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## Suicide by Proxy: The Unintended Consequences of Public Executions in Eighteenth-Century Germany

*Kathy Stuart*

ON May 24, 1704, at about ten in the morning, Agnes Catherina Schickin, a thirty-year-old serving woman from the town of Schorndorf in Württemberg arrived at the village of Krumhard. After asking for and receiving a glass of milk from a local peasant woman, Agnes was on her way out of the village when she saw four, in her words, “beautiful little boys”<sup>1</sup> playing together by the roadside. She approached the children and asked for directions to Schorndorf. When one of the boys, Hans Michael Furch, the seven-year-old son of the local cowherder, said he knew the way, she offered him a gift and asked him to walk with her. The three other boys wanted to come along, too, but she dissuaded them. Agnes and the seven-year-old walked off into the forest alone.

Over the course of the day, Agnes took the boy deep into the forest, where they encountered several passers-by, who would later testify that they saw them walking, talking, and sitting down together. At four in the afternoon, a passing messenger saw the boy sitting down while she knelt before him delousing him. But this affectionate intimacy would come to an abrupt end. When the boy wanted to return home in the evening, she threw him violently to the ground. Begging for mercy, the boy tried to appease her by reciting his prayers, the “Our Father,” and the Creed among them. This was repeated three times. Twice his prayers moved her. She even helped the trembling boy to his feet, but the third time, she felt “embittered.” Throwing the boy to the ground again, she drew a knife and cut his throat so deeply that, as she later described, she could “look down into his neck.” As his “bright blood” flowed, she said to him, “May God protect you, you sweet angel, you are an angel before God.” Leaving him to die, she returned to Schorndorf where she told the first people she met about the murder and was taken into custody. Asked how she could justify killing an innocent child, she answered that the

<sup>1</sup>“gar schöne Büblein,” Hauptstaatsarchiv Stuttgart (HstAS), A 209/1806, Agnes Catherina Schickin, 1704.

child was now “saved,” she had only done it so that she herself could “leave the world” as well; “now the hangman would surely dispatch her.”<sup>2</sup>

The details of this dramatic murder narrative, drawn from Agnes’ unsolicited and voluntary confession, conform to a particular cultural pattern; the crime unfolded according to a specific liturgy. This case was an example of what eighteenth-century German jurists came to call “indirect suicide” (*mittelbarer Selbstmord*),<sup>3</sup> but one might call suicide by proxy. The perpetrators of suicide by proxy committed murder with the intention of bringing about their own death by execution and thus avoiding the eternal damnation that befell direct suicides. Sometimes such suicidal individuals also committed other capital crimes, such as arson, or confessed to crimes they had not committed, usually classic infanticide, i.e., the murder of a newborn infant by its unwed mother,<sup>4</sup> or bestiality.<sup>5</sup> The most frequent form of suicide by proxy, however, involved murder. The perpetrators typically chose children as their victims because, as the eighteenth-century jurist Carl Ferdinand Hommel explained, they believed that the “child they murdered, having not yet sinned, would also attain salvation and be spared the damnation it might have earned at an older age.”<sup>6</sup> Often after a series of unsuccessful suicide attempts, perpetrators of suicide by proxy arrived at the decision to commit a murder. Sometimes they selected a specific child as their victim; at other times they chose a victim quite at random—killing “the next best child” that crossed their path.<sup>7</sup> Immediately after the deed, they presented themselves at the local jail or the town hall and alerted the startled

<sup>2</sup>Ibid. “. . . das Kindt seye einweg seelig, sie habe es nur gethan, damit sie von der Welt komme, der Henkher werde sie anietzo schon hinweg thun.”

<sup>3</sup>Carl Ferdinand Hommel, *Rhapsodia quaestionum in foro quotidie obvenientium, neque tamen legibus deciderum*, 5 vols. (Bayreuth: Joh. And. Lubecius, 1769–1779), vol. 5 (1779), 1449–1456, especially 1454.

<sup>4</sup>Throughout this essay, I will refer to the murder of a newborn infant by its unwed mother as “classic infanticide” in order to clearly distinguish it from child murders associated with suicide by proxy. Article 131 of the *Constitutio Criminalis Carolina*, the paradigmatic imperial criminal law code issued by Charles V in 1532, defined infanticide as the murder of newborn infants by their unwed mothers, or also by married women or widows who had committed adultery “for the purpose of concealing their sexual immorality” (*umb ire geübte Leichtuertigkeit zu verbergen*). Other kinds of child killings, including those committed by married women against their legitimate offspring, were prosecuted as murder or manslaughter according to Article 137 of the *Carolina* on “The Punishment of Murderers and Manslaughterers” (*Straff der mörder und todtschleger*). Otto Ulbricht, *Kindsmord und Aufklärung in Deutschland* (Munich: R. Oldenbourg Verlag, 1990), 17–18.

<sup>5</sup>I will discuss such self-accusations of sodomy elsewhere. For an example of suicide by proxy through arson, see E. F. Klein, “Ueber die Brandstiftung der Eva Veronika Chillin, nebst einigen in die Gesetzgebung einschlagenden Bemerkungen, 1) über die Verbrechen, welche aus Ueberdruß des Lebens begangen werden,” *Annalen der Gesetzgebung und Rechtsgelehrsamkeit* 7 (1791): 3–14.

<sup>6</sup>“. . . daß das von ihnen . . . ermordete fremde Kind, da es noch keine Sünde gethan, ebenermaßen die Seeligkeit erlange, oder der Verdammis, die es bei erwachsenen Jahren sich zuziehen könnte, entrissen werde.” Hommel, *Rhapsodia*, vol. 5, 145.

<sup>7</sup>For example, after turning herself in for cutting the throat of a nine-year-old girl, Christina Forgerin, a butcher’s maid in Nuremberg, confessed “daß [sie] durch einen . . . geschöpften Verdruß ihres Lebens, vor dreyen Wochen her, den bösen Vorsatz gefasset, das nechste beste kind anzufallen,

authorities to the murder. As in Schickin's case, their confessions were spontaneous and uncoerced. Unlike in other capital crimes, such as classic infanticide, for example, judicial torture was not applied in cases of suicide by proxy. The perpetrators made the motive of the killings explicit and explained why they chose murder over suicide. For example, in 1746 when Johanna Martauschin, an inmate in the prison-workhouse at Spandau, turned herself in for the beating death of the small child of a fellow inmate, she confessed, "She committed the murder due to weariness with life, she murdered a child and not herself, because she believed that the child would now surely be saved, whereas she as a suicide would have gone to the devil, but now she could still be converted."<sup>8</sup>

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The conviction that suicides went to the devil originated with St. Augustine's assertion that the fifth commandment "Thou shalt not kill" applied to suicide as well as murder. Catholics considered suicide a "mortal sin," and since suicides could not be absolved through the sacrament of confession, they were consigned to eternal damnation. Suicides were denied sacraments and sacramentals, such as a funeral mass and burial in consecrated ground, since such "means of grace" were pointless in their case. If suicides were mistakenly buried in consecrated ground, the remains had to be removed and reburied elsewhere. The graveyard had to be reconsecrated.<sup>9</sup>

Lutherans rejected the category of mortal sin. Distinguishing between greater and lesser sins was beside the point since *all sin* was the expression of human nature utterly corrupted by the fall and would result in damnation unless God forgave the sinner.<sup>10</sup> The suicide died unrepentant in the act of sinning, so it was likely that he or she died an unjustified sinner outside the state of grace. Unlike the Catholic Church, however, the Lutheran Church made no definite pronouncements on the fate of the suicide after death.<sup>11</sup> Catholics expected

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und umbs leben zu bringen." Staatsarchiv Nürnberg (StAN), Nürnberger Amts- und Standbücher 225, Malefizurtheilsbuch, March 26, 1709, fo. 57r-58r.

<sup>8</sup>C. G. Hofmann, "Leben und Tod einer Kindermörderin, von den Gefangenen des Zuchthauses zu Spandau, Welche den 6ten September 1746 daselbst enthauptet und aufs Rad geflochten worden," in *Der Schwächer am Kreuz, Daß ist, Vollständige Nachrichten von der Bekehrung und seligem Ende hingetrichteter Missethäter, gesammelt*, ed. Ernst Gottlieb Woltersdorf, 4 vols., 2nd edition (Budißin und Görlitz: Jacob Deinzer, 1761), vol. 1 (1761), 933-958.

<sup>9</sup>Vera Lind, *Selbstmord in der Frühen Neuzeit. Diskurs, Lebenswelt, und kultureller Wandel am Beispiel der Herzogtümer Schleswig und Holstein* (Göttingen: Vandenhoeck & Ruprecht, 1999), 21-22. Jürgen Dieselhorst, "Die Bestrafung der Selbstmörder im Territorium der Reichsstadt Nürnberg," *Mitteilung des Vereins für Geschichte der Stadt Nürnberg* 44 (1953): 58-230, 67-73.

<sup>10</sup>Euan Cameron, *The European Reformation* (Oxford: Oxford University Press, 1991), 112-115.

<sup>11</sup>Dieselhorst, "Bestrafung," 75.

believers to be able to resist diabolical temptations to suicide, but Lutherans placed greater emphasis on the power of Satan. "I do not agree," Luther wrote, "that those who kill themselves are simply damned, for this reason, that they do not do it gladly, but are rather overpowered by the power of the devil, like one who is murdered in the woods by a robber." Describing suicides more as Satan's victims than willing accomplices, Luther held out the possibility that God had forgiven them and they might yet be saved. God's judgment in these matters was inscrutable. Luther did not want his lenient views on suicide to become public knowledge, however. "Common people should not be told [that suicides do not necessarily go to hell], so that Satan is not given the chance of causing a bloodbath, and I approve of the strict observance of those political ceremonies by which [the body] is dragged through the threshold, etc." Here Luther was endorsing the rites of desecration to which bodies of suicides were traditionally subjected by secular authorities (hence "political ceremonies"), but he viewed such measures as a means of deterrence rather than as a statement of the suicide's spiritual status.<sup>12</sup> Lutherans did refuse to bury suicides in graveyards; however, they regarded funeral ceremonies an aid for the living rather than for the dead, who were beyond human help. Lutherans no longer consecrated cemeteries, a rite they abolished along with all other sacramentals. Therefore, exclusion from the graveyard did not constitute a denial of the "means of grace" as it did for Catholics; rather, it was an honor punishment and measure of church discipline.<sup>13</sup>

In both Catholic and Protestant regions the disposal of the suicide's remains was the responsibility of secular authorities, a task they conferred upon the dishonorable professions of executioner and skinner. In Bavaria the executioner or skinner buried suicides "at a secluded place where neither man nor beast treads"; other options were cremation, disposal in a river, or burial beneath the gallows.<sup>14</sup> In Augsburg suicides of both confessions were nailed into a barrel and cast in the river Lech.<sup>15</sup> In Württemberg the executioner or skinner buried the suicide either in a desolate location or, if the suicide had a particularly bad reputation in life, underneath the gallows.<sup>16</sup> In Schleswig and Holstein the executioner buried suicides in a field or with animal carrion. The transport of

<sup>12</sup>H. C. Erik Midelfort, "Religious Melancholy and Suicide: On the Reformation Origins of a Sociological Stereotype," *Graven Images* 3 (1996): 41–56, 42.

<sup>13</sup>Dieselhorst, "Bestrafung," 78–79.

<sup>14</sup>David Lederer, *Madness, Religion, and the State in Early Modern Europe: A Bavarian Beacon* (New York: Cambridge University Press, 2006), 261.

<sup>15</sup>SSStBA, 2<sup>o</sup> Cod Aug 247, Bürgermeister Amtsinstruktion, II, 1653, fo. 58.

<sup>16</sup>Karin Schmidt-Kohberg, "'und hat sich selbesten an einen Strickhalfter hingehenckt. . . ' Selbstmord im Herzogtum Württemberg im 17. und 18. Jahrhundert," in *Zauberer—Selbstmörder—Schatzsucher. Magische Kultur und behördliche Kontrolle im frühneuzeitlichen Württemberg*, ed. Johannes Dillinger (Trier: Kliemedien, 2003), 113–220, 142.

the body to the burial site sometimes involved additional apotropaic measures designed to prevent the suicide's return as a malicious revenant. To prevent the suicide from finding his or her way home, the body was removed through a hole dug underneath the threshold rather than through the door, a procedure ecclesiastical and secular authorities tolerated though they did not officially authorize it.<sup>17</sup> In Nuremberg the bodies of suicides were lowered out of windows.<sup>18</sup>

Not all suicides were subjected to these penalties by church and state. These measures applied only to "willful," "intentional" suicides, not to the "melancholy" and mentally ill. Canon Law exempted from church penalties suicides who were mentally disturbed in the late twelfth century, a policy the Lutheran Church continued.<sup>19</sup> Secular authorities generally followed suit. Catholic Bavaria, Lutheran Württemberg, and the Lutheran free imperial cities of Nuremberg and Augsburg all followed an essentially identical policy. The authorities conducted an investigation into the suicide's prior circumstances and motives, interviewing his or her priest or pastor, family, neighbors, and witnesses. If they concluded that the suicide was mentally infirm at the time of the deed, he or she received a Christian burial within the graveyard, although usually in the form of a "quiet" burial at night without funeral procession or tolling of bells.<sup>20</sup>

By granting a Christian burial to melancholy suicides, however, secular authorities sometimes provoked popular uprisings in which common people took up arms to prevent the burial of the suicide in the local graveyard. Such graveyard revolts occurred in Catholic and Lutheran areas in the seventeenth and eighteenth centuries. Riots occurred in Catholic Bavaria and Upper Austria, in Lutheran Württemberg and the Reformed Principality of Lippe, posing a significant challenge, as David Lederer observes, to "the authority of the state both judicially and in terms of the sovereign monopoly of violence."<sup>21</sup> The distinction between melancholy and willful suicide that determined how church and state judged a suicide was irrelevant to common people, who feared that the presence of *any* suicide in the churchyard would bring disaster to their community in the form of hail storms and the destruction of crops.<sup>22</sup>

<sup>17</sup>Lind, *Selbstmord*, 33–34.

<sup>18</sup>Dieselhorst, "Bestrafung," 63.

<sup>19</sup>Schmidt-Kohberg, "Selbstmord," 138.

<sup>20</sup>For Bavaria, see Lederer, *Madness*, 242–258. For Württemberg, see Schmidt-Kohberg, "Selbstmord," 142–143. For Nuremberg, see Dieselhorst, "Bestrafung," 125. For Augsburg, see Kathy Stuart, *Defiled Trades and Social Outcasts: Honor and Ritual Pollution in Early Modern Germany* (Cambridge: Cambridge University Press, 1999), 197–198.

<sup>21</sup>Lederer, *Madness*, 249.

<sup>22</sup>For Bavaria, see David Lederer, "Aufruhr auf dem Friedhof. Pfarrer, Gemeinde, und Selbstmord im frühneuzeitlichen Bayern," in *Trauer, Verzweiflung, Anfechtung. Selbstmord und Selbstmordversuche in mittelalterlichen und frühneuzeitlichen Gesellschaften*, ed. Gabriela Signori (Tübingen: edition diskord, 1994), 189–209. For Upper Austria, see Oberösterreichisches Landesarchiv Linz, HA Puchheim, Schachtel 43. Selbstmord Tumult, 1755. For Württemberg, see Schmidt-Kohberg, "Selbstmord,"

These ritual pollution beliefs associated with the bodies of suicides undoubtedly strengthened the notion that suicides were damned. And the denial of Christian burial and the rites of desecration suicides were subjected to apparently had the deterrent effect that Luther had intended, although with consequences he did not envision. Despite the reluctance of Lutheran theologians to make judgments about the spiritual status of suicides, Lutheran perpetrators of suicide by proxy were convinced, as were their Catholic counterparts, that suicides went to hell. They were hardly alone in this conviction. In his *Praxis Rerum Criminalium* (1554), a handbook on criminal law, Joos de Damhouder, a Flemish Catholic jurist observed, "He who kills himself sins far more than he who kills another; for in the latter case he only kills his neighbor's body, but cannot harm his soul. But he who kills himself indisputably loses both body and soul." Damhouder's dictum is reprinted verbatim and without comment in the 1743 article on suicide published in *Zedlers Universal-Lexikon*,<sup>23</sup> produced in the Protestant publishing house of August Hermann Franke's *Hallische Stiftungen*. So it was not altogether outlandish that suicidal individuals believed they might avoid the eternal damnation that followed from suicide by committing murder.

The logic of the crime was based upon the role public execution played in popular imagination. Condemned criminals were known as "poor sinners." After their sentencing, they were intensely ministered to by clergymen, who heard the poor sinner's confession, granted absolution, and offered the Eucharist. This procedure did not vary significantly among Catholics and Lutherans. Though officially shorn of sacramental status in Lutheran theology, participating in the ritual of confession and absolution remained a prerequisite to partaking of the Eucharist,<sup>24</sup> and Lutheran parishioners continued to experience absolution as an *opus operatum*,<sup>25</sup> theological objections notwithstanding. Confession and absolution remained central to the dramaturgy of executions in Protestant and Catholic lands. Catholic and Lutheran clergymen encouraged poor sinners to believe that if their repentance was genuine and heartfelt, Christ's grace would not be denied them. No matter how heinous the crime, repentance brought absolution. This religious framing of the

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144–159. For Lippe, see Michael Frank, "Die fehlende Geduld Hiobs. Suizid und Gesellschaft in der Grafschaft Lippe (1600–1800)," in *Trauer*, ed. Signori, 152–188.

<sup>23</sup>"Selbst-Mordt," in Johann Heinrich Zedler, *Grosses Universal-Lexikon aller Wissenschaften und Künste*, 64 vols. (Halle and Leipzig: Johann Heinrich Zedler, 1732–1750), vol. 36 (1743), 1595–1614, 1604. Zedlers Universal-Lexikon is available online at <http://mdz10.bib-bvb.de/~zedler/zedler2007/index.html>.

<sup>24</sup>Susan Karant-Nunn, *The Reformation of Ritual: An Interpretation of Early Modern Germany* (London and New York: Routledge, 1997), 96–99.

<sup>25</sup>Hans-Christoph Rublack, "Lutherische Beichte und Sozialdisziplinierung," *Archiv für Reformationsgeschichte* 84 (1993): 127–155, 147.

execution ritual meant that the poor sinner's death was a good death, even a blessed death in Christian eschatology. The poor sinner entered eternity cleansed of sin, unlike regular Christians who had to fear a hasty and untimely death. This cultural context explains how murder could become an instrument of salvation for suicidal individuals.<sup>26</sup> The perpetrators of suicide by proxy committed not just any murder, however; they murdered a child, a particularly innocent and helpless victim. Child murder was a crime often attributed to the worst enemies of Christendom, Jews and witches.<sup>27</sup> Murder pamphlets highlighted the particularly "gruesome," "inhuman," and "bestial" nature of such killings.<sup>28</sup>

Unlike the mythical child killings associated with Jewish ritual murder,<sup>29</sup> and unlike the familiar subject of classic infanticide,<sup>30</sup> the child murders associated with suicide by proxy have gone more or less unnoticed by historians.<sup>31</sup> The first recent work on this subject focuses not on Germany but on Sweden. In *From Swords to Sorrow* (1998), a study of homicide and suicide in early modern Stockholm, Arne Jansson finds that "suicidal murders" became frequent after 1670, at the same time that "direct suicide" rates increased dramatically, while manslaughter and other forms of interpersonal violence underwent a

<sup>26</sup>On the religious framing of the execution ritual, see Richard J. Evans, *Rituals of Retribution: Capital Punishment in Germany, 1600–1987* (Oxford and New York: Oxford University Press, 1996), 65–108; Stuart, *Defiled Trades*, 149–185; Jürgen Martschukat, *Inszeniertes Töten. Eine Geschichte der Todesstrafe vom 17. bis zum 19. Jahrhundert* (Cologne: Böhlau, 2000), 12–53.

<sup>27</sup>Ulbricht, *Kindsmord und Aufklärung*, 22; R. Po-chia Hsia, *The Myth of Ritual Murder: Jews and Magic in Reformation Germany* (New Haven: Yale University Press, 1988); Charles Zika, "Cannibalism and Witchcraft in Early Modern Europe: Reading the Visual Images," *History Workshop Journal* 11 (1997): 77–105.

<sup>28</sup>On the portrayal of classic infanticide and other forms of child murder in shocking ballads and execution pamphlets, see Tom Cheesman, *The Shocking Ballad Picture Show: German Popular Literature and Cultural History* (Oxford and Providence, RI: Berg Publisher, 1994), 119–160; Frances E. Dolan, *Dangerous Familiars: Representations of Domestic Crime in England, 1550–1700* (Ithaca: Cornell University Press, 1994), 121–170.

<sup>29</sup>Hsia, *Myth of Ritual Murder*; Wolfgang Treue, *Der Trienter Judenprozess. Voraussetzungen, Abläufe, Auswirkungen (1475–1588)* (Hannover: Verlag Hahnsche Buchhandlung, 1996).

<sup>30</sup>Ulbricht, *Kindsmord und Aufklärung* remains the classic work on the subject for Germany. See also Otto Ulbricht, "Kindsmörderinnen vor Gericht. Verteidigungsstrategien von Frauen in Norddeutschland 1680–1810," in *Mit den Waffen der Justiz. Zur Kriminalitätsgeschichte des späten Mittelalters und der frühen Neuzeit*, ed. Andreas Blauert and Gerd Schwerhoff (Frankfurt am Main: Fischer Taschenbuch Verlag, 1993), 54–85; Alison Rowlands, "In Great Secrecy: The Crime of Infanticide in Rothenburg ob der Tauber, 1501–1618," *German History* 15 (1997): 179–199; Ulinka Rublack, *The Crimes of Women in Early Modern Germany* (New York: Oxford University Press, 1999), 163–196; Kerstin Michalik, *Kindsmord. Sozial und Rechtsgeschichte der Kindstötung im 18. und beginnenden 19. Jahrhundert am Beispiel Preußen* (Pfaffenweiler: Centaurus Verlag, 1997).

<sup>31</sup>To my knowledge, the only secondary literature on this phenomenon prior to 1998 is Dr. Pet. Kaatzer, *Über den indirekten Selbstmord. Psychiatrisch-forensische Abhandlung* (Marburg: no publisher, 1872), a medical dissertation useful mainly for its appendix listing approximately thirty cases, and H. von Weber, "Selbstmord als Mordmotiv," *Monatsschrift für Kriminalbiologie und Strafrechtsreform* 28, no. 4 (1937): 161–181. Weber identifies cases cited in eighteenth-century German legal scholarship, mostly from northern and central Germany.



significant decline.<sup>32</sup> Jansson presents a classic Durkheimian argument<sup>33</sup> that modernization (urbanization, declining integration within the family and occupational groups, increased literacy—and Protestantism) led to increased “individuation” and social isolation, which in turn contributed to a rise in suicidal acts of all kinds. Suicide and homicide were inversely related. “As a general rule,” Durkheim wrote, “where homicide is very common it confers a sort of immunity against suicide,” and vice versa.<sup>34</sup> Within the cultural climate of orthodox Lutheranism and Pietism, these “suicidal murders” in early modern Sweden constituted a “transitional phenomenon” in a long-term process in which people increasingly focused aggression and violence on the self rather than on others.<sup>35</sup> Within German territories, Vera Lind discusses such killings in her magisterial study of suicide in early modern Schleswig and Holstein (published in 1999). She defines these killings as “concealed suicides” and interprets them as a form of religious sacrifice,<sup>36</sup> an idea this essay will expand upon. In his essay “Freitod durch die Hand des Henkers” (2000), Jürgen Martschukat shows that such killings featured prominently in enlightened debates about criminal justice reforms and led to concrete changes in the procedure of public execution in late eighteenth-century Hamburg.<sup>37</sup> The only scholar to address the question of religious confession is Tyge Krogh, who surveys cases from Denmark, Sweden, and northeastern Germany in his essay “The Fascination with Execution” (2004). Krogh suggests that suicide by proxy was mostly limited to these areas, because the practice derived from a Protestant understanding of sin and salvation.<sup>38</sup> In the latest contribution, Craig Koslofsky and Dana Rabin extend the geographic boundaries of suicide by proxy beyond the regions outlined by Krogh, identifying a number of cases from eighteenth-century England, where historians had previously not observed this phenomenon, viewing them alongside Swedish and German cases identified by Jansson and Lind. In all of these regions, Koslofsky and Rabin argue, “capital

<sup>32</sup> Arne Jansson, *From Swords to Sorrow: Homicide and Suicide in Early Modern Stockholm* (Stockholm: Almqvist and Wiksell, 1998). For a summary, see his “Suicidal Murders in Stockholm,” in *From Sin to Insanity: Suicide in Early Modern Europe*, ed. Jeffrey R. Watt (Ithaca: Cornell University Press, 2004), 81–98.

<sup>33</sup> Emile Durkheim, *On Suicide* (London: Penguin Classics, 2007). Durkheim’s classic *Le Suicide* was first published 1897.

<sup>34</sup> Quoted in Jeffrey R. Watt, *Choosing Death: Suicide and Calvinism in Early Modern Geneva* (Kirksville, MO: Truman State University Press, 2001), 53.

<sup>35</sup> Jansson, *Swords to Sorrow*, 69.

<sup>36</sup> Lind, *Selbstmord*, 61–62, 175–177, 180–181.

<sup>37</sup> Jürgen Martschukat, “Ein Freitod durch die Hand des Henkers. Erörterungen zur Komplementarität von Diskursen und Praktiken am Beispiel von ‘Mord aus Lebens-Überdruß’ und Todesstrafe im 18. Jahrhundert,” *Zeitschrift für historische Forschung* 27 (2000): 53–74.

<sup>38</sup> Tyge Krogh, “Henrettelsens Fascination. Om Selvmordsmord og Statsreligiositet 1700–Tallet,” *Jyske Historiker* 105 (2004): 19–34.

punishment suicide” confronted the early modern state with the “fundamental limits” of its power over its subjects.<sup>39</sup>

These recent publications have begun to outline some contours of suicide by proxy. But it is clear that basic questions have yet to be answered, or are contested: How often did such murders actually occur? Were they sensational yet isolated cases? When and where did they take place? And crucially, given the significance of confession in German history, what role did the religion of the killers play? Is Krogh correct to suggest that suicide by proxy was a Protestant crime? What role did gender play? Finally, and most importantly for the purposes of this essay, what meaning did the killers attach to their act, and how did secular and religious authorities respond? This article will sketch out some preliminary answers to these questions on the basis of a sample of 116 cases of suicide by proxy that took place in various regions within the Holy Roman Empire between 1612 and 1839. The cases are drawn from criminal interrogation records, execution sermons, shocking ballads and chapbooks, collections of medical and legal *consilia*, as well as a number of late eighteenth-century legal, medical, and psychological periodicals.

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Protestants began to observe cases of suicide by proxy earlier and more frequently than Catholics. The earliest case I have discovered dates from 1612, when a peasant woman in Württemberg, a Lutheran territory, murdered her twelve-year-old daughter “seeking her own death and punishment.”<sup>40</sup> For the time being, however, such killings remained isolated occurrences. In Stockholm an early case was recorded in 1621, but suicide by proxy did not emerge as a pattern before the mid-seventeenth century. The Catholic French scholar Pierre-Daniel Huet, who would later serve as tutor to the Dauphin under Louis XIV and as bishop of Avranches, was a visitor at the court of Queen Christina of Sweden in 1652 when the execution of one such murderer took place. His incredulous reaction gives the impression that suicide by proxy was indeed unheard of before this time. Huet recorded in his memoirs: “... it

<sup>39</sup>Craig Koslofsky and Dana Rabin, “The Limits of the State: Suicide, Assassination, and Execution in Early Modern Europe,” in *Selbsttötung als kulturelle Praxis. Ansätze eines interkulturellen historischen Vergleichs*, ed. Andreas Bähr and Hans Medick (Cologne: Böhlau Verlag, 2005), 45–63. Additional cases are discussed in Silke Götsch, “Mörderin an ihrem unschuldigem Kinde aus Überdruß des Lebens,” *Bayerisches Jahrbuch für Volkskunde* (1996): 43–49; Andrea Griesebner, *Konkurrierende Wahrheiten. Malefizprozesse vor dem Landgericht Perchtoldsdorf im 18. Jahrhundert* (Vienna: Böhlau Verlag, 2000), 218–222; Maren Lorenz, *Kriminelle Körper—Gestörte Gemüter. Die Normierung des Individuums in Gerichtsmedizin und Psychiatrie der Aufklärung* (Hamburg: Hamburger Edition, 1999), 269–276; Karl Wegert, *Popular Culture, Crime, and Social Control in 18th-Century Württemberg* (Stuttgart: Franz Steiner Verlag, 1994), 183–184.

<sup>40</sup>“... als ob sie Ihrer selbstn todt und supplicium suchte.” HstAS A 209/576, Barbara Seegräberin, April 31, 1612.

will not be unwelcome to the reader to report on a *new crime* that would hardly be believable, if it were not supported by the credibility of numerous witnesses from whom we heard about it, and that occurred not long before our arrival in this place.” He related the case of a Swede of sound mind and good reputation who stabbed a four-year-old boy in the neck as he was playing in front of his parents’ house. Huet reported the man’s confession: “I know very well that there is no surer way to achieve eternal salvation than if the fully conscious soul exits a strong body . . . , and is carried upward to God by the pious prayers of people of faith. . . . I realized it would be impossible to die this way unless I committed a capital crime, so I thought it would be easiest. . . . if I killed a boy not yet corrupted by this life.” The man, Huet reported, went to his death “joyfully, loudly singing sacred hymns.”<sup>41</sup>

These murders were a novelty for Protestants as well, as illustrated by an entry in the *Theatrum Europaeum*, a multi-volume chronicle of world history produced in the Protestant publishing house of Matthäus Merian. The chronicle reported on a Stockholm murder from 1651, the year before Huet’s visit: a German journeyman goldsmith who had immigrated to Stockholm from Nuremberg years earlier, shot to death a baby sleeping in its crib and then turned himself in to the magistrates. The authorities initially turned him away, taking his confession for a “fantasy.” Only when the man persisted and pleaded with resident German clergy for rapid prosecution, “because he. . . did not want to live any longer,” was the murder confirmed and he was finally arrested.<sup>42</sup> Apparently, the magistrates were not yet familiar with the practice of suicide by proxy. News of the Nuremberg goldsmith’s shocking deed found its way back to his hometown. The Nuremberg city archive contains a small scrap of paper dated only 1651 on which is written, “A child of Nuremberg, a journeyman of the goldsmith trade, tired of

<sup>41</sup>Emphasis mine. “Non abs re forsitan fuerit, nec Lectori injucundum, referre hic facinus novum, nec admodum credibile, nisi testium multorum, ex quibus rem audivimus, fide niteretur, nec longo ante adventum nostrum tempore in his locis patratum. Vir Suecus, mente sanus, probus, bene moratus, inter populares satis commodus, media luce quadrimulum puerum, ante fores paternae domus, palam in vico inter aequales colludentem corripit, cultroque in fauces adacto interimit. Comprehensus ille, et in judicium adductus, nec factum negavit, nec excusavit, nec facti poenam deprecatus est. Imo vero, inquit, me commeritum esse mortem scio, eamque ut a vobis impetrarem hac arte usus sum, cum probe norim vix tutiorem esse ullam salutis aeternae adipiscendae viam, quam cum sensibus integris, corpore valido nec morbis debilitato, excedit anima, piis ad Deum religiosorum hominum sublevata precibus, eorumque consiliis et adhortationibus excitata et adjuta. Quod mortis genus ut per vos oppeterem cum fieri non posse intelligerem, nisi aliquo delicto capitali admisso, levissimum id esse judicavi quod a me perpetratum est, occiso puero nondum vitae hujus corruptela infecto, parentibus egenis, et numerosa prole onustis erepto. Quibus dictis capite damnatus, laetus ac renidens, sacrosque hymnos pleno ore decantans, supplicio affectus est.” Pierre-Daniel Huet, *Commentarius de rebus ad eum pertinentibus* (Amsterdam: Henricus Du Sauzet, 1718), 109–111; Weber, “Selbstmord,” 161.

<sup>42</sup>Johann Philipp Abelinus and Matthäus Merian, *Theatrum Europaeum*, 21 vols. (Frankfurt am Main: Merian, 1662–1718), vol. 7 (1685), 147. The *Theatrum Europaeum* is available in its entirety online at [http://www.bibliothek.uni-augsburg.de/dda/dr/hist/we\\_00001-00021/](http://www.bibliothek.uni-augsburg.de/dda/dr/hist/we_00001-00021/).

his life and wanting to die, working in Stockholm in Sweden, took a pistol and shot a child in its crib. He confessed the deed, asked for mercy, and was executed with the sword.”<sup>43</sup>

By 1670 suicide by proxy had become commonplace in Stockholm. Over the next century the city experienced sixty-two cases of this kind.<sup>44</sup> In German territories the onset of these murders happened somewhat later. The earliest cluster of such cases occurred, perhaps not coincidentally, in Nuremberg, a Lutheran free imperial city of about 25,000 inhabitants. The city experienced at least eight such murders between 1691 and 1745. The city’s *Malefizurteilsbuch*, a book of judgments in capital cases between 1686 and 1743, records six murders beginning in 1691.<sup>45</sup> The first murder in this series deviated from the standard script of suicide by proxy. The killer, Maria Helena Längin, an orphaned daughter of a local citizen, who was imprisoned in the house of correction for her “immoral life,”<sup>46</sup> chose an adult victim instead of a child, perhaps because a more suitable victim was not available to her. On June 7, 1691, she bludgeoned a deaf fellow inmate to death with a brick: she had formed the “evil intent” to “lay a murderous hand” upon her fellow prisoner “out of impatience over her lengthy imprisonment and miserable life.”<sup>47</sup> Less than four months later, the next murder conformed once again to the standard victimology. On September 26, 1691, Maria Magdalena Wolf, the orphaned daughter of a local citizen and furrier, appeared at the gates of the city dungeon, announced she had murdered a child, and demanded to be let in. Earlier that day, she had twice attempted to drown herself in the river Pegnitz beyond the city walls, but each time she had “repented” at the thought that this “desperate” act of suicide would cost her salvation. Returning to the city, she abducted an unknown child in the market square—as it turned out, this was the eight-month-old baby girl of a local soldier—carried her outside the walls and strangled her with her handkerchief.<sup>48</sup> After a pause of ten years, the murders resumed in November 1701, when a local citizen’s daughter drowned her six-month-old baby sister

<sup>43</sup>“1651 Ein Nürnbl. [*sic*] Kind, so ein Gesell auf dem Goldschmied Handwerck, der seines Lebens mied, und gern sterben wolt, er arbeitet zu Stockholm in Schweden, name ein Pistoll, erschöß damit ein Kind in der Wiegen, gab sich der That an, und bat um Gnad, ward mit dem Schwerdt gericht.” Stadtarchiv Nürnberg (StadtAN), B 14/IV Nr. 553. When the goldsmith “asked for mercy,” this did not mean that he wanted to be pardoned. It is part of the standard form in which criminal defendants confessed and submitted to judgment, as in “Er bittet um ein gnädiges Urteil” (“He requests a merciful judgment”).

<sup>44</sup>Jansson, *Swords to Sorrow*, 2, 50–51.

<sup>45</sup>Staatsarchiv Nürnberg (StAN), Nürnberger Amts- und Standbücher, 225.

<sup>46</sup>“... ihres geführten unzüchtigen Lebens halber.”

<sup>47</sup>StAN, Nürnberger Amts- und Standbücher, 225, fo. 12r-13v, “... aus geschöpfter Ungeduld über ihrer langwierigen Verhaft, und armseeliges Leben, und daher gefaßten bösen Vorsatz, an eine auch da enthaltene stumme Weibspersohn, namens Anna Rügerin, mörderische Hand gelegt.”

<sup>48</sup>*Ibid.*, fo. 15v-17r.

in a fishpond, “out of impatience and weariness with her life.”<sup>49</sup> Immediately after the deed she appeared at city hall to turn herself in. The following March, a spurned lover, the only male perpetrator of suicide that I have been able to identify in Nuremberg, decided to shoot himself, but then “out of fear of eternal damnation, he changed his mind,” and shot his lover instead.<sup>50</sup> Fourteen months later, in June 1703, a beggar woman turned herself in after throwing her baby in the river Pegnitz. She had made several attempts to drown herself with the baby, but the thought of eternal damnation prevented her. She finally threw her child into the river, “so that this way she would be killed as well.”<sup>51</sup> In 1709 a butcher’s daughter turned herself in after decapitating a nine-year-old girl with a butcher’s knife. She confessed “that for no legitimate (*rechtmässig*) reason she developed a weariness of her life and decided to attack and kill the next child that crossed her path.”<sup>52</sup> When the deed was done, she felt repentance, so she picked up her prayer book at home before turning herself in at city hall. No further proxy murders were recorded in Nuremberg’s Malefizurteilsbuch, which ends in 1743, and after this date the sources become fragmentary. Nonetheless, it was possible to identify two additional murders, both by female perpetrators. In June 1744 a local note-bookmaker’s wife drowned her nine-month-old son in a bucket,<sup>53</sup> and in 1745 the widow of a journeyman tailor abducted a five-month-old girl and drowned her in the Pegnitz.<sup>54</sup>

Other cities had similar experiences. In Augsburg, a biconfessional city of approximately 30,000 inhabitants, five proxy murders<sup>55</sup> and one attempted proxy murder<sup>56</sup> took place between 1740 and 1783. There were four additional likely cases,<sup>57</sup> and in a related phenomenon, two people accused themselves of

<sup>49</sup>Ibid., fo. 41v–42r. “... aus Ungeduld und Verdruß ihres Lebens.”

<sup>50</sup>Ibid., fo. 45r–45v.

<sup>51</sup>“... damit sie also auch um das leben gebracht werden möge.” Ibid., fo. 46r–46v.

<sup>52</sup>“... daß sie durch einen ihrem eigenen Geständnis nach, ohne rechtmässige Ursache, geschöpften Verdruß ihres Lebens, ... den bösen Vorsatz gefasset, das nechste beste kind anzufallen, und umbs leben zu bringen.” Ibid., fo. 57r–58v.

<sup>53</sup>StadtAN, B14/ IV Nr. 553, Regina Wegfrizin, July 1744.

<sup>54</sup>Stadtbibliothek Nürnberg, Amb 307 2°, Malefizbuch, August 5, 1745, Susanna Brennerin.

<sup>55</sup>Stadtarchiv Augsburg (StadtAA), Strafamt 162, Johann Bausch, “Verzeichnis der Maleficanen,” May 31, 1740, Jeremias Bertz; March 20, 1742, Elisabeth Beckensteinerin; March 10, 1750, Catharina Wenzerin. Staats- und Stadtbibliothek Augsburg (StStBA), 4 S 567–17, *Peinliches Urtheil. . . über Maria Anna Lauterin, . . . wegen der an Aloysius Pankratius Reich . . . verübter Mordthat, den 17. October 1772, ergangen . . .* (n.p., n.d.); StStBA 4 S 567–22: *Peinliches Urtheil . . . über Maria Anna Mayrinn. . . wegen einer an einem dreijährigen Mädchen vorsätzlich verübten Mordthat den 8 Febr. 1783. ergangen. . .* (n.p., n.d.).

<sup>56</sup>StadtAA, Strafamt 167, Verbrecherbuch 1700–1806, 310, November 20, 1773, Gruberin.

<sup>57</sup>Killings of children that were not classic infanticide and were not accidental, but where the sources do not record the killers’ motive. Ibid., 265, September 14, 1745, Oriana Magdalena Schiedlin, and 307, February 29, 1772, Maria Johanna Christiana Hörmännin; StStBA, Graphik 29/126, *Wahrhafter Entwurff einer . . . Mordthat, so ein . . . Handelsman mit Namen Bogner den 21. Mart. Anno 1747 verbyet, in deme er sein eigenes halbjähriges Kindt, . . . mit einem Messer, und also aller väterlichen*

child murder, but the authorities were not persuaded by their confessions.<sup>58</sup> In Berlin (mostly Lutheran), contemporary publications mentioned twelve proxy murders that took place between 1753 and 1794.<sup>59</sup> In Vienna (Catholic) at least nine people were executed for suicide by proxy between 1744 and 1769.<sup>60</sup> In Hamburg (Lutheran), Jürgen Martschukat has identified seven proxy murders between 1772 and 1786.<sup>61</sup> The phenomenon of suicide by proxy was not limited to cities or towns, but occurred in the countryside as well. Vera Lind has uncovered twenty-three cases of “concealed suicide” in the mostly rural Lutheran territories of Schleswig and Holstein between 1600 and 1820.<sup>62</sup> Württemberg peasants committed at least seven such murders between 1612 and 1723.<sup>63</sup> Cases of suicide by proxy occurred in villages in Brandenburg (Lutheran),<sup>64</sup> Silesia (confessionally mixed),<sup>65</sup> Saxony (Lutheran),<sup>66</sup> Swabia (confessionally mixed),<sup>67</sup> Bavaria (Catholic),<sup>68</sup> in upper and lower Austria (Catholic),<sup>69</sup> and many other regions within the Holy

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*Liebe vergessen ermordet* (n.p., n.d.); Samuel Valentin, *Ein . . . Rath der . . . Stadt Augsburg hat hiemit zu Urtheil und Recht erkannt, daß Samstag den 11. January 1772, Leonhard Fels . . . wegen begangener Mord-That an seinem leiblichen Sohn . . . mit dem Schwerdt und blutiger Hand vom Leben zum Tod gebracht werden solle* (Augsburg: Brinhaußer, n.d.).

<sup>58</sup>StadtAA, Straftamt 167, Verbrecherbuch, 1700–1806, 304, April 9, 1771, Rosina Sternin, and 367, September 27, 1791, Peter Wechsler.

<sup>59</sup>For example, the case of Anne Rosine Dunkel, 1794, reported in E. F. Klein, “Selbstmord durch Tödtung anderer; dargestellt in der Untersuchungssache wider die Anne Rosine Dunkel,” *Annalen der Gesetzgebung und Rechtsgelehrsamkeit* 14 (1796): 220–248.

<sup>60</sup>Wien Bibliothek, C 39975, Todesurtheile: Margaretha D., March 5, 1738; Catherina H., September 11, 1744; Dorothea H., July 29, 1749; Joseph G., September 11, 1756; Clara K., November 24, 1759; Regina S., October 24, 1760; Maria Anna N., August 31, 1764; Elisabeth W., January 30, 1767; Catherina J., February 10, 1769. Execution pamphlets typically only give the first initial of the last name.

<sup>61</sup>Martschukat, *Inszeniertes Töten*, 88.

<sup>62</sup>Lind, *Selbstmord*, 191.

<sup>63</sup>HstAS, A 209/576, Barbara Seegräberin, 1612; A 209/166, Hans Bützer, 1678; 209/1179, Margaretha Mayrin, 1703; A 209/1806, Agnes Catherina Schickin, 1704; A 209/1576, Hans Jacob Reylen, 1710; A 209/1773, Ursula Waser, 1723, and Anna Catherina Fischlerin, prior to 1723.

<sup>64</sup>Anon., “Maria Dorothea Bulsinn, eine unglückliche Versmacherinn,” *Annalen der Gesetzgebung und Rechtsgelehrsamkeit* 2 (1788): 170–196.

<sup>65</sup>D. Glawnig, “Fünftes Gutachten ueber den Zustand eines Kindermörders,” in *Aufsätze und Beobachtungen aus der gerichtlichen Arzneywissenschaft*, ed. Johann Theodor Pyl, 8 vols. (Berlin: Mylius, 1783–1793), vol. 8 (1793), 263–268.

<sup>66</sup>Hauptstaatsarchiv Dresden, 10024 Geheimer Rat/Loc 9703/7, Martha Padigen, 1738.

<sup>67</sup>Fürstliches Archiv Oettingen-Wallerstein, Harburg, Criminalsachen Zusum, VI. 115. 11, Katherina Häuslerin, 1786.

<sup>68</sup>Felix Anton von Weitenauer, *Centuria Consiliorum Criminalium* (Augsburg: Matthäus Rieger, 1763), 399–406, case of “S.A.,” 1745.

<sup>69</sup>Oberösterreichisches Landesarchiv Linz, HA Puchheim, Schachtel 43, Nr. 32, Eva Lizlfellnerin, 1762; Griesebner, *Konkurrierende Wahrheiten*, 218–222.

Roman Empire. Such murders are also documented for France in the early nineteenth century.<sup>70</sup>

It is clear that the incidence of suicide by proxy extended well beyond Scandinavia and northeastern Germany, and that Catholics as well as Protestants engaged in the practice. The nine people executed for suicide by proxy in Vienna were, unsurprisingly, all Catholic. The prostitute Margaretha N., alias Schilichte Grödl, executed in Munich in 1783 for drowning a baby girl in the Isar River, was Catholic.<sup>71</sup> Two of the five confirmed proxy killings in Augsburg were committed by Catholics, as was the one attempted proxy murder.<sup>72</sup> After the Catholic miller "S. A." from Hilpoltstein in Bavaria unsuccessfully tried to cut the throat of his five-year-old son in 1724, he was cured of his mental distress by going on a pilgrimage to the nearby Jesuit shrine of Heilig Kreuz in Bergen, near Neuburg an der Donau. The cure was not permanent, however. Twenty-one years later he cut the throat of his nine-year-old daughter. "It was a gift from God," he told his interrogators, that he had killed his child and not himself, "for in the contrary case he would have gone to the devil with body and soul."<sup>73</sup> The Silesian Catholic peasant Hans-Christian Henatschel cut the throat of his nine-week-old baby in 1762, after praying to the saints and engaging in a Friday fast failed to stave off his suicidal urges.<sup>74</sup>

Clearly, the practice of suicide by proxy held appeal across confessional boundaries. And yet, while Catholic murders of this kind were not uncommon, Protestant cases were far more frequent, or at least were more visible and more widely discussed. Of the 116 proxy murders in our sample, the confession of the perpetrators is known in 111 cases. Of these, eighty-eight (seventy-nine percent) were committed by Lutherans, twenty-three (twenty-one percent) by Catholics.<sup>75</sup> This Protestant predominance is partially an artifact of the

<sup>70</sup>C. A. Diez, *Der Selbstmord. Seine Ursachen und Arten vom Standpunkte der Psychologie dargestellt* (Tübingen: H. Laupp'schen Buchhandlung, 1838). Diez cites cases from the *Gazette des Tribunaux* (No. 968, Sept. 14, 1828) and the works of the French alienist Jean Etienne Georget (1795–1828).

<sup>71</sup>Germanisches National Museum Nürnberg, R. 2874 S, Todesurteile, Verrufe, 329–331: *Wohlverdientes Todesurtheil nebst einer Moraledre der Margaretha N. vulgo Schilicheten Grödl* (n.p., n.d.).

<sup>72</sup>StStBA, 4 S 567–17, *Peinliches Urtheil . . . über Maria Anna Lauterin . . .*; StStBA, 4 S 567–22: *Peinliches Urtheil . . . über Maria Anna Mayrinn . . .*; StadtAA, Strafamt 167, Verbrecherbuch 1700–1806, 310, November 20, 1773, Gruberin.

<sup>73</sup>Weittenau, *Consiliorum*, 401, 408.

<sup>74</sup>Johann Theodor Pyl, *Repertorium für die öffentliche und gerichtliche Arzneywissenschaft*, 3 vols. (Berlin: Friedrich Vieweg, 1789–1793), vol. 1 (1789), 218–233.

<sup>75</sup>So far, I have not been able to identify proxy murders in Reformed areas. A study of suicide in early modern Geneva does not mention the phenomenon. Watt, *Choosing Death*. In early modern Zurich, however, Markus Schär has observed the related practice of people turning themselves in to authorities and accusing themselves of capital crimes, notably sodomy. Instead of prosecuting them, the authorities had them hospitalized as melancholics. Markus Schär, *Seelennöte der Untertanen. Selbstmord, Melancholie und Religion im alten Zürich* (Zurich: Chronos Verlag, 1985), 111–112. For the Netherlands, the topic of suicide in general remains to be studied. See Machiel Bosman, "The Judicial Treatment of Suicide in Amsterdam," in *From Sin to Insanity*, ed. Watt, 8–24. I suspect that

sources. Many of the cases under consideration here were drawn from published collections of medical consilia, i.e., forensic medical reports on specific criminal cases. Such collections, as Maren Lorenz has shown, were mainly published in large Protestant territorial states such as Prussia or Saxony, where the Enlightenment and process of medicalization took hold earlier than in the Catholic south.<sup>76</sup> Similarly, numerous articles on suicide by proxy appeared in the new periodicals in medicine, law, and psychology that came into being in the late eighteenth century, and these media, too, were published in the Protestant north.<sup>77</sup> The rarity of this kind of source material for Catholic areas undoubtedly makes it more difficult to uncover Catholic murders of this kind. Suicide by proxy was frequent enough in Austrian lands to occasion the publication of an edict specifically directed against this offense. An edict of March 22, 1706, ordered that if “an unknown male or female person, who is neither related nor a servant, out of pure malice . . . commits the sin of child murder, . . . such a murderer should have his or her head and hand chopped off, and the hand should be attached to the pillory.” The edict specifically mentioned that this penalty should apply “if such a child murder was committed out of weariness with life.”<sup>78</sup>

Nonetheless, the predominance of Protestant cases is marked. The edict of 1706 indicates that such murders must have occurred earlier in Catholic Austria, but the first recorded Catholic case that I am aware of happened in lower Austria in the village of Rodaun just southwest of Vienna in 1719, when a twenty-seven-year-old woman, on the road in search of employment, sought shelter in a barn where she cut the throat of a twenty-week-old baby, the son of a fellow vagrant woman who had also taken refuge there.<sup>79</sup> But were Catholic murders of this kind really so much rarer? Did Catholics begin to imitate the practice of suicide by proxy only once it had become an

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archival research in criminal trial records relating to homicide and infanticide would uncover cases of suicide by proxy in Reformed areas.

<sup>76</sup>Lorenz, *Kriminelle Körper*, 29–31.

<sup>77</sup>For example, the *Magazin zur Erfahrungsseelenkunde, als ein Lesebuch für Gelehrte und Ungelehrte*, published by Karl Philipp Moritz in Berlin, 1783–1793, or the *Annalen der Gesetzgebung und Rechtsgelehrsamkeit in den Preussischen Staaten*, published in Berlin and Stettin, 1788–1809. The *Annalen* and many other Enlightenment periodicals are now available online through the database “Retrospektive Digitalisierung wissenschaftlicher Rezensionenorgane und Literaturzeitschriften des 18. und 19. Jahrhunderts aus dem deutschen Sprachraum” at <http://www.ub.uni-bielefeld.de/diglib/aufklaerung/>.

<sup>78</sup>If “eine frembde mannß oder Weibs Persohn, so weder verwahnt noch bedient ist, aus lauther Boßheit . . . mit einem Kinder Morth sich versindiget . . . einen solchen Kindts Merdter oder Kindts Merdeterin an der gewöhnlichen Richtstatt Hand und Kopf abgeschlagen, auch die Handt an den Pranger geheftet werden [solle].” The order applied specifically if “aus Vertruss des Lebens solcher Kinder Mordt begangen worden seye.” Quoted in Griesebner, *Konkurrierende Wahrheiten*, 221.

<sup>79</sup>*Ibid.*, 218–222.



established cultural pattern among Protestants? What accounts for the invisibility of Catholic cases? The question of religious confession bedevils the study of suicide in general. Long before Emile Durkheim formulated the so-called “first law” of sociology that Protestants commit suicide more often than Catholics, the question of suicide rates became a subject of confessional polemics and remains a matter of controversy among historians today.<sup>80</sup> Erik Midelfort has shown that educated Germans, both Protestants and Catholics, were convinced as early as the sixteenth century that suicide was more common among Protestants. Martin Luther saw “despair” as a necessary step in the process of salvation—believers had to face their own utter inadequacy in the face of God’s law before they could become recipients of grace. In this hazardous stage believers were particularly vulnerable to demonic temptation and might fall victim to religious melancholy. This understanding of the salvation process led Lutheran theologians to expect and to be more accepting of suicidal tribulations among their flock. Catholics, conversely, saw the supposed high incidence of suicide among Protestants as confirmation of the impoverishment and error of the Lutheran religion, gleefully declaring that when Lutheran reformers jettisoned the sacraments and traditional religious practices, they left their believers defenseless in the face of the devil. “The apparent rise of Protestant suicide rates,” Midelfort concludes, “. . . has largely been an artifact of prior social and religious attitudes,” rather than a reflection of an underlying social reality.<sup>81</sup> Other historians, however, do see Protestantism as a significant cause of rising suicide rates—which they believe reflected a real increase in the incidence of suicide rather than simply changes in perception or record keeping.

Arne Jansson, as we have seen, draws on Durkheim to explain the rise in suicide rates in Stockholm around 1670. Protestant individualism was one factor, Jansson argues, that contributed to declining levels of social integration and a resulting rise in the number of suicides, as well as suicidal murders in Stockholm around 1670.<sup>82</sup> In early modern Zurich, according to Markus Schär, the severe teachings of Zwinglian orthodoxy, which common people did not fully internalize before 1650, prompted a rise in religious melancholy and in the number of suicides at this time.<sup>83</sup> In his study of suicide in early modern Geneva, Jeffrey Watt reaches exactly the opposite conclusion, however. He, too, observes a real rise in the suicide rate, though for a somewhat later period beginning in 1750, but he attributes it to a *weakening* of Calvinist

<sup>80</sup>David Lederer, “Selbstmord im frühneuzeitlichen Deutschland. Klischee und Gechichte,” *Psychotherapie* 4 (1999): 206–212.

<sup>81</sup>H. C. Erik Midelfort, “Religious Melancholy,” 51. See also David Lederer, “Verzweiflung im alten Reich. Selbstmord während der ‘Kleinen Eiszeit,’” in *Kulturelle Konsequenzen der “Kleinen Eiszeit,”* ed. Wolfgang Behringer, Hartmut Lehmann, and Christian Pfister (Göttingen: Vandenhoeck & Ruprecht, 2005), 255–280.

<sup>82</sup>Jansson, *Swords to Sorrow*, 36–37.

<sup>83</sup>Schär, *Seelennöte der Untertanen*, 224–240.

orthodoxy. It was precisely the strict social control exercised by the Calvinist church and its severe condemnation of suicide that had held self-killings in check in the earlier period. Secularization lifted the taboo.<sup>84</sup>

The vexed—and perhaps ultimately unanswerable—question of the impact of religious confession on suicide rates will not be resolved here, nor can we determine whether the lower number of Catholic cases of suicide by proxy means that Catholics were really less likely to commit these kinds of murders, or whether they simply commented on them less. We can say, however, that on the level of popular practice and ritual, Catholic and Protestant cases appear indistinguishable. Regardless of confession, the actors availed themselves of the same cultural repertoire as they performed the killings.

Among both Catholics and Protestants, women made up the majority of perpetrators of suicide by proxy. The gender of the perpetrator is known in 114 of the 116 total cases. Of these 114 murders, sixty-five (fifty-seven percent) were committed by women, forty-nine (forty-three percent) by men. The confession of the perpetrators is known in 111 cases. Differentiating by confession, among eighty-eight Protestant murderers, fifty-one (fifty-eight percent) of the perpetrators were women, thirty-seven (forty-two percent) were men. Among the Catholic perpetrators, fourteen (sixty-one percent) were women, nine (thirty-nine percent) were men. The predominance of female killers becomes more pronounced if we include only archival or serial sources, such as criminal interrogation records or death sentence announcements, documents that are more likely to reflect practice than sources involving more editorial selection by the authors, such as published collections of consilia or journal articles. Of the thirty-seven murders recorded in these kinds of sources, thirty-one (eighty-three percent) were committed by women and six (sixteen percent) by men. One explanation for the contrasting gender profile in these two bodies of source materials, the archival record vs. contemporary publications, might be that it is easy to conflate this type of child murder with classic infanticide. Classic infanticide, understood as a female crime, was widely discussed in the eighteenth-century press, and so authors and publishers might have chosen to focus on the rarer and therefore more remarkable male child murderers.<sup>85</sup> It is not possible to establish statistical trends on the basis of cases drawn from disparate regions and distinct bodies of sources, but it does seem likely that suicide by proxy was predominantly a female crime. Of the eight proxy murders in Nuremberg, women committed seven. Of the nine people executed for

<sup>84</sup>Watt, *Choosing Death*, 261–298.

<sup>85</sup>A conflation of child killings associated with indirect suicide with classic infanticide would also explain why suicide by proxy has attracted relatively little attention by historians. Archival indices (*Findbücher*) of criminal interrogations, when they exist at all, typically list all child murders as “Kinds-mord” or “Kindermord.” The only way to distinguish child murders associated with suicide by proxy from classic infanticide is to read the case file.

suicide by proxy in Vienna, eight were women. Jansson observed the same pattern in Stockholm: among sixty-five proxy killers, fifty-three were women.<sup>86</sup> In Hamburg the gender disparity was less pronounced: among the seven proxy killings identified by Jürgen Martschukat, women committed four, men committed three.<sup>87</sup> The pattern observed by Vera Lind for Schleswig and Holstein bucks the trend. She counted twenty-three cases of “concealed suicide” between 1600 and 1820, nine committed by women, fourteen by men;<sup>88</sup> however, in a study on female homicide in Schleswig and Holstein, Silke Göttisch identified sixteen proxy killings committed by women between 1700 and 1830.<sup>89</sup> Some contemporaries, in any case, perceived suicide by proxy as a female crime. In 1779 the jurist Carl Ferdinand Hommel observed that this crime was typically committed by “common people, usually weak females of poor education.”<sup>90</sup>

The large number of women among perpetrators of suicide by proxy is all the more remarkable, given that men generally outnumber women among recorded cases of direct suicide by a significant ratio, both historically and in the present day. Two thirds of recorded suicides in Schleswig and Holstein in the seventeenth and eighteenth centuries were male.<sup>91</sup> In early modern Zurich, seventy-five percent of recorded suicides were male.<sup>92</sup> In Geneva men outnumbered women among recorded suicides by two to one during the whole early modern period, though the gender gap became most pronounced for the period after 1750.<sup>93</sup> Men made up two thirds of recorded suicides in early modern England.<sup>94</sup> Seventy-seven percent of recorded suicides in eighteenth-century Paris were men.<sup>95</sup> Intriguingly, these sex ratios have not changed much from the late Middle Ages to the present. According to Vera Lind, the female suicide rate “of approximately one third constitutes a stable phenomenon over centuries, not only in Schleswig-Holstein, but also in all of Germany, in many European states, the USA, and in non-industrialized states.”<sup>96</sup>

This predominance of female killers also runs counter to a commonplace in the growing historiography on crime: the consensus there is that female

<sup>86</sup>Jansson lists sixty-two cases of suicidal murders, but in three cases two people cooperated in the killing so that both would be executed. Jansson, “Suicidal Murders,” 86.

<sup>87</sup>Martschukat, *Inszeniertes Töten*, 88.

<sup>88</sup>Lind, *Selbstmord*, 191.

<sup>89</sup>Göttisch, “Mörderin,” 48.

<sup>90</sup>Hommel, *Rhapsodia*, vol. 5, 1454.

<sup>91</sup>Lind, *Selbstmord*, 191–193.

<sup>92</sup>*Ibid.*, 192. Lind calculated this percentage on the basis of Schär’s data.

<sup>93</sup>Watt, *Choosing Death*, 33–35.

<sup>94</sup>Michael MacDonald and Terence Murphy, *Sleepless Souls: Suicide in Early Modern England* (Oxford: Oxford University Press, 1990), 247.

<sup>95</sup>Jeffrey Merrick, “Patterns and Prosecution of Suicide in Eighteenth-Century Paris,” *Historical Reflections* 16 (1989): 1–53.

<sup>96</sup>Lind, *Selbstmord*, 202.

criminality was far less serious than that of men, and that women very rarely used physical force or committed acts of violence.<sup>97</sup> The violence associated with suicide by proxy contrasts with the relatively non-violent methods infanticidal mothers typically chose to kill their newborns, or that suicidal women chose to kill themselves. In Augsburg the most frequent method of infanticide consisted of giving birth into the privy, in which case the infanticidal mother would never touch her infant.<sup>98</sup> Other common methods were neglect and suffocation. Classic infanticide almost never involved the shedding of blood. “What characterized these methods of killing from the perspective of the women,” according to Otto Ulbricht, “was the avoidance of violence. These women understood violence as the application of force, the use of instruments or other objects, or in their words: to actively lay a hand on [the child] (*Handanlegen*).”<sup>99</sup>

Female suicides were similarly unbloody. Female suicides in Schleswig and Holstein almost never used weapons. Whereas fifteen percent of men committed suicide by cutting their own throat, women rarely did so. Half of all female suicides chose drowning, a passive form of death that left the body physically intact.<sup>100</sup> In contrast, suicides by proxy were often characterized by extreme violence, literally overkill. The most frequent murder method was cutting the victim’s throat. Of the ninety-five murders in which the murder method is known, forty-six cut their victims’ throat (twenty-two Protestant women, twelve Protestant men, seven Catholic women, and five Catholic men). Eighteen perpetrators bludgeoned their victims to death, a method preferred by eleven Protestant men, four Protestant women, one Catholic woman, and two Catholic men. Ten cases involved drowning (seven Protestant women, one Protestant man, and two Catholic women). This was followed by stabbing in nine cases (eight Protestant men, one Protestant woman), strangling or suffocation in four cases (three Protestant women, one Catholic woman), shooting (three Protestant men, and one man of unknown confession), poisoning (one Protestant and one Catholic woman), and throwing the child in the privy (one Protestant and one Catholic woman). Some methods appealed more to one sex than the other—no woman chose firearms, no man chose suffocation—but cutting the throat was clearly the favored method for all perpetrators, regardless of gender or confession.

The autopsy of a nine-year-old girl murdered by a maid servant in Nuremberg in 1709 gives an idea of the extraordinary violence employed in these killings. The inspection showed that the girl’s throat had been slashed, “severing the windpipe and all blood vessels right down to the vertebrae, with a knife

<sup>97</sup>Otto Ulbricht, “Einleitung,” in *Von Huren und Rabenmüttern. Weibliche Kriminalität in der Frühen Neuzeit*, ed. Otto Ulbricht (Cologne: Böhlau, 1995), 1–37.

<sup>98</sup>StadtAA, Straftat, Urgichtensammlung.

<sup>99</sup>Ulbricht, “Kindsmörderinnen vor Gericht,” 75.

<sup>100</sup>Lind, *Selbstmord*, 325–331.

repeatedly drawn back and forth.”<sup>101</sup> In 1723 a fifty-year-old Württemberg peasant woman killed a three-year-old girl with six blows to the neck with “a rather blunt axe.” Blood at the scene spattered five feet (“*fünf Schu*”) high.<sup>102</sup> In 1778 “C.E.N.,” a thirty-year-old servant woman from Königsberg managed to decapitate a four-year-old girl with one stroke of the knife.<sup>103</sup> This level of violence might lead one to conclude that these murders occurred as acts of rage, as impulse crimes, in a “paroxysm of melancholy” as one consilium put it.<sup>104</sup> But that was not the case. These killings were characterized by a high level of premeditation and preparation. People who committed such murders often planned for days or weeks, scoping out suitable victims. They used ruse to gain access to their victims. In 1783 Margaretha N., a prostitute from Munich, befriended a mother of two children, invited her for beer, and chatted with her and her small daughter until she convinced the mother to let her take the girl along on some errands. Out of the mother’s sight, she took the girl to the Isar River and drowned her.<sup>105</sup> Perpetrators of suicide by proxy frequently resorted to this kind of deception, which led jurists to condemn them as particularly cold-blooded and treacherous. In Leipzig in 1774 a woman identified only as “Schröterin” suffered the exacerbated penalty of having her body exposed on the wheel after her beheading, an extremely rare penalty for women, because her judges considered her killing of a four-year-old girl to be a *Meuchelmord*, a particularly cowardly and treacherous type of murder. In order to gain access to her victim, she gave the girl’s mother some money to go buy pears for the girl. In the mother’s absence, she cut the girl’s throat.<sup>106</sup>

Where can we situate suicide by proxy in the history of homicide? In his analysis of homicidal violence in Amsterdam from the fifteenth through the nineteenth century, Pieter Spierenburg categorizes killings along two axes, the first to distinguish impulsive violence from planned or “rational” violence, the second to distinguish ritualistic, expressive violence from instrumental violence. According to Spierenburg, late medieval homicides tended to be at once more impulsive and ritualistic, while over the long term rational violence superseded impulsive violence, and instrumental killings came to predominate over

<sup>101</sup>StAN, Nürnberger Amts- und Standbücher 225, fo. 57r–58v, Christina Forgerin, March 26, 1709.

<sup>102</sup>HStAS, A 209/1773, Ursula Waser, August 27, 1723.

<sup>103</sup>Johann Daniel Metzger, *Gerichtlich-medizinische Beobachtungen* (Königsberg: Johann Jacob Kantner, 1780), 69.

<sup>104</sup>HStAS, A 209/1179, Margaretha Mayrin, 1703. A consilium from the legal faculty at the University of Tübingen recommended that Margaretha Mayrin be spared the death penalty for the murder of a small girl, since the killing happened during “a paroxysm of melancholy in the second degree.”

<sup>105</sup>*Todesurtheil . . . Margaretha N. Schilicheten Grödl.*

<sup>106</sup>Hommel, *Rhapsodia*, vol. 5, 1451–1453.

ritualistic ones.<sup>107</sup> Categorizing suicide by proxy along these two axes, one finds that the violence was clearly planned and “rational” rather than impulsive. The instrumental aspect of the killings is also clear. In a majority of cases the killers achieved their stated goal of orchestrating their own execution. But these killings were as expressive and ritualistic as they were instrumental.

Just like the mythical killings of the blood libel, the killings associated with suicide by proxy unfolded according to a particular liturgy of violence. In the myth of Jewish ritual murder, groups of Jewish men were believed to murder male Christian children as a form of religious sacrifice. Women might be involved on the periphery. In suicides by proxy, individual Christians acting alone, predominantly women, murdered Christian children of both sexes. They also sometimes killed adults, often in institutional settings—houses of correction, hospitals, military barracks—where they might have been constrained in their choice of victims. But even here they preferred victims whom they perceived as somehow childlike—the deaf, dumb, and simple-minded. In the first recorded case of suicide by proxy in Nuremberg in 1691, Maria Helena Längin, an inmate in the house of correction chose a deaf woman (*eine stumme Weibsperson*) as her victim.<sup>108</sup> In 1720 Anna Dorothee Voßin, a prisoner in the workhouse in Helmstädt deliberately chose an eighteen-year-old deaf and dumb girl as her victim. She lured the girl, who presumably was being cared for in the institution, into her cell and cut her throat. She had previously considered killing another deaf girl, but worried that she was too tall to overpower, so she settled on an easier victim.<sup>109</sup> In 1755 Ewa Margaretha K., imprisoned in the house of correction at Onolzbach<sup>110</sup> near Nuremberg, persuaded a mentally handicapped woman to let her kill her so that they both might end their suffering and be saved. The woman agreed, lay down on a bench, and allowed Ewa to cut her throat.<sup>111</sup>

Among the child victims of suicide by proxy, girls made up the majority. Of the eighty-nine victims whose age and sex are known, thirty-nine were girls (forty-four percent), thirty-one (thirty-five percent) were boys, eleven (twelve percent) were women, and eight (nine percent) were men. In cases of suicide by proxy the perpetrators predominantly chose to kill children or adults of their own sex. Of the victims of female killers the age and sex of forty-eight of the victims is known. Women killed twenty-seven girls (fifty-six percent), fifteen boys (thirty-one percent), and six adult women (thirteen percent).

<sup>107</sup>Pieter Spierenburg, “Faces of Violence: Homicide Trends and Cultural Meanings, Amsterdam, 1431–1816,” *Journal of Social History* 27 (1994): 701–716.

<sup>108</sup>StAN, Nürnberger Amts- und Standbücher, 225, fo. 12r–13v.

<sup>109</sup>Augustin von Leyser, *Meditationes Ad Pandectas* (Leipzig: Meisnerus, 1741–1776), 491–492.

<sup>110</sup>Known today as Ansbach.

<sup>111</sup>Anon., “Ewa Margaretha K.,” *Magazin zur Erfahrungsseelenkunde*, ed. Moritz, vol. 6 (1788). Reprint. (Nördlingen: Franz Greno, 1986), 203–208.

They did not kill any adult men. The age and sex of forty-one of the victims killed by men is known. Men killed sixteen boys (thirty-nine percent), twelve girls (twenty-nine percent), eight men (twenty percent), and five women (twelve percent). This gendered pattern becomes more pronounced when children murdered by their own parents are not counted. Women killed twenty-one girls (seventy-two percent) and eight boys (twenty-eight percent) who were not related to them. Men killed eleven boys (eighty-five percent) and two girls (fifteen percent) who were not related to them. Perpetrators of suicide by proxy who killed children unrelated to them preferred to kill children of their own sex. This raises the question of the nature of the relationship between victim and killer. Could it be that women chose to kill girls, and men chose to kill boys, because they achieved a greater level of identification with a child victim of their own sex, and in killing this child they were also in some sense killing themselves? Some killers clearly identified with their victims. In the days leading up to C.E.N.'s murder of a four-year-old girl in February 1778, she contemplated the child whom she would soon decapitate: "the little [girl] was, like herself, the only daughter of her parents. And since she [i.e., C.E.N.] was unhappy in the world, the peasant's daughter might suffer a similar fate, and so it was better to put her out of the world."<sup>112</sup>

If the perpetrators of suicide by proxy were in some sense annihilating themselves as they killed their victim, even before they mounted the scaffold themselves, they also understood the murder as a religious offering. As in the child killings associated with the blood libel, the child-victims of suicide by proxy were constructed as martyrs. A closer look at the interactions between victim and killer will illustrate the ritualistic and sacrificial nature of these killings. This essay began with a description of the extraordinary scene in 1704 of Agnes Schickin affectionately delousing the boy whose throat she would cut a short time later. This type of affectionate exchange between killer and victim was typical of these murders. Margeretha Mayrin's murder of her neighbors' two-year-old daughter in the village of Herprechtingen in Württemberg in 1703 is a case in point. She dropped by her neighbor, who was a shoemaker, to borrow some wire to repair her shoes. As she was waiting for him to cut the wire, she picked up the toddler, kissed and hugged her, and then took the girl home with her for a visit. After a while, the girl's mother came by to give Mayrin a gift of some milk and to pick up her daughter. Mayrin, in turn, gave the mother some bread, and persuaded her to let the girl stay longer. Subsequent to this exchange of gifts, alone with the child again, Mayrin smashed the girl's head against a wall, shattering her skull.<sup>113</sup> Such gifts of food are a common theme, though typically the murderers gave or shared

<sup>112</sup>Metzger, *Beobachtungen*, 73.

<sup>113</sup>HStAS, A 209/1179, Margaretha Mayrin, 1703.

food with the child-victim. After she had plied the mother with beer and had gained access to her victim, the prostitute Margaretha N. fed the little girl a bowl of oatmeal just before she drowned her in the Isar.<sup>114</sup> In 1753 the soldier Daniel Völkner from Mecklenburg shared his evening meal with the little girl who was his intended victim, just before he cut her throat.<sup>115</sup> These gifts of food or shared meal are evocative of the “last meal” (*Henkersmahlzeit*) served to condemned criminals before their execution, and served the same symbolic purpose. In the days leading up to their execution, “poor sinners” were provided with whatever foods they desired, and in some regions, the condemned shared a meal with judges and executioner. By accepting special food, the condemned expressed that they were at peace with the judges and agreed to play their scripted role during their upcoming execution.<sup>116</sup> Similarly, when perpetrators of suicide by proxy offered food to their victims, such gifts were designed to elicit and express their victims’ consent.

The victim’s consent was a recurrent theme in the killers’ confessions. In his analysis of early modern English murder cases, Malcolm Gaskill has shown that witnesses in murder trials often testified to implausible if not impossible events, such as cruentation, the bleeding of a victim’s body in the presence of the murderer. Gaskill sees this as an example of “fiction in the archives” of the sort that Natalie Zemon Davis has discussed.<sup>117</sup> Davis argued that early modern pardon seekers “fictionalized” their account of events, not to convey a falsehood, but to craft their “narrative” so as to give moral meaning to their petition. The testimony of murder witnesses served a similar function, Gaskill suggests.<sup>118</sup> Philippe Aries has described early modern death as “a ritual organized by the dying person himself who presided over it and knew its protocol.”<sup>119</sup> In murder cases, Gaskill argues, such ritual orchestration was performed by witnesses on the victim’s behalf. Witnesses testified that murder victims had behaved well in their last moments, that they had died a good death.<sup>120</sup> In contrast to much of the homicidal violence in early modern Europe, which took the form of ritualized conflicts among men in public, in the streets, in taverns, in the marketplace,<sup>121</sup> suicide by proxy has in common with infanticide that

<sup>114</sup>*Todesurtheil . . . der Margaretha N. Schilicheten Grödl.*

<sup>115</sup>Anon., “Geschichte des Inquisiten Daniel Völkners, aus den Kriminalakten gezogen,” *Magazin zur Erfahrungsseelenkunde*, vol. 1 (1783), 97–102.

<sup>116</sup>Stuart, *Defiled Trades*, 175. Hans von Hentig, *Vom Ursprung der Henkersmahlzeit* [Tübingen: J. C. B. Mohr (Paul Siebeck), 1958].

<sup>117</sup>Natalie Zemon Davis, *Fiction in the Archives: Pardon Tales and their Tellers in Sixteenth-Century France* (Stanford, CA: Stanford University Press, 1987).

<sup>118</sup>Malcolm Gaskill, “Reporting Murder: Fiction in the Archives in Early Modern England,” *Social History* 23 (1998): 1–30, 3–5.

<sup>119</sup>Quoted in *ibid.*, 25.

<sup>120</sup>*Ibid.*, 25.

<sup>121</sup>Joachim Eibach, “Städtische Gewaltkriminalität im Ancien Regime. Frankfurt am Main im Europäischen Kontext,” *Zeitschrift für Historische Forschung* 25 (1998): 359–382.



victim and murderer were alone. In cases of suicide by proxy, there were no witnesses present who might testify to the victim's good death. Accordingly, it was the murderers themselves who testified to their victims' demeanor at the moment of death, structuring their narrative to emphasize their victims' consent and sanctification.

In 1783 Maria Anna Mayrin from Augsburg described her murder of a three-year-old girl. As she was preparing to cut the girl's throat, she removed the girl's hood and scarf and asked her if she wanted to die. The child answered yes.<sup>122</sup> In 1786 Katherine Häuslerin from Donauwörth testified that just before she drowned her seven-year-old daughter and eleven-month-old son in the Danube, she had the girl kneel and pray for a good death. Moments before their mother threw them in the river, the little girl kissed her brother and said, "little brother, now we must die."<sup>123</sup> Some murderers bore witness that their victims cried out to Jesus at the moment of death. When Wolff Christoph Dörren shot his fiancée in the left temple in 1702, he testified that as the bullet exited the other side, she "after crying out to Lord Jesus, sank to the ground and did not say another word."<sup>124</sup> This story seems about as plausible as Agnes Catherina Schickin's testimony that her seven-year-old victim recited three sets of prayers three times as she violently assaulted him.<sup>125</sup> Such testimony served not only to attest to their victims' good death, but also to establish a parallel between the liturgy of the murders and the liturgy of public execution they themselves wished to undergo. No execution pamphlet was complete without describing the condemned criminal's prayers and pious last utterances on the scaffold.<sup>126</sup> The execution of Catherina Uhlin in Halle in 1736 for cutting the throat of a nine-year-old girl is typical. The minister who had prepared her for execution recorded her last words: moments before her beheading "she cried out four times, 'Now Jesus! Jesus! Jesus! . . . With such sighs she received the blow of the sword.'"<sup>127</sup>

Execution pamphlets echoed the killers' sanctification of their victims, in both text and image, explicitly portraying the children as martyrs, but also established parallels between their murders and the execution of their killers. When Jeremias Bertz, an Augsburg bag-maker, cut the throat of his eighteen-week-old-baby

<sup>122</sup> *Peinliches Urtheil . . . über Maria Anna Mayrin.*

<sup>123</sup> Anon., "Katherine Häuslerin," *Magazin zur Erfahrungsseelenkunde*, ed. Moritz, vol. 6 (1788), 212–214.

<sup>124</sup> For example, StAN, Nürnberger Amts- und Standbücher 225, fo. 44r–45v, Wolff Christoph Dörren, April 17, 1702. "Sie aber nachdem sie Herr Jesus geruffen, gleich hernieder und zu Erden gesunken, und kein Wort mehr geredet." Ibid., Christina Forgerin, March 16, 1709. Forgerin lured a nine-year-old girl to the attic where she cut her throat. When the girl saw the knife, she cried out, "Herr Jesu, was ist das?"

<sup>125</sup> Hauptstaatsarchiv Stuttgart, A 209/1806, Agnes Catherina Schickin, 1704.

<sup>126</sup> Evans, *Rituals of Retribution*, 73–86.

<sup>127</sup> Woltersdorf, ed., *Der Schächer am Kreutz*, vol. 1 (1761), 658.

daughter Maria Magdalena in 1740, his deed inspired no fewer than four publications, including several engravings of the dead child and numerous murder ballads circulating in manuscripts, replete with the folksong melodies they were set to. One of the printed ballads publicized his motive:

*Und weil ich vor Verdruß recht müd war dises Lebens  
So kam mir in den Sinn, begehe einen Mord.  
Seht was der Satan kan, es war auch nicht vergebens,  
Ich folgte ihm so gleich, und thate also fort  
Was ich mit Weh und Ach anjetzo stets bereue,  
Mit Bitte, daß mir GOTT die grosse Sünd verzeyhe.*<sup>128</sup>

And because I was weary of this life,  
It entered my mind, commit a murder.  
See what Satan can do, and it was not in vain,  
I obeyed him immediately, and did right away  
What I now lament and repent,  
With the plea, that GOD may forgive my grave sin.

Another ballad, entitled “The merely eighteen-week-old Martyr Maria Magdalena Bertzin Speaking from the Grave,” enacts a conversation between the father and his murdered child. The child, an innocent “lamb” that was now singing with a choir of angels, laments her father’s deed but also exhorts him to repent so she might be reunited with him in heaven.<sup>129</sup> Maria Magdalena was a Protestant child, but the images of her dead body resemble “the corporeal sensuality of pious suffering” that R. Po Hsia has described in the seventeenth-century engravings of several alleged victims of Jewish ritual murder, images “that brings to mind Rubenesque cherubs, redemptive flesh in the sensuous iconography of baroque Catholicism.”<sup>130</sup> Simon of Trent was often portrayed with the instruments of his martyrdom—evoking the *Arma Christi*, “the weapons of Christ,” i.e., the instruments of the passion (cross, nails, lance, crown of thorns).<sup>131</sup> Similarly the murder weapon, the knife, figures prominently beneath the portrayal of Maria Magdalena. In “the anatomical-surgical

<sup>128</sup>Württembergische Landesbibliothek Stuttgart, Crim.R.qt.K.46–3: *Der in den Tödt gehende, und seiner eignen Töchter (so ihn nachdem sie von ihm jämmerlich ermordet worden, aus dem Grab beweglich angere-det), antwortende bussfertige Vätter, oder Arme Sünder Jeremias Bertz, Wie er ihre Abschieds-Rede samt Vorhaltung seiner an ihr begangenen Mord-That, reumüthig beantwortet, Sich in Buß und Glauben der vollgültigen Erlösung seines einigen Erlösers Jesu Christi tröstet, Und seine Seele am letzten Tag seines Lebens in die Wunden unsers einigen Seeligmachers Jesu Christi beföhlet; Dabey auch von seinem Lebens-Lauf etwas erzehlet, und sich als einen Buß-Spiegel zum Exempel allen Menschen darstellt, Als derselbe den 31. May 1740 in Augsburg mit dem Schwerdt vom Leben zum Tödt gebracht worden* (Augsburg: J. J. Baumgartner, 1740).

<sup>129</sup>StadtAA, Strafsamt 162, Bausch, May 31, 1740, Jeremias Bertz.

<sup>130</sup>Hsia, *Myth of Ritual Murder*, 218.

<sup>131</sup>On the iconography of Simon of Trent, see also Treue, *Der Trienter Judenprozess*, 350–379. On the *Arma Christi*, see Mitchell B. Merback, *The Thief, the Cross, and the Wheel: Pain and the Spectacle of Punishment in Medieval and Renaissance Europe* (Chicago: University of Chicago Press, 1999), 97–98.

rendering”<sup>132</sup> of the image the viewer can look into the wound it inflicted (Figure 1).

When Maria Elisabetha Beckensteinerin, an Augsburg cardmaker’s wife imprisoned for theft, strangled her six-month-old baby boy in her prison cell two years later so that she might “earn [her death] by means of her child’s death,” this murder prompted a similar outpouring. No fewer than three engravings portraying the murder were published, and the deed inspired several ballads. One of the images directs the viewer’s gaze to the murder weapon in an inset showing the stocking ribbon (*Strumpfbändel*) with which she strangled him, with the caption “Length and Breadth of the Murder Band.” A ballad commemorated the “twenty-seven-week-old martyr.” Another pamphlet (Figure 2) juxtaposes two images, the moment of the murder as the baby’s naked soul leaves his body ascending upward into the waiting arms of an angel, and the moment of the mother’s execution. The salvation of the child is certain, while the salvation of the mother is in abeyance. A cautionary verse beneath the image warns that repentance often comes too late, but the clergymen who accompanied her to her execution stand with her on the scaffold gesturing toward heaven. Several ballads attested to her heartfelt repentance.

Another parallel between suicides by proxy and public execution was of course the forms of death of victims and perpetrators and the blood symbolism they shared. As we have seen, most victims had their throat cut, and all perpetrators who were executed died by beheading. The “bloodthirsty murderer” who “washed her hands in the innocent blood of the child,”<sup>133</sup> victims found lying in a pool of blood, and the blood of the innocent that cried out to God for vengeance<sup>134</sup> are recurrent themes in the pamphlet literature commemorating these crimes. Authorities evoked the Old Testament maxim of blood for blood,<sup>135</sup> and perpetrators offered up their blood in “payment” for their sins. Ultimately, of course, it was the blood of Christ that would wash away the killers’ sin.<sup>136</sup> The promise of redemption on the scaffold

<sup>132</sup>Merback, *The Thief*, 114. Merback is discussing graphic images of the Passion of Christ that depict Christ’s physical wounds with gruesome precision.

<sup>133</sup>According to her execution sermon, Catherina Uhlin cut a nine-year-old girl’s throat, “. . . und ihre Hände in dessen unschuldigen Blut gewaschen hat.” Woltersdorf, ed., *Der Schächer am Kreutz*, vol. 1 (1761), 635.

<sup>134</sup>*Ibid.*, 436.

<sup>135</sup>During her interrogation Agnes Maria Schickin was asked, “Ob sie nicht gewußt das eine solche Mordthat eine erschreckliche Sündt seye, und in Gottes Wort befohlen, wer Menschenbluth verguesst, dessen Bluth solle wider vergossen werden?” She answered, “Freylich, es stehe ja in den Gebotten Gottes, du sollst nicht tödten, sie wolle gern sterben, man solle sie nur baldt von der Welt hinweg thuen.” Hauptstaatsarchiv Stuttgart, A 209/1806, Agnes Catherina Schickin, 1704.

<sup>136</sup>The execution sermon of Catherina Uhlin recorded her prayers: “. . . das Blut des von mir ermordeten Kindes schreyet zwar Ach und Wehe über mich: aber das Blut meines Jesu redet besser, und ruft zu Gott, Gnade und Vergebung der Sündten.” Woltersdorf, ed., *Der Schächer am Kreutz*, vol. 1 (1761), 654.



**Fig. 1.** Engraving commemorating the murder of fourteen-week-old Maria Magdalena Bertzin by her father in Augsburg, 1740. The caption below the knife reads: "This is a sketch of the murder-knife." Stadt- und Staatsbibliothek Augsburg (StStBA), Graphic, Verbrecher etc, 29/120, "Die alhier in Augsbug Ao 1740 den 14. Marti von seinem eigenen Vatter grausam ermordete Unschuld Maria Magdalena Bertzin."

exercised a powerful hold on the imagination of perpetrators of suicide by proxy. Several of them formed the intent to commit murder after witnessing a public execution.<sup>137</sup> In a remarkable analogy, the defense advocate of Elisabeth Schmied, who had cut the throat of a six-year-old girl in Leipzig in 1714, claimed that a criminal's recent "beheading and salvation" (*sic!*) had made such an "impression" on her, that "as if captured by the furor of love, she did not know right from wrong."<sup>138</sup>

<sup>137</sup>Gertrud Magdalena Bremmelin, who cut a little girl's throat in Wernigerode in 1745 described it as follows: "... hätte sie gedacht: Wenn du es nur thust, was du dir vorgenommen, so wirst du gerichtet, und durch dein Blutvergiessen wird alles bezahlt, und du wirst selig. Dergleichen (böse) Gedanken sich zuerst in ihr gereget, da sie ehemals eine Execution mit angesehen, und sich darbey vorgestellt, daß, wer also stürbe, nicht anders als selig werden müsse." "Die Hirtentreue Christi, welche er an einem seiner verlorenen Schafe, nemlich an Gertrude Magdalene Bremmelin, einer vorsezlichen Kindermörderin erwiesen ... nebst einer auf dem Rabenstein gehaltenen Rede," in *ibid.*, 416.

<sup>138</sup>Anon., *Casus Philantropophonias et Homicidii Benevolenti, in rechtlicher Defension einer jungen, und wegen verübten Mords an einem kleinen Waysen-Mädgen verurtheilten Weibs-Person* (s.l, 1719), 6.



**Fig. 2.** Engraving commemorating Maria Elisabetha Beckensteinerin’s murder of her infant son in Augsburg, 1742. Note the portrayal of the baby’s soul as it rises into the waiting arms of the angel. StStBA, Graphik, Verbrecher etc, 29/123, “Hinrichtung der Maria Elisabetha Beckensteinerhin, . . . den 20. Marty 1742.”

\* \* \*

How did governments respond to the phenomenon of suicide by proxy? The free imperial city of Nuremberg was the first to react with legislation. In 1702 the city government issued an edict that first lamented the rising number of cases of classic infanticide and threatened infanticidal mothers with execution by drowning or even being impaled alive. It then addressed

... others who out of an imagined weariness with life and in the Godless opinion, that if only they do [not] rob themselves of life, but instead forfeit life and limb for killing other innocent persons and are executed, then, after coerced and—God knows—if righteous contrition and penitence, Heaven’s gate must stand open to them, and therefore they dare to kidnap

other people's innocent children and kill them, and even do not hesitate or have scruples to carry out such evil deeds upon adults.

Such murderers would not suffer a quick death by beheading. Instead the death sentence would be sharpened in such a way, that it would be "far more painful and shameful for them than death itself."<sup>139</sup>

This law took a traditional approach: the government believed that if a crime continued to occur or became more frequent, that meant that the existing penalties were not severe enough. The penalties of drowning and impaling alive were traditional death penalties for women that had fallen into disuse in the sixteenth century. Faced with what they perceived of as a rising tide of infanticide, the Nuremberg city government decided to reintroduce these archaic forms of execution.<sup>140</sup> The government took the same approach toward suicide by proxy, threatening such murderers with exacerbated penalties rather than standard beheading. Nuremberg put this edict into practice by sentencing perpetrators of suicide by proxy to having their right hand amputated prior to beheading. Head, hand, and body were to be exposed on the wheel or buried in a shallow grave beneath the gallows.<sup>141</sup> The Austrian edict of 1706 discussed above also threatened proxy killers with exacerbated penalties. Clearly these edicts did not have the desired effect. Cases of suicide by proxy continued to occur in Nuremberg and Austria after 1702 and 1706. The threat of exacerbated penalties might even have been counterproductive for these offenders. Perpetrators of suicide by proxy frequently expressed fantasies of bodily destruction. Agnes Catherina Schickin, whose murder of a seven-year-old boy was discussed above, prior to the killing had expressed the desire to be boiled in oil or ripped apart by claws.<sup>142</sup> Did the threat of exacerbated penalties make death on the scaffold even more alluring for such perpetrators?

<sup>139</sup>The decree from August 12, 1702, reads, "... Andere aber/aus einem eingebildeten Lebensverdruss in Gottloser Meinung/wann sie sich nur [nicht] selbstn des Lebens berauben/sondern wegen Ertödtung anderer unschuldiger Menschen/Leib und Leben verwirken/und hingerichtet werden/ihnen nach erzwungener/Gott weiss/ob rechtschaffener Reue und Busse/Gottes Gnaden-Thür offen stehen müsse/dahero anderer Leute unschuldige Kinder zu enttragen/und solche umbzubringen sich unterstehen/auch wol gar den erwachsenen Personen dergleichen böse Thaten boshaftig auszuüben sich kein Bedenken noch Gewissen machen ... [Sie sollen] nicht eben nur mit dem Schwerdt/als womit sie ihres Lebens geschwind abzukommen verhoffen/hingegerichtet/sondern die Lebensstrafe an ihnen dergestalt geschärfet/und empfindlichen exequiert werden, dass ihnen dieselbe weit schmerzlic- und schmälicher/als der Todt selbstn fallen werden. Quoted in Rechtsanwalt Bode, "Die Kindestötung und ihre Bestrafung im Nürnberg des Mittelalters," *Archiv für Strafrecht und Strafprozess* 61 (1914): 430–481, 455–456.

<sup>140</sup>According to Otto Ulbricht the traditional approach emphasizing deterrence over prevention characterizes criminal law of the early eighteenth century. Ulbricht, *Kindsmord und Aufklärung*, 240–241.

<sup>141</sup>For example, StAN, Nürnberger Amts- und Standbücher, 225, fo. 57r–58v.

<sup>142</sup>HstAS, A 209/1806, Agnes Catherina Schickin, 1704.

It took several more decades for secular authorities to develop a new approach. In 1767 Schleswig and Holstein published an edict

... that, when someone ... wants to lay hands on an innocent child or an adult and kill him or her with the sole intention of committing a felony in order to forfeit his or her life, such an evildoer will not lose his or her life but instead ... will be punished in the following manner: 1) The criminal will be publicly whipped and branded on the forehead and then cast in chains, and will be locked up for life at the hardest ... and most shameful ... labor ... 2) In order to make a greater impression on those who might have the same idea, once a year on a market day such criminals will be led from the penitentiary in a hideous outfit, with uncovered head, flying hair, and with a rope around their necks, with hands bound and their feet in chains, with a board attached to their chest with this inscription: Murderer (*Mörder oder Mörderin*) of an innocent child . . . , and led through town exposed on the skinner's cart. 3) When such a criminal dies, his or her body should be taken to the gallows by the executioner's servants, where the head and hand will be hacked off and the body exposed on the wheel, and head and hand nailed to a post.<sup>143</sup>

This legislation was at once traditional and innovative. It made full use of the time-honored repertoire of defamatory measures available in the traditional theater of punishment to maximize the convict's suffering and dishonor, including the practice of branding that had all but fallen out of use by the mid-eighteenth century. At the same time, however, the law took the quite radical step of decoupling murder and capital punishment, thus abandoning the Old Testament demand of blood for blood in murder cases.<sup>144</sup> And yet this law, too, failed to

<sup>143</sup> "... daß, wann jemand [. . .] in der alleinigen Absicht, eine Unthat zu begehen, und dadurch das Leben zu verwürken [. . .] an einem unschuldigen Kinde oder erwachsenen Menschen die Hand legen und sie umbringen möchte, ein solcher Missethäter nicht das Leben verlieren, sondern an dessen Statt ihm selbst zu wohlverdienter Strafe und anderen Gleichgesinnten zum Schrecken und Abscheu folgendergestalt gestraft werden solle: 1) Soll der Verbrecher zur Staube geschlagen und an der Stirne gebrandmarkt und nachhero in Eisen geschmiedet, auf Lebenszeit eingesperrt, und nicht allein zu der strengsten und härtesten, sondern auch zu der schimpflichsten und verächtlichsten Arbeit angehalten werden. [. . .] 2) Sollen dergleichen Verbrecher zu desto grösserem Eindruck bey denen, die etwa auf gleiche Gedanken gerathen könnten, alle Jahr einmal an einem Markttage aus dem Gefängnisse oder Zuchthause in scheuslichem Aufzuge, mit entblößtem Haupte, fliegenden Haaren und mit einem Stricke um den Hals, mit gebundenen Händen, in die Eisen geschmiedeten Füßen und einem Brette vor der Brust mit der Aufschrift: Mörder oder Mörderin an einem unschuldigen Kinde oder Menschen, auf der Schinderkarren durch die Stadt [. . .] zur Schau gestellt [. . .] werden. Und wan 3) ein solcher Missethäter [. . .] mit Tode abgeheth, soll dessen Körper durch die Henkersknecht nach dem Richtplatze des Orts gebracht, und daselbst der Kopf und die rechte Hand abgehauen und der Körper aufs Rad geflochten, der Kopf und die Hand aber auf einen Pfahl gesteckt und angenagelt werden." Quoted in Lind, *Selbstmord*, 62–63.

<sup>144</sup>The debate surrounding the death penalty for classic infanticide also centered on the question whether it was acceptable to disregard this Old Testament precept. Ulbricht, *Kindsmord und Aufklärung*, 308–311.

bring an end to the practice of suicide by proxy. Cases of suicide by proxy continued to occur in Schleswig and Holstein throughout the eighteenth century and well into the nineteenth. Silke Göttisch cites a case as late as 1832.<sup>145</sup>

Prussia enacted similar legislation in 1794. Paragraph 831 and 832 of the *Allgemeines Landrecht* ordered that

If it is established that someone who is otherwise of sound mind commits a murder . . . with the intent of being executed, he should not achieve his goal. Instead he should be imprisoned for life in the narrowest confinement under close supervision and be whipped in public at regular intervals.<sup>146</sup>

Here, too, the legislation did not put a stop to suicide by proxy. Cases continued to occur in Prussia at least until 1829.<sup>147</sup> It is unclear why such legislation failed to stop such murders in Schleswig, Holstein, and Prussia. Did the legislation remain a dead letter, or was it inconsistently applied? Was it insufficiently publicized? Whatever the reason, governments proved unable to prevent such killings.

Suicide by proxy also posed a significant challenge to religious authorities of both confessions, although it was Lutheran clergy who engaged with the problematic of suicide by proxy most directly. As Lutheran clergy ministered to poor sinners awaiting execution, they pointed out that they were in fact guilty of suicide. The pastor of Johanna Martauschin, who faced execution in 1746 for bludgeoning a small child to death, admonished her that “she had wantonly abused God’s grace, and that she was indeed a self-murderer.”<sup>148</sup> This did not preclude her salvation, however, because like people who had attempted suicide or suicides who did not die immediately, she could still repent and be forgiven. Another fundamental theological error from the pastors’ point of view was that perpetrators of suicide by proxy believed that they could expiate their sins on the scaffold. They spoke a language of payment and exchange that clashed with the official Lutheran view of the believer as a passive vessel of grace. Awaiting execution for cutting the throat of a four-year-old girl in 1745, Gertrude Magdalena Bremmel exclaimed, “Let me do good penance here, let me pay with my blood, let me make up for everything with my death!” It was an error, her pastor instructed her, that one could do

<sup>145</sup>Göttisch, “Mörderin,” 47.

<sup>146</sup>“§. 831. Ist aber ausgemittelt, daß jemand, bey sonst ungestörtem Gebrauche seines Verstandes, aus Schwärmerey, oder sonst in der Absicht, hingerichtet zu werden, einen Todschatz begangen hat: so soll derselbe zwar seinen Endzweck nicht erreichen; §. 832. Er soll aber lebenslang im engsten Gefängnisse unter besonderer Aufsicht bewahrt, und zu gewissen bestimmten Zeiten öffentlich gezüchtigt werden.” *Allgemeines Landrecht für die Preussischen Staaten von 1794. Textausgabe* (Frankfurt am Main: Alfred Metzner Verlag, 1970), 699.

<sup>147</sup>Weber, “Selbstmord,” 166–167.

<sup>148</sup>“... daß sie bey dem vorgenommenen Morde die Gnade Gottes im höchsten Grade auf Muthwillen gezogen, und gemißbrauchet hätte, und daß sie doch in der That eine Mörderin an sich selbst geworden.” Woltersdorf, ed., *Der Schwärmer am Kreutz*, vol. 1 (1761), 940.



penance for one's sins through works or suffering.<sup>149</sup> More than two centuries after Luther, the clergy was still struggling to inculcate the doctrine of salvation by grace alone.

The one Catholic execution sermon for a perpetrator of suicide by proxy that I have found did not address the problem of suicide by proxy at all. Instead, the execution sermon for Maria Anna Mayrin, who had cut the throat of a three-year-old girl in 1783, warned against the dangers of romantic love and the inordinate passions it inspired that had precipitated her suicidal intent in the first place.<sup>150</sup> Catholic clergy apparently addressed the issue of suicide by proxy less frequently than their Lutheran counterparts. Does this mean that they were in fact confronted with the practice less often, or that dealing with suicide by proxy posed a greater challenge for Catholic clergy than for Lutherans? Catholic theologians believed, after all, that Christians were obligated to do penance to expiate their sins, though for sinners to orchestrate their own execution was hardly what they had in mind. Perhaps this made it more difficult for Catholic priests to condemn suicide by proxy on theological grounds.

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The rituals of public execution have often been portrayed as the clearest manifestation of the social disciplining agenda of the early modern state. Suicide by proxy, however, was an unintended consequence of social discipline, as common people manipulated criminal justice to achieve their own ends. In recent years the historiography on crime has been undergoing something of a shift, moving away from emphasizing the purely repressive elements of early modern criminal justice. Instead of viewing criminal justice as something that is imposed upon subjects as a top-down instrument of social disciplining, some historians understand criminal justice as something common people "appropriate" to meet their own needs (*Justizaneignung*). Susanna Burghartz, for example, sees common people as clients of institutional justice, arguing that criminal justice was available to common people as an option in conflict resolution.<sup>151</sup> In a stimulating essay about the relationship between eighteenth-century Parisians and the police, Martin Dinges has formulated the concept of the "usage" of criminal justice (*Justiznutzung*) by common people to show how

<sup>149</sup>"Laß mich hier wohl büßen, laß mich mit meinem Blute bezahlt, und mit meinem Ende alles gut machen!" Ibid., 414.

<sup>150</sup>StStBA, Aug 1477, *Heilsame Ermahnung über die ausschweifende Liebe junger Leute in einer Sittenrede auf dem katholischen Gottesacker zu Augsburg vorgetragen von P. Bonaventura Lueger, S. Ord. Praed. Damaliger Prediger in der Predigerkirche, als Maria Anna Mayrinn, von Oberhausen, den 8. Hornung des 1783 Jahrs durch das Schwert vom Leben zum Tod hingerichtet, und von der löblichen Tödenbruderschaft beerdigt wurde* (n.p.: Johann Bernhard Stadelberger, Katholischer Buchdrucker, n.d.).

<sup>151</sup>Susanna Burghartz, "Disziplinierung oder Konfliktregelung? Zur Funktion städtischer Gerichte im Spätmittelalter. Das Züricher Ratsgericht," *Zeitschrift für historische Forschung* 16 (1989): 385–409.

subjects availed themselves of criminal justice for their own private ends. Dinges stresses the significance of imagination and the role of criminal justice in fantasy life. Eighteenth-century Parisians developed what he has called “justice fantasies.” Common people incorporated the institutions of criminal justice into fantastical threats, such as having the entire police department descend upon an adversary, or acted out justice fantasies by impersonating a police commissioner to intimidate an opponent. Dinges has emphasized the destabilizing, anarchic potential of such justice fantasies, which tended to undermine the official claim that criminal justice was an evenhanded, impartial arbitrator of disputes in the public interest.<sup>152</sup>

Suicide by proxy presents a rather more extreme example of the usage and appropriation of criminal justice by common people. Perpetrators of suicide by proxy developed and acted out execution fantasies in which they articulated a proprietary claim upon criminal justice. The theological differences in the two confessions’ official teachings on suicide and forgiveness of sins did not affect how Catholic and Lutheran common folk reacted to suicide or how perpetrators of suicide by proxy performed their script. Upon turning herself in, Agnes Catherina Schickin requested that “one should now do to her what she had earned” (*Man solle ihr nun thun, was sie verdient habe*). She wanted to suffer “the justice that belongs to her” (*das Recht, daß ihr gehöre*).<sup>153</sup> After strangling her six-month-old son in Augsburg in 1742, Maria Elisabetha Beckensteinerin told authorities that she wanted to “earn” (*verdienen*) her own death with the death of her child.<sup>154</sup> The German word “verdienen” translates as something you earn as a payment, and something you deserve as a punishment. The officially stated purpose of capital punishment as deterrence was certainly destabilized, as perpetrators of suicide by proxy, both Catholics and Protestants, claimed their own execution as an entitlement and instrumentalized criminal justice to meet their own emotional and religious needs.

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<sup>152</sup>Martin Dinges, “Michel Foucault, Justizphantasien, und die Macht,” in *Mit den Waffen der Justiz. Zur Kriminalitätsgeschichte des Spätmittelalters und der frühen Neuzeit*, ed. Andreas Blauert and Gerd Schwerhoff (Frankfurt am Main: Fischer Taschenbuch Verlag, 1993), 189–212.

<sup>153</sup>HstAS, A 209/1806, Agnes Catherina Schickin, 1704.

<sup>154</sup>StadtAA, Straftam 162: Johann Bausch, Camin-Kehrer hat dieses Buch verfertigt, 1755 Verzeichnis der Maleficanten, welche im Augs. von Anno 1353, bis zu diesen unseren Zeiten um mancherley Verbrechen willen, von Leben zum Todt gebracht worden sind, March 20, 1742.