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believing communists lurked everywhere. *The Crucible* warned of the danger that determining guilt of any alleged “crime” on the basis of innuendo and association led to the prosecution of innocent people and barbaric behavior by normally civilized people.

The last major outbreak of witch hunting in Scotland was in 1678. However, the mood of the people had changed: Unlike previous witch hunts, some people were saved by neighbors who defied the label of “guilt by association” and came to their friend’s defense. The change of attitude toward unrestrained witch hunting was reflected in the 1662 proclamation by the Privy Council (Scotland’s highest judicial body):

“...a caution was given that there must be no torture for the purpose of extorting confession. The judges must act only upon voluntary confessions; and even where these were given, they must see that the accused appeared fully in their right mind.” (p. 40)

Isolated incidents of witch hunting continued in Scotland until 1727. In 1736 the Witchcraft Act was changed significantly. Witchcraft was effectively repudiated as mythical by a provision that only allowed for the fining or imprisonment of a person who sought to profit from *pretending* to possess powers of witchcraft. Thus capital punishment was no longer on the table because a person could no longer be convicted of being a witch – only pretending to be one.

The United Kingdom’s last witchcraft prosecution was in 1944. Helen Duncan was convicted of witchcraft and imprisoned for nine months “because the authorities feared her clairvoyant powers enabled her to predict details of wartime movement of shipping.” (p. 44) The Witchcraft Act was finally repealed by Parliament in 1951.

There is a two-fold purpose for Prestonpans annual Remembrance of the 81 executed ‘witches’ and the commissioning of Allan’s book. One is to honor the memory of those innocent people, and the other is to keep alive the memory of the irrational hysteria that induced those people’s friends and neighbors to actively participate or stand silent as they were wrongly accused, tortured into confessing, convicted, and then publicly strangled and their bodies burned for the commission of phantom crimes.

*81 Witches of Prestonpans* shows how easily the public’s fear of the unknown – including an unexplained event or unusual personal

## Pardon And Annual Remembrance Of 81 Convicted “Witches”

By JD Staff

Eighty-one Scots convicted of being witches and executed in the 16th and 17th centuries were publicly declared as innocent during a ceremony in Scotland’s Prestonpans township on October 31, 2004. The ceremony followed Baron Gordon Prestoungrange and Baron Julian Wills’ grant of a posthumous Absolute Pardon to the 81 people on July 27, 2004.<sup>1</sup> The Barons Court had existed since 1189 — predating the signing of the Magna Carta in 1215 by several decades — and it had the jurisdiction and *de jure* legal authority to issue the pardons.<sup>2</sup>

### Pardon Ceremony and First Annual Remembrance

Upwards of thirty descendants and namesakes of the pardoned people attended the ceremony on October 31, 2004. The ceremony also marked Prestonpans’ first Witches Remembrance that Baron Prestoungrange proclaimed was to be held annually on Halloween in commemoration of the wrongly convicted and executed people. A township spokesperson said, “There were some concerns that we’ve got the ceremony on Halloween, but we couldn’t have a witches remembrance in the middle of March. It has a serious purpose, we’re respecting these unfortunate individuals.”<sup>3</sup>

Historian and witch expert Roy Pugh, whose 2001 book *The Devil’s Ain* (The Devil’s Own) inspired interest in re-opening the cases of the people who were pardoned, spoke during the ceremony:

behavior – can be exploited by opportunists seeking financial gain or enhanced political authority. Once in a fearful state, it is a minor step for the gullible amongst the public to be convinced that their fear can be assuaged by punishing a person or persons identified as responsible, but who are in fact innocent of wrongdoing. Allan wrote about the cautionary message of the Prestonpans pardons for people living in the twenty-first century:

It is very easy for all of us to acknowledge and rail against the crimes that others perpetrate against humanity, but it is an altogether different thing to acknowledge that such inhumanity can occur within one’s own community.

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“It is too late to right the wrongs of a previous age. This modest ceremony may go some way towards a symbolical recognition of those countless victims of the witch-hunt who were cruelly persecuted. I invite those present – the possible descendants or namesakes of some of the 81 victims in Prestonpans – to lay a floral tribute at the Memorial which commemorates the names of those who were judicially executed.”<sup>4</sup>

### Second Annual Remembrance

On October 30, 2005, Prestonpans observed its second annual Remembrance of the 81 people wrongly condemned as witches.

During the week prior to the Remembrance the Port Seton Drama Group performed a new play the Prestoungrange Arts Festival commissioned Pugh to write. The play, *Witches!*, depicts the trial of Agnes Kelly and Marjorie Anderson, who were among the 81 executed “witches.” The presiding magistrate at their 1678 trial in Prestonpans was the then Baron of Prestoungrange, Sir Alexander Morrison. *Witches!* dramatizes the brutalization of the two women including their deprivation of sleep for many days in an effort to induce a confession to witchcraft. The women were found guilty and condemned based on the “spectral” evidence of witnesses and incriminating body marks found by a “witch pricker.” The plays three performances were well attended, in part because of extensive publicity, including reports on the British Broadcasting Corp. and Scottish Independent TV.

The Remembrance ceremony on the evening of October 30 was led by the current Baron of Prestoungrange. The climax of the ceremony was when 10 archers released 81 flaming arrows across the Firth of Forth.

The annual Remembrance is coordinated by the Prestoungrange Arts Festival, and they have expressed determination to maintain its focus on the injustices committed against the innocent people condemned for witchcraft, because such atrocities “could so easily be done again when any community takes against a minority within it.”

The third annual Remembrance will be held on Halloween 2006.

### Endnotes and Sources:

Prestonpans 2005 Hallowe’en Remembrance of our 81 Witches, <http://www.prestoungrange.org>

1 Absolute Pardon of 68 women and 13 men at, <http://www.prestoungrange.org/core-files/archive/absardon.pdf>

2 The Baron’s Court’s website is, <http://www.prestoungrange.org/prestoungrange/index.html>

3 Town pardons executed ‘witches’, *BBC News*, October 29, 2004.

4 Address by Roy Pugh, October 31, 2004, First Remembrance of Prestonpans 81 Witches, at, <http://www.prestoungrange.org/core-files/archive/RoyPugh.pdf>

