

“WITH NO MUSIC PLAYING AND NO ONE SINGING”

How suicide in the Bohemian Lands came to be regarded less in criminal
and more in medical terms (1787-1873)

Daniela Tinková

This contribution deals with the process of de-criminalization of suicide in the Habsburg Monarchy between 1787 and 1873 and its various phases. The author draws mainly on concrete court cases from the territory of Krumau, supported by other examples from Bohemia and Moravia. During the period in question, various legislative steps brought a departure from judicial sanctions with regard to body and belongings of the deceased. In this way, the law adapted to a gradual change in reality, caused mainly by resistance to these sanctions among the populace, with the people seeking to reach interment on cemetery grounds or a fully-fledged Christian burial. The author convincingly demonstrates that the part of the medical expert gained in importance since the start of Enlightenment: To seek testimony to a mental disorder by a doctor increasingly became a method of getting around the repressing norms of criminal law and ultimately around these of canon law, which had a longer-lasting effect.