Sewall, like Moses, viewed slave trading as "stealing" human beings. Moses placed such high value upon human life that he prescribed the death penalty for kidnappers.<sup>16</sup>

Further, Sewall substantiated his opposition to slavery on theological grounds. Because Sewall presupposed that humankind stemmed from common ancestral progenitors, the biblical Adam and Eve, Sewall concluded that humankind consisted of "siblings." Siblings, sharing a universal parenthood, should respect the life and liberty of each other. "All," according to Sewall, "are cousins, and have equal right unto liberty, and all other outward comforts of life."<sup>17</sup> The environment, with all its bounty, "God hath given . . . with all its commodities unto the sons of Adam."<sup>18</sup> Sewall, however, did not hold that the universal fatherhood of Adam secured, as German theologian Harnack argues, universal redemption; rather, Sewall saw biological offspring of Adam as equal before law.<sup>19</sup>

To Sewall, every moral and legal issue was either white or black, right or wrong. Sewall approached his religious book, the Bible, with far more reverence than a corporate attorney approaches statutes on corporate law. A corporate attorney approaches statutes to interpret them in the light most favorable to his or her client; Sewall approached his religious statute book with one hermeneutic objective—to find the one "correct" interpretation. In this spirit, Sewall lays down the law from Acts 17:26-29:

And hath made of one blood, all nations of men, for to dwell in all the face of the earth, and hath determined the time before appointed, and the bounds of their habitation: that they should seek the Lord.

Sewall compares the care that the colonists would exercise in buying and selling a horse with the care that some colonists bought slaves:

Tis pity there should be more caution used in buying a horse than there is in purchasing men and women, whereas they are the offspring of God and their liberty is from God."<sup>20</sup>

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14 Deuteronomy 20:10-18.

15 For Augustine's doctrine of "just" war, see Augustine, *De Doctrina Christiana* (Turnhout: Brepols, 1982); the Puritan branch of the Protestant Reformation imported the Augustinian view of a just war.

16 For an excellent treatment of the lexicography, grammatical structure, and syntax of the Hebrew text of Exodus 21:16, see U. Cassuto, *A Commentary on the Book of Exodus* (Jerusalem: The Magnes Press, 1987).

17 Sewall, pp. 16ff.

18 Ibid.

19 Radical abolition, however, has not been the Reformed consensus. Slaves converted to Christ were to remain slaves, obedient to their masters (cf. I Peter 2:11).

20 Ibid.

Sewall forcefully warns the colonists that his religious book of legal statutes is of everlasting equity. Accordingly, Sewall sardonically warns the colonists, “caveat emptor.”<sup>21</sup> Capital punishment underscores the atrocity of kidnapping and slavery.

These Ethiopians, as black as they are, seeing they are the sons and daughters of the first Adam, the brethren and sisters of the last of Adam, and the offspring of God, they ought to be treated with a respect agreeable.<sup>22</sup>

Such advocacy significantly repelled the tide in Massachusetts away from the institutionalization of slavery.

Further, commensurate with Sewall's high view of the value of human life, at least one recorded episode implies personal compassion. Sewall displayed great compassion for John Hull, who, when King Philip's War broke out, on his own credit financed soldiers' wages and supplies. Hull died terribly in debt, his estate amounting to less than a third of the claims of his creditors.<sup>23</sup> Sewall apparently helped Hull through his troubled times.

Sewall's view of the high value of human life informed his motivation to recant of his role in the Salem witch trials. Because of his high regard for human life, his tendency to dehumanize was minimal. Further, modern forces that tend to depersonalize—technology, TV, violence, and gratuitous sex—were absent from Sewall's stark culture. One of Sewall's motives to confess was his valuation of precious human life—this valuation proceeds from religious, moral, and psychological criteria.

### **His Epitaph**

Sewall approached ethical questions from an “all or nothing” modality—moral issues were either black or white. Sewall implies his moral inflexibility:

And therefore I am against entering into a way never yet gone it, not beaten, and therefore not likely to be the King's Highway. Innovations are to be suspected, and avoided.<sup>24</sup>

Although this rigidity may appear Procrustean to the modern ethicist, George Edward Ellis is correct in his praise for the stern integrity of Sewall. Sewall's tombstone inscription is fitting: “he fell asleep in full hope of a glorious resurrection through faith in Jesus Christ. Living in an age of extraordinary events and revolutions, he learnt this truth, that all is vanity which is not honest . . .”<sup>25</sup> Honesty is more valuable than prestige. Sewall,

21 Ibid.

22 Samuel Sewall, *The Selling of Joseph - A Memorial* (Northampton: The University of Massachusetts Press, 1969), pp. 16-17.

23 Samuel Eliot Morison, *Builders of the Bay Colony* (Boston: Riverside Press for the Houghton Mifflin Company, 1930), p. 181.

24 *The Letter Book of Samuel Sewall*, September 5, 1724, (Boston: Massachusetts Historical Society Collection, 1886), II, 173.

25 George Edward Ellis, *An Address on the Life and Character of Chief-Justice Samuel Sewall: Delivered*

by confessing publicly, evidenced he had balanced position, prestige, and power on the one hand and integrity on the other. Conclusively, he weighed a clear conscience of greater value than the security of the status quo. Sewall confessed to clear his conscience; his conscience had religious, moral, and psychological dimensions.

### **The “Why” of the Confession—The Function of Sewall's Perception of Religious Law**

Puritanism was both personal and formal in dimension<sup>26</sup>—formal Puritanism is that movement in its “creeds, politics, manners, and its other visible on-goings.”<sup>27</sup> Personal Puritanism comprises the same formal elements found in the individual, “as elements of character are colored by the party's personality.”<sup>28</sup> A key component of the Puritan political agenda was religious substantive law. Religious substantive law played a significant role in informing Sewall's conscience of the evil of his contribution to the Salem witch trials.

#### **Substantive Puritan Law**

The Massachusetts Bay Colony's legal development was unfettered by the hostilities of the Puritan revolution in England. Unhampered by the factionalism, the colony became an apotheosis of a society structured by religious law. More than anywhere else, the Puritan concept of the reformation of the world led directly to a theory and practice of law as a means of religious transformation of society. In England in the 1640s and 1650s, , for

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*in the Old South Church, Boston, Sunday, October 26, 1884. On occasion of the erection of tablets in the Church, commemorative of its line of ministers, and of Samuel Sewall and Samuel Adams* (Boston: Press of David Clapp & Son, 1885); N. H. Chamberlain, *Samuel Sewall and the World He Lived In* (Boston: De Wolfe, Fiske & Company, 1898), p. 308. Compare Cotton Mather's eulogy for Mrs. Samuel Sewall in his sermon, *The Valley of Baca: The Divine Sovereignty, Displayed and Adored; more Particularly, in Bereaving Dispensations of the Death of Mrs. Samuel Sewall Esq.; which Befell Us, on the 19th Day, Seventh Month, 1717.*

26 What was Puritanism? Puritanism was an inter-denominational movement to continue the Calvinistic Reformation of Christianity in the United Kingdom and later the British Crown colonies. Calvinistic reformers as early as John Jewell and Thomas Cartwright in the late sixteenth century were English Puritan luminaries. Key seventeenth century luminaries included Stephen Charnock, Thomas Goodwin, John Owen, and Thomas Boston. Puritans sought an intellectual, moral, and spiritual “clean-up” of institutionalized Christianity. Their standard of purity was the Bible, solely the Old and New Testaments without the Apocrypha, unlike Catholicism which included the Apocrypha. Their comprehensive but concise articulation of their ideology was the Westminster Confession of Faith, written by a symposium of 120 Puritan scholars from 1643-48. Although this Confession formulated a Presbyterian church government, Separatist Puritans, Congregationalist Puritans, and Anglican Puritans embraced the basic theology of this Confession. The end of Cromwell's Lord's Protectorate in 1660 marked the end of Puritan hegemony over British political, social, and ecclesiastical institutions. Although Jonathan Edwards, whose revivalist influence began in earnest in 1739, has been designated the last American Puritan, Puritan hegemony over Massachusetts reached a nadir in the 1690s, when some Puritan ideologues migrated from Massachusetts to Connecticut to found Yale.

27 N. H. Chamberlain, *Samuel Sewall and the World He Lived In* (Boston: De Wolfe, Fiske & Company, 1898), p. 305.

28 *Ibid.*

instance, over ten thousand pamphlets were published arguing for legal reforms.<sup>29</sup> New England Puritans carried the torch of legal reform further than their counterparts across the Atlantic.

As a source of law, the New England Puritans viewed to their sacred writings:

Whatsoever ordinance of the Old Testament is not repealed in the New Testament, as peculiar to the Jewish Paedagogie, but was of moral and perpetual equity, the same binds us in these days, and is to be accounted the revealed will of God in all ages, though it be not particularly and expressly mentioned in the writings of the New Testament . . . the Scriptures of the New Testament do speak little in these cases; only the Scripture of the Old Testament do give direction and light about them.<sup>30</sup>

When Sewall stood on January 14, 1696 while his confession was read, he stood not only a religious figure but also a legal one. The religious law that had shaped his professional training at Harvard College and his jurisprudential stance had moral “teeth” to chew on his entire psyche. Religious law played a part in Sewall's motivation to stand and retract his illegitimate juridical opinions. Sewall's response to the morality of religious law propelled him to leave the “slavery” of unlawfulness into the “liberty of lawfulness.”

#### **The Cohesive New England Social Order**

When the Puritans erected their “city upon a hill” in the 1620s, they established a colony distinct in political texture from than the other colonies. Conflicting interest groups in New York and Pennsylvania vied for their interests in the political and economic arena.<sup>31</sup> The southern royal colonies endured class violence and a subsistence crisis. Further, fear of the growing black population in the south solidified the white aristocracy.<sup>32</sup> Social unrest, however, was rare in the Bay Colony; rather, Massachusetts was remarkably cohesive socially. Differences revolved around religious issues, such as the Half-Way Covenant, and policy concerns, such as the regulation of navigation to appease the British Crown.<sup>33</sup> Biblical law provided a social emulsifier for the colony. Additionally, the comprehensiveness and severity of biblical law raised the moral concerns of the colonists.

As an emulsifier, biblical law pervaded the school system in Massachusetts. Since the

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29 Sermon to the House of Commons, 1641, quoted in Rosenstock-Huessy, *Out of the Revolution: The Autobiography of Western Man* 291 (1938), as quoted by Harold J. Berman, “Religious Foundations of Law in the West: An Historical Perspective,” *Journal of Law and Religion*, Volume 1, Number 1, Summer 1983, p. 30. Berman, p. 30.

30 *An Apology of the Churches in New England for Church-Covenant* (London, 1643), p. 8, as quoted by John F. Wilson, *Pulpit in Parliament* (Princeton: University Press, 1969), p. 143.

31 William Pencak, *War, Politics, and Revolution in Provincial Massachusetts* (Boston: Northeastern University Press, 1981), p. 2.

32 *Ibid.*

33 William Pencak, *War, Politics, and Revolution in Provincial Massachusetts* (Boston: Northeastern University Press, 1981), pp. 2-6.



ideological indoctrination began at an early age for all children, the society developed an ideological commonality that bound the colony together. Unlike Pennsylvania, where the Dutch Reformed taught their children in Dutch, Quakers taught their children according to their creed, and the Swedish Covenant churches taught their children according to their creed and in their language, only a small minority of the Massachusetts colonists differed from the Puritan creed and all spoke English. Commonality in creed and language was unique to Massachusetts.<sup>34</sup>

January 14, 1696 was day of contrition for the whole colony—a day of “solemn fasting and prayer” for what might have been done amiss “in the late tragedy, raised among us by Satan and his instruments, through the awful judgment of God.”<sup>35</sup> The colonist Sewall was not only a religious being but a social being. Being emulsified with the homogeneous Puritan society, he became estranged to his own people by what he done to them in the Salem witch trials. Separated from his society, he sought to tear down the barrier between himself and his society by means of public confession. Fundamental to every human being is the need to belong—essential to Sewall's sense of belonging was his public confession. Public confession was a purgation of the horror of being alone—a way to blast away the lonely past of sitting in judgment on one's people and betraying them by putting their innocent to death.

### **The “In Re” of the Confession—The Tragic Superstitions**

Shakespeare's depiction of the three witches of MacBeth's may appear entertaining to the modern reader, but to the colonists of Massachusetts Bay, the depiction was not far from reality:

First Witch:

Round about the cauldron go;  
In the poisn'd entrails throw.—  
Toad, that under the cold stone  
Days and nights hast thirty-one  
Sweltered venom sleeping got  
Boil thou first i' the charmed pot.

All:

Double, double, toil and trouble;  
Fire, burn; and, cauldron, bubble.

MacBeth:

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34 Thomas Jefferson Wertebaker, *The Puritan Oligarchy—The Founding of American Civilization* (New York: Charles Scriber's Sons, 1947).

35 Theodore Benson Strandness, *Samuel Sewall: a Puritan Portrait* (East Lansing: Michigan State University Press, 1967) p. 76.

Infected be the air whereon they ride,  
And damned all those that trust them.

N. H. Chamberlain, using the caldron and condiments as a conceit, relates that:

. . . into that Salem caldron, out of the hands of that Puritan age and people, were poured some of the most mixed, unreachable, and poisonous motives of which probably the human mind, in its most occult relationship to the human body, has as yet shown itself capable of emitting.<sup>36</sup>

Tragically, the bubbles in Shakespeare's portrayal turned to blood, and the "smoke of this witches' incense" casts a dark cloud over New England's history.<sup>37</sup> According to this lore, women had "teats" on their bodies which imps or animal "familiar" came to suck at night. These "familiar" came in the form of cats, birds, dogs, and snakes.<sup>38</sup> In the same vein, Ewen introduces his excellent work on *Witchcraft and Demonianism* as follows:

Of wrathful witches this same pamphlet tels,  
How most of all on simple folke they worke.  
What wonders to, they may atchiue by spels,  
God weede them out in euey cell they lurke,  
God weeds them out, but Satan stil doth hatch  
fresh Imps, whereby of al sorts he may catch.<sup>39</sup>

The belief in the existence of witchcraft and accusations commensurate with this belief, derived from several sources. First, they derived from direct biblical teaching. John Wesley would later say in 1768 that "giving up of witchcraft is in effect giving up the Bible."<sup>40</sup> Sir William Blackstone, chronicler of the common law, wrote in 1765 that "in general there has been such a thing as witchcraft, though one cannot give credit to any particular modern instance of it." Second, false accusations of corrupt ministers perpetuated the belief in witchcraft. Third, medical doctors ascribed some diseases to supernatural origin, which gave rise to accusations of witchcraft. Fourth, the statutory law that forbade witchcraft obviously presupposed its existence. Fifth, misunderstanding in cause of great mortality of children and livestock. Often, such loses were ascribed to witchcraft. Sixth, demented individuals would sometimes "confess" to being witches. Seventh, the populace would hold mental degenerates as credible sources.<sup>41</sup>

Although ideologically Sewall believed in witches, much of the lore of the day went far

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36 N. H. Chamberlain, *Samuel Sewall and the World He Lived In* (Boston: De Wolfe, Fiske & Company, 1898), p. 158.

37 Ibid.

38 David D. Hall, *Witchhunting in Seventeenth Century New England* (Boston: Northeastern University Press, 1991), p. 6.

39 C. L'Estrange Ewen, *Witchcraft and Demonianism* (London: Heath Cranton, Ltd., 1933), preface.

40 John Wesley, *The Works of John Wesley*, vol. 4, p. 60.

41 C. L'Estrange Ewen, *Witchcraft and Demonianism* (London: Heath Cranton, Ltd., 1933), p. 138.

beyond the sacred writings he held dear. Sewall, in recanting, returned from a line he had crossed from his religion into superstition. His refusal to hear “spectral” evidence—that is, testimony of sighted phantasms, visages, and specters—demonstrates his departure from superstitious lore. Sewall's confession marked a raising of evidentiary standards above the fantastic and ridiculous.

### **The “In Re” of the Confession—Group Hysteria**

The socio-political community was “ripe” for some outlet for pent-up group anxiety. With the loss of the colony's charter, a communal apprehension descended upon the colony's group consciousness. The “sore” and “apprehensive” community was ripe for an “acting out.” The psychology of the community fixated upon a simplistic “solution” to the anxiety. Eradicate the evil in the colony; surgically remove the tumor from the sick social organism! If the cause of God's “curse” was found and removed, the community would “feel better.” The community was feeling “out of joint” because their political future hung in the balance, the community sought a simplistic “out”—“Burn the witches!” Out of a slough of an unknown transition, a “good” mob materialized to blame the “evil” Satan worshippers.<sup>42</sup> The Salem witch burning was a fixation hysteria *en masse*.

Further, socio-political community had evolved. A new generation of Puritans had been hardened by King Philip's War. The maneuvers of that war brought many of the new generation in touch with the uncivil cruelties of the wilderness. Backsliding into a mild barbarism forged by war and wilderness, the new generation was far more prone to violence than the earlier. Additionally, the new generation suffered from less education than their forebears.<sup>43</sup>

The socio-political community was spiritually hung-strung. Puritanism, with its incessant introspection, produced a mind taut with spiritual tension. The vibrations of the spiritually taut psyche of the community were unnaturally acute.<sup>44</sup> High-strung temperaments are given to behavioral extremes and perceptual biases. Spiritually, the witch trials were an “honest but fierce outburst of fanaticism.”<sup>45</sup> Religious “mobocracy” is a poor substitute for good government.

The socio-political community was corporately paranoid. At Gloucester, for instance, the citizens actually shut themselves up in their fortress to prepare for an imminent attack by demons in force. Any accusation was equivalent to an indictment. Accused parties were guilty until proven guilty. Indictments were equivalent to sentences. Those awaiting trial were denied bail.<sup>46</sup>

Mob mania is a frightening phenomenon. Consider Hitler and the Jews. The demonized

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42 Cf. Chamberlain, p. 161.

43 Ibid.

44 Ibid.

45 Ibid.

46 Ibid., p. 163.

and consequently persecuted minority becomes an opposite “pole” for the tyrannical majority. Through manipulation by group defamation, Nazi society became polarized —“us” against “them.” “Because `they' are evil, `we' must be good. Because `they' are demonic, `we' must be angelic.” The minority's scarlet letters and albatrosses as neck ornaments make the majority feel “good.” Group paranoia became the cement to glue together a homogeneous Nazi society. The threat, real or imagined, of a common enemy fosters strong alliances. Tragically, the Puritan society degenerated into mania of group paranoia. The paranoia aroused Puritan society to look for a common enemy, even if there was none—consider the barricading of the stockade at Gloucester from the advancing demons. Some societies degenerate to the left, disintegrating into anarchy. Other societies degenerate to the right, tyrannizing minorities.

What sick, warped minds like Stoughton's may do! Although Sewall joined the bandwagon mania commandeered by Stoughton, at least Sewall later came to his senses. Sewall's return to sanity underscores the depth of the evil of character assassination, smear campaigns, “black-balling,” false accusation, and prejudiced jurists. Ignorance, error, prejudice, and bigotry combined into a leviathan of starved terror, seeking whom it might devour.

The name “Reginald Denny” has become a synonym for “mob hysteria” of late, but history is replete with group hysteria phenomena.<sup>47</sup> Sewall, caught up in the whirlwind of the Salem phenomenon, returned to his senses. A return to sanity motivated his public confession.

### **The “In Re” of the Confession—Mock Examination of Witnesses**

The following is an example of interrogation by Simon Willard of an alleged “witch” common to the “trials.” In the following “fact-finding proceeding,” a child of eight years of age is questioned:

Question: how long have you been a witch? Ever since I was six years old. how old are you now? Near eight years old; brother Richard says I shall be eight years old in November next. Who made you a witch? My mother. She made me set my hand to a book. How did you set your hand to it? I touched it with my fingers and the book was red; the paper of it was white. She said she had never seen “the Black Man, ”—i.e., the Devil,—but she had touched the

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47 A illuminating study of hypochondriacal delusions is E. Steinebrunner, *Archiv-fur-Psychiatrie-und Nervenkrankheiten*, 1976 Vol 222(1) 47-60.

Conducting a meta-analysis of 101 cases dating from 1973 and 100 cases dating from 1912, Steinebrunner concluded: first, delusions as to reference, religion, and persecution were stable. Second, over time, hypochondriacal delusions significantly increase while megalomania and eretomania decrease. Third, with increasing age, delusions of special descent, paranoid identity change, and erotomania decrease. Further, after age thirty, delusions of special descent, paranoid identity change, querulant paranoia, and erotomania did not occur. Ibid. Individual hypochondriacal delusions combined with group hysteria could produce unique phenomenon. Group or social hypochondria may apply to the psychology of the Bay Colony in 1692.

book, and so Become the Devil's own in Andres Foster's pasture, and that her mother, cousin, and aunt among others were there.

Question: What did they promise to give you?

Answer: A black dog. Did the dog ever come to you? No. But you said you saw a cat once—what did that say to you? It said it would tear me in pieces if I would not set my hand to the book. She said further, her mother baptized her, and the Devil or “black man” was not there as she saw, and her mother said when she baptized her, “thou art mine foeever and ever, Amen.”

But Martha Currier defended herself with an honest woman's anger. She denied everything in every particular; that she had ever seen or dealt with the Devil, or hurt any one. She said to the magistrates, “It is a shameful thing that you should mind these folks who are out of their wits;” and turning to her accusers, now resting from their fits a little, cried, “You lie! I am wronged.” Her courage threw the great crowd into an uproar; and the record closes in these words: “The tortures of the afflicted were so great that there was no enduring of it, so that she was ordered away, to be bound hand and foot with all expedition; the afflicted in the meanwhile, almost killed, to the great trouble of all spectators, magistrates, and others.”<sup>48</sup>

Moreover, the magistrates were told by one of the witnesses, out of court, the accused confessed to her that “she had been a witch 40 years.”<sup>49</sup> She also deposed that she afflicted persons by pinching them; that she had not image or “puppet” of these persons by her, but that she went to them, not in her body, but in her spirit, and that her mother carried her to the place of mischief. Being further asked, “How did your mother carry you when she was in prison?” she replied, “She came like a black cat.” How did you know it was your mother? The cat told me so; that she was my mother.<sup>50</sup> The “confession” of another infant of the same mother runs thus: “Have you been in the Devil's snare? Yes. How long has your brother been a witch? Near a month. How long have you been a witch? Not long. She afterwards added to her last answer, 'about five weeks.’”<sup>51</sup> This kind of travesty literally led innocent souls to their deaths.

The legitimacy that fueled the orgy of hangings dissipated with time. “Spectral” evidence is testimony in pertaining to specters. Specters are visible incorporeal spirits, especially ones of a terrifying nature.<sup>52</sup> Spectrology, “the study of ghosts, phantoms, and apparitions,” was more the source of the legitimacy than the Congregationalists' theology.<sup>53</sup>

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48 Chamberlain, p. 164.

49 Ibid., p. 164.

50 Ibid., p. 164.

51 Ibid.

52 *The Random House Dictionary of the English Language*, Second Edition, (New York: Random House, 1987.), p. 1832.

53 Ibid., p. 1833; at the execution of George Burrough, John Willard, John Proctor, Martha Carrier and

Thomas Brattle, for instance, was not in minority in 1693. In his famous letter dated October 8, he wrote :

Those Wenches being present, who plaid their juggling tricks, falling down, crying out, and staring in Peoples Faces; the Magistrates demanded of them several times, who it was of all the People in the Room that hurt them? One of these Accusers pointed several times at one Captain Hill, there present, but spake nothing; the same Accuser had a Man standing at her back to hold her up; he stooped down to her Ear, then she cried out, Aldin, Aldin afflicted her; one of the Magistrates asked her if she had ever seen Aldin, she answered no, he asked her how she knew it was Aldin? She said, the Man told her so.<sup>54</sup>

Brattle ridicules the whole episode and remarks “that the reasonable part of the world, when acquainted herewith, will laugh at the demonstration, and conclude that the said S.G. are actually possessed, at least, with ignorance and folly.” Further, Brattle singles out the Reverend Nicholas Noyes for being so gullible.<sup>55</sup>

Clearly, Sewall had much to burden his conscience—hearsay, reported phantasms, imaginations, and outright lies. The discovery phase of these investigations turned fact-finding into a nauseating farce. Sewall sought to purge his conscience of a travesty of evidentiary analysis.

### **The “In Re” of the Confession—The Barbaric Torture**

The history of the means to extract confessions is sordid. Although the Anglo-American evolution is less shocking than the Continental, violent practices to induce confession on both sides of the Channel would make even the most extreme Christian sect shudder. The means regularly sanctioned to acquire confessions borders on the barbaric.<sup>56</sup> The

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George Jacobs, several ministers were present with Sewall—Cotton Mather, Simms, Hale, Noyes, and Chiever. When the number of accusations grew to include more and more persons of good reputation and upright life, even the wife of the Governor, Mather concluded that “many unsearchable cheats were interwoven into the doleful business.” Mather lamented that “a good name, obtained by a good life, should not be lost by mere spectral accusations.” The notorious Special Court of Oyer and Terminer was disbanded in October of 1696; the Superior Court replacing it on January 3, 1697 formally adopted a more sane evidentiary standard. When the Superior Court was asked by the jury what weight should spectral evidence carry, the Superior Court responded “as much as Chips in Wort”—less than worthlessness. Theodore Benson Strandness, *Samuel Sewall: A Puritan Portrait* (East Lansing: Michigan State University Press, 1967), p. 74; *Cotton Mather, Magnalia Christi Americana* (Carlisle, P.A.: Banner of Truth Trust, reprint edition), I, 212.

54 Bernard Rosenthal, *Salem Story—Reading the Witch Trials of 1692* (Boston: Cambridge University Press, 1993), pp. 186-87.

55 *Ibid.*, p. 188.

56 H. Richard Uviller, Evidence from the Mind of the Criminal Suspect: A Reconsideration of the Current Rules of Access and Restraint, 87 Colum. L. Rev. 1137, 1140, October, 1987; The goals of limitation of coercion, physical or otherwise, is to ensure that confessions are reliable expressions of the truth. The privilege against self-incrimination “tap the roots of the basic stream of religious and political principle.” This privilege sets limits to the individual's attornment to the state. And further, it philosophically upholds the principle of individual autonomy by “equalizing” the individual and the

suggested figure of 300,000 executions throughout Europe and the British Isles during the seventeenth century is perhaps conservative. But the horror of nineteen deaths on the gallows and one under heavy stones in New England is small in proportion.<sup>57</sup>

By English law, an adult male might be “pressed” to the point of death. The unfortunate male who refused to respond to an arraignment with the plea of “yea” or “nay” would be brought three times before the sentencing court and told the penalty. If he remained recalcitrant, the prisoner would be bound hand and foot on the floor of his cell. Heavy iron weights were put on his body. The first day he was to receive three morsels of the worst moldy bread. The second day he was to receive three cups of stagnant water found nearest the prison walls. But, each day weights were added to his body until he was literally crushed to death. The Puritans maintained an ironic grim thrift even in the cost of imprisonment and torture. The prisoner or the prisoner's estate was charged for the torture implements, room, board, security expenses, and court fees.<sup>58</sup> Unfortunately, the Puritans again forgot their Bibles—Moses prescribed no prisons, only temporary custody in six cities of refuge for those accused of murder. Any other malefactor, according to Moses, was either fined, flogged, or suffered capital punishment.

The English courts utilized torture in years 1540 to 1640 at least in 81 cases.<sup>59</sup> The use of torture ended, however, with the advent of the Puritan revolution in 1640. But during this period, no privilege against self-incrimination was created.<sup>60</sup> With a rash of sexual immorality in the early 1640s, in the winter of 1641-42, Governor Bellingham sought counsel from ministers and local magistrates on use of “violence” to compel confession. Bellingham asked, “may a magistrate extract a confession of a capital crime from a suspected and an accused person? Ralph Partrich answered in terms consistent with common law and Congregationalist Puritan dogma:

I conceive that a magistrate is bound, by careful examination of circumstances and within probabilities, to sift the accused; and by force of argument to draw him to an acknowledgment of the truth. But he may not extract a confession of a capital crime from a suspected person by any violent means, whether it be by an oath imposed or by any punishment inflicted or threatened to be inflicted, for so he may draw forth and acknowledgment of a crime from a fearful innocent. If guilty, he shall be compelled to be his own accuser, when no other can, which is against the rule of justice.<sup>61</sup>

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state. Barry C. Feld, *Criminalizing Juvenile Justice: Rules of Procedure for the Juvenile Court*, 69 Minn. L. Rev. 141, 157 (1984). Feld continues his discussion of the impropriety of requiring an accused party to testify against themselves: “one of its purposes is to prevent the state, whether by force or by psychological domination, from overcoming the mind and will of the person under investigation and depriving him of the freedom to decide whether to assist the state in securing his conviction.” Id. at 157.

57 Ola Elizabeth Winslow, *Samuel Sewall of Boston* (New York: The Macmillan Company, 1964), p. 114.

58 Chamberlain, pp. 171-72.

59 John H. Langbein, “The Historical Origins of the Privilege against Self-incrimination at Common Law”, 92 Mich. L. Rev. 1047, 1085, March 1994.

60 Id. at 1100-1102.

61 Id. at 1102.

Bradford transcribed excerpts from his response and that of Charles Chauncy into his manuscript. To Bradford and the others involved, the issue was more pressing than academic. September of 1642, Thomas Granger of Duxbury was executed on his own confession to repeated acts of bestiality.<sup>62</sup>

When the judges of Salem led by Chief-Justice Stoughton reverted to physical torture, they retrogressed legally and morally.<sup>63</sup> Sewall, regressing with them, realized his folly. Accordingly, Sewall's confession proceeded from colossal dimensions of moral and legal error. A public purgation of his errors was Sewall's chosen means of retraction.

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62 *Id.* at 1102-3; William Bradford, *Of Plymouth Plantation, 1620-1647*, at 317-18, (Samuel E. Mirison ed., 1952); Wigmore asserted that the maxim *nemo tenetur* was an old and established ecclesiastical practice. John H. Wigmore, *Nemo tenetur Seipsum Prodere*, 5 Harv. L. Rev. 71, 83 (1891). In 1532, the Archbishop of Canterbury examined John Lambert for heresy, of which he was later convicted. Lambert argued that “no man is bound to accuse himself.” In 1533, Parliament enacted a new statute on the punishment of treason, “any persons presented or indicted of any heresy, or duly accused by two lawful witnesses, may be cited, arrested, or taken by a church official who sat in ecclesiastical court, other of the King's subjects to answer in open court. In 1537 the statute was amended under Edward, providing that no person “shall be indicted, arraigned, condemned or convicted” for treason unless he be “accused by two sufficient and lawful witnesses, or shall willingly without violence confess the same.” In 1584, Puritans Wiggenton and Blake refused to answer the questions of the High Commission. Wiggenton states that he had not received a copy of the charges of the names of his accusers. Blake responded with a lecture about compulsory self-incrimination. *Id.* At 119.

In 1587, Henry Barrow, a separatist leader, insisted on the right to face the witnesses against him. *Id.* at 119. In 1588, hard-hitting, easy to read, pseudonymously written (the author never discovered, called himself “Martin Marprellate”) tracts appeared which ridiculed prelacy. One suspected author was Wiggenton, who when arrested refused to answer on ground that “I account it as unnatural a thing for me to answer against myself, as to thrust a knife into my thigh. *Id.* at 120.

In 1580, another suspected author, John Udall, may have been the first person to claim a right of silence in a common law proceeding. John H. Langbein, “The Historical Origins of the Privilege against Self-incrimination at Common Law,” 92 Mich. L. Rev. 1047, 1085, March 1994.

63 The Chief Justice at Salem was a strident, hardened Puritan version of, perhaps, Senator Helms. His jury instructions are particularly noteworthy: “the Devil could not appear in the form of any one who was not in league with him. If followed, therefore, as the Devil had appeared in the form of many of the accused, according to the eye-witnesses there, the defendants must be guilty.” Stoughton maintained the righteousness of his cause to the end, resigning rather than compromise his personal jihad against the demonized minority. Like Lt. William Cally after My Lai, Stoughton maintained not only his innocence but his righteousness. N. H. Chamberlain, *Samuel Sewall and the World He Lived In* (Boston: De Wolfe, Fiske & Company, 1898), p. 169.



## The “In Re” of the Confession—The Possible Gender Factor

The evil of witch hunting had a tragic gender dimension. On a ratio of 4:1, women were accused of witchcraft more than men. Further, the men so accused were often sons or husbands of alleged witches. The fullest chronicle of gender-biased patterns is Carol Karlsen's *The Devil in the Shape of a Woman*. Women were particularly vulnerable because of particular social order of the Bay Colony. Legal, political, ideological, and economic authority rested exclusively with men.<sup>64</sup>

A striking case of theological blame shifting was Zachary Dibble of Stamford Connecticut in 1669. Sarah Dibble accused Zachary of physical abuse but Zachary denied, claiming that her bruises were the result of acute “witchcraft.” Although the court rejected his counter-claim, Zachary's allegation implies how commonplace the witch labeling was.<sup>65</sup>

The gender factor raises yet another blemish on the ugly head of the witch hunts. Although Sewall, as a man of his day, may not have been cognizant of particular injustices to women, his confession belies an awareness of the injustices done to humanity as a whole. From this sordid episode, Sewall sought catharsis when he stood before South Church in Boston to recant.

## Conclusion: The Interplay of Religious, Moral, and Psychological Factors

There are no journal entries in Sewall's journal for the months of April, May, and June, 1696, when the hysteria was at its height. Sewall's entries concerning the proceedings were few, brief, but revelatory. As Chamberlain observes: “He evidently was ashamed, cast down, full of sorrow, and probably afraid of personal prosecution and loss of property and of the survivors suing for damages.”<sup>66</sup> Sewall believed the death of several of his young children was “caused” by his role in the witch condemnations.<sup>67</sup>

Although Sewall confessed alone, he was not the only soul agonizing over the shedding of innocent blood. Michael Wigglesworth, for instance, expressed dire concern:

I fear (among our many other provocations) that God hath a Controversy with us about what was done in the time of the Witchcraft. I fear that innocent blood hath been shed; and that many have had their hands defiled therewith. I believe our Godly Judges did act Conscientiously, according to what they did apprehend then to be sufficient Proof: But since that, have not the Devil's

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64 David D. Hall, *Witchhunting in Seventeenth Century New England* (Boston: Northeastern University Press, 1991): 6-7.

65 *Id.* at 7; morally, it was fitting for Zachary to suffer the penalty for being a witch himself, presupposing, of course, his accusation was false.

66 N. H. Chamberlain, *Samuel Sewall and the World He Lived In* (Boston: De Wolfe, Fiske & Company, 1898), p. 168.

67 Chamberlain, p. 173.

impostures appeared? and that most of the Complainers and Accusers were acted by him in giving their testimonies. Be it then that it . . . was done ignorantly. Paul, a Pharisee, persecuted the church of God, shed the blood of God's saints, and yet obtained mercy, because he did it in ignorance; but how doth he bewail it, and shame himself for it before God and men afterwards.<sup>68</sup>

Sewall, therefore, was not alone in his strident remorse.

A profitable religious parallel in an analysis of Sewall's motivation to confess publicly is the tradition of Kenyan youths of Okiek. Kratz contrasts religious confession between Western Catholic tradition and the tradition of Okiek youths in Kenya. The final ritual component prior the ritual climax of circumcision of the males or excision of the females. Just prior to the circumcision or excision, public confession of social debts qualifies the initiate for the ritual climax. The religious functionary presiding over the event publicly questions the initiate, then announces the “social debts” to the assembly. The interrogator then creatively recasts the “sins” of the initiate into a narrative transformation. The recasting is the symbolic ritual act of absolution of past “sins.” The humiliation of the initiate before the amused assembly serves as a milestone for the initiate, purging the initiate of past sins and ushering the initiate into absolution and maturity.<sup>69</sup>

Kratz' study opens a window, perhaps, into Sewall's psyche. His humiliation before his peers served to purge of his past and usher him into a new era of absolution and maturity. The trauma of public humiliation<sup>70</sup> was not only a form of self-punishment, but a psychological wall erected to impede his ability to turn back and look at his ghastly past. Ultimately, however, Samuel Sewall's public confession ignited through the intersection of the religious, moral, and psychological dimensions—at the core of his being, the impetus came from the Spirit of God.

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68 Michael Wigglesworth, letter to Increase Mather in 1704, *Collections of the Massachusetts Historical Society*, vol. 8, 4th ser., p. 646; Bernard Rosenthal, *Salem Story—Reading the Witch Trials of 1692* (Boston: Cambridge University Press, 1993), p. 183.

69 Corinne A. Kratz, “Amusement and Absolution: Transforming Narratives During Confession of Social Debts”, *American Anthropologist* 1991 Dec. Vol. 93(4): 826-851.

70 What stark irony to compare Sewall's humility with the attitude of many federal judges. The common adage, “you are never closer to God than when you are in the presence of a federal court judge sitting on the bench”, rings true.