

Introduction

Abstract This chapter sets out the aims and scope of the book, and provides contextual discussion on the history of public execution and post-mortem punishment in Europe from the eighteenth century onwards. It also explores the changing role of the European executioner over this period, and the sorts of people who became executioners.

Keywords Public execution · Post-mortem punishment · Executioners

The use of corpses in medicine and magic has been recorded dating back into antiquity. The lacerated bodies of Roman gladiators were used as a source of curative blood, for instance. In early modern Europe, a great trade opened up in ancient Egyptian mummies, plundered as a medicinal cure-all, and into the nineteenth century skull moss and oil of man (a distillation of human bones) were requested from chemists and druggists. Some of this unusual history has already been well told, notably by Richard Sugg in his book *Mummies, Cannibals and Vampires* (2011). This current study takes the subject into the modern era and focuses on the only corpses that continued to be popularly available for medical and magical usage—those of executed criminals.¹ However, we cannot attempt to understand the potency of the criminal corpse without considering its relationship to the executioner, the gallows, and the tools of execution, for all these accrued reputations for their healing and magical

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properties. What was it about the act of execution that generated such beliefs, traditions and practices?

This history of execution medicine and magic begins in the age of the so-called Enlightenment, when centuries-old penal policies were being fundamentally questioned by the likes of the Italian criminologist Cesare Bonesana-Beccaria. His influential book *On Crimes and Punishments* (1764) attacked the use of torture and the death penalty on both ethical and practical grounds. Execution was principally a retributive act, he stated, and was patently not effective as a deterrent. The study ends in the early twentieth century, by which time most states across Europe, and the United States, with its adaptation of British common law, had either ended the practice of public execution or abolished capital punishment full stop.

Medical cannibalism and corpse magic are generally considered as pre-modern topics, ones that can only be understood in the context of the era of the witch trials, judicial torture, the adherence to ancient medical theories and pervasive illiteracy, or as aberrations that survived as ‘superstitions’ into the ‘Age of Enlightenment’ or ‘long eighteenth century’ as matters for antiquarians and folklorists. However, the aim of this book is to show how popular beliefs and practices regarding the executed and executions were not relics of an early modern past. They were adaptable to and were shaped by changing attitudes towards capital punishment. Indeed, as we shall see, in some respects, popular resort to the criminal corpse for magic and healing was inadvertently promoted and institutionalised by pragmatic and enlightened state penal policies.

Despite the significance of executions and executioners in the cultural and psychological relationship between populace and authority in modern-era Europe and America, it is difficult to piece together their histories in relation to the unorthodox, post-mortem histories of criminal corpses. Most insights are derived not from official records, but from sporadic, anecdotal, and often retrospective sources. Detecting the nuances of regional and local traditions and popular practices across Europe can only be an impressionistic exercise. Press reportage has been crucial to us, and this book could not have been written as it is without the search opportunities provided by the now vast collections of digitised newspapers. The valuable material collected by nineteenth- and early twentieth-century folklorists comes with its own interpretational problems. The fundamental challenge has been to use these sources to interpret what people thought or believed from the actions that were

reported: distilling inner lives from physical expressions. Exploring the medical and magical use of the post-mortem criminal corpse and the execution environment becomes as much an exercise in intimate psychogeography as macrocosmic social and cultural history.

PUBLIC EXECUTION AND POST-MORTEM PUNISHMENT

During the eighteenth and nineteenth centuries, the morbid variety of non-military execution practices was significantly reduced. Death by drowning, boiling and burning had ended across much of Europe by the mid-1700s. The last cases of drowning in Amsterdam, for instance, occurred in 1730 for the crime of sodomy.² In Scandinavia and some German states, decapitation by axe or sword was still in use well into the nineteenth century. Indeed, it was adopted as a more humane method to replace hanging. The Polish penal code of 1818 meted out beheading by the sword as the standard mode of capital punishment, with only exceptionally heinous male criminals being hanged. In revolutionary France, the guillotine replaced the wide variety of punishments meted out under the *Ancien Régime*. Greece also adopted the guillotine in the 1830s, as well as practising execution by firing squad.

Sometimes certain types of crime were punished in specific ways, so in the German states of Prussia and Hesse-Kassel breaking on the wheel was still being employed into the 1830s to punish exceptionally heinous criminals, such as robbers who murdered their victims. An American traveller in Prussia in the 1820s described the two methods of breaking the body in shocked terms: ‘The first is called the *Upper*, by which the head is broken first, and afterwards the breast and limbs ... The other is called the *Under*. The mode here is to break the limbs first, and afterwards the breast and head. The torture is thus prolonged.’ In fact, it was usual for the criminal to be discreetly strangled with a cord just before the breaking began.³ A few other types of aggravated death penalty continued to exist during the first three decades of the century. In 1835, for instance, the Assize judges of Mainz ordered that the murderer Margueret Jaeger should have her hand cut off just prior to her execution for the specific crime of parricide.⁴

Hanging had long been the main form of execution in Britain and Spain, though in the latter country, in 1822, the garrotte became the sole mode of operation. This was a form of strangulation that bypassed all the shortcomings of hanging techniques. It consisted of an iron collar,

fixed to a post, with a heavy-handled screw or lever that could be tightened. Although it looked like an instrument of torture, it was thought, with reason, to be a more sure and humane method than hanging.⁵ Other shifts in state practice occurred elsewhere. Hanging became the preferred means of execution in the Austro-Hungarian Empire from the mid-nineteenth century onwards, while in contrast hanging in Sweden, which was usually the punishment for commoners until the end of the eighteenth century, fell into abeyance during the next century when the vast majority of executions were by beheading with an axe or sword.

Post-mortem punishments such as dissection and gibbeting continued into the nineteenth century in some states. While the Netherlands abolished the practice in 1795, the last gibbeting in England took place in 1832. In the same year, the Anatomy Act ended the public dissection of executed murderers in Britain. The exposing of criminal corpses on the wheel ceased in Prussia in 1811, with most German states following suit if they had not already done so. In Norway, it was decreed, in 1832, that body parts and heads were to be removed from poles after 3 days instead of the previous practice of leaving them indefinitely in public view. The following year, the law was revised so that only the head was to be left on poles, and the practice was abolished entirely in 1842.⁶

Public civil execution ceased in most German states during the 1850s and 1860s, and in Britain and Austria in 1868. The last public executions (by beheading) in Sweden were in 1876, the last in Spain (by garroting) in 1897. A number of states abolished the death penalty altogether for civilian crimes. Several German principalities and city states, such as Bremen and Hamburg, did this in 1849. Romania ended the death penalty in 1864, Portugal in 1867, and the Netherlands in 1870.⁷ In Italy, the Zanardelli penal code of 1889 abolished the death penalty for civilian crimes. 'France, by contrast, initiated a very long game of hide-and-seek,' explains Paul Friedland, 'with officials desperately seeking to limit the visibility of executions on one side, and spectators equally desperate to see them on the other. Guillotines were exiled to the outskirts of town; raised platforms were outlawed in the hopes of limiting spectator visibility; executions were performed with little notice and at the crack of dawn.'⁸ The last public execution in France was at Versailles in 1939, when German criminal Eugène Weidmann was guillotined before several hundred spectators.

So, as this brief overview suggests, against the background of the general diminution in the number of executions and of punishment as public

spectacle, there remained considerable diversity of policy and public experience across Europe as states responded differently to the debates about capital punishment and the display of criminal corpses. These shifts and changes had obvious ramifications for the ways in which people were able to resort to the scaffold for cure, luck and protection. As we shall see, though, it was by no means a story of inexorable and inevitable decline of traditional practices from the early modern to the modern era of capital punishment. Even the ending of public executions did not stop popular desire for a piece of the action.

THE EXECUTIONER

As already noted, this study is as much about executioners as criminal corpses. The former drew power and influence from their relationship with the criminals they despatched and the subsequent curation of their corpses. As the ‘embodiment of sovereign power’, the executioner enacted the separation of the soul from the body as part of a secular and religious ritual, so it is not surprising that they accrued a popular thaumaturgic reputation. However, during the period concerned, the executioner’s control of the scaffold was undermined by the state, and his grip on the curation of the criminal corpse loosened and was ultimately lost.

Despite their loss of influence, and then increasing invisibility due to the abolition of public execution, where executioners still operated they were high-profile figures in the public consciousness. Writing about the status of the French executioner in 1872, Maxime Du Camp observed: ‘People no longer ask him for the grease from corpses to make love potions and mysterious unguents; but he remains nonetheless an obscure and much dreaded personage.’⁹ Their names continued to evoke macabre curiosity and a degree of fear; they were figures people wanted to know about but not necessarily meet, bogeymen to frighten children. As a Hungarian writer reminisced in the mid-twentieth century, ‘In my childhood the hangman’s name was Michael Bali; and if a dangerous criminal was at large, people used to say, “Bali’s rope will get him yet.”’¹⁰ In the age of the international press, they were of global celebrity interest and their deaths were widely reported. When the Austrian executioner Heinrich Willenbacher died in 1886, the British *Illustrated Police News* reported, for instance, ‘In Willenbacher, the late hangman of Vienna, the natives of that effervescent city must have lost what is called a “type.” He shuffled off this mortal coil in consequence of a sore throat,

contracted while in the execution of a subsidiary profession. That is to say, he was dog catching at the time, for such was his unofficial calling.¹¹ There was sometimes an ironic element in such reports, along the lines of the biter has been bitten, so the death of the Moravian public executioner, a man named Bott, was reported in 1884 because it was suspected he had been murdered in a revenge attack.¹²

In some states, the job of executioner remained a hereditary affair. The most well-known example is the Sanson family in France, who held the position of Paris executioner from 1688 to 1847. Karel Huss (1761–1838), the last Bohemian executioner, followed in the footsteps of his father and uncle. Alois Seyfried, the Bosnian hangman who became the first executioner of Yugoslavia, was related to Willenbacher.¹³ The once widespread tradition of appointing executioners from convicted criminals facing death penalties was outlawed in Sweden in 1699 but continued elsewhere.¹⁴ In England, the York executioner, William Curry, who held the office between 1802 and 1835, was a recidivist sheep-stealer who had been sentenced to death twice during his criminal career before opting to become a hangman.¹⁵ The notorious Greek executioner and former convict Bekiaris, who died in 1903, murdered his mistress while in post, leading to the titillating international news that an executioner faced being executed, but clearly could not do the job himself. In south-eastern Europe, the tradition continued of employing another ‘outcast’ group, the gypsies, men such as Bulgarian hangman Hussein Jasara.¹⁶

The profession had its fair share of erudite gentlemen. Karel Huss was an archetypal Enlightenment figure. He was a historian, ethnographer, philosopher and collector of curiosities, including executioners’ swords. He was already performing executions in his late teens, and when his uncle, the executioner of the popular spa town of Cheb, retired, Karel took over the formal position. He put the social exclusion the post brought with it to good use by concentrating on his educational, cultural and intellectual improvement and moving in enlightened circles, which, in turn, brought numerous cultured visitors to his home, such as the famed German poet Goethe. One of Huss’s works was a critique of local popular ‘superstition’ based on personal experience, entitled *O pověrách*, or *Vom Aberglauben* in German, which included folklore regarding executioners.¹⁷

In a few places, the title of executioner was an official position that did not actually require the holder to carry out executions. This peculiar state of affairs pertained to Caspar Frederik Dirks, a physician and

apothecary who, in 1780, applied for and obtained the role of *skarpretter* (executioner) on the remote Danish Baltic island of Bornholm. Dirks, who was aged 55 at the time, had found it difficult to make ends meet from his medical business on the island, and traded in French brandy to supplement his income. The annual executioner's salary of 100–120 *riksdaler* was attractive, particularly considering that executions were rare on the island. His application also included the offer to supervise infectious diseases amongst the population. He got the job and as part of the deal he paid an annual retainer to a neighbouring *skarpretter* to conduct any hangings. For 11 years, all went well in the absence of any executions. However, in 1791, one was required, and the man he had paid on retainer refused to do it, so Dirks had to pay 200 *riksdaler* to hire the Copenhagen *skarpretter* to fulfil royal justice. Dirks continued in post until his death in 1802, when his widow applied to take over the role. This would have made her the only female executioner in Europe, but not surprisingly her application was denied.¹⁸

No matter the background of executioners, and the diminution of their influence: the stigma of the 'dishonourable trade' remained. In revolutionary France, the citizen rights of executioners were debated in 1789 as part of the Declaration of the Rights of Man. The citizen–aristocrat Clermont-Tonnerre spoke up for their inclusion. 'The executioner simply obeys the law,' he said. 'It is absurd that the law should say to a man: do that, and if you do it, you will be abhorrent to your fellow men.' The *abbé* Maury took a more familiar view: 'The exclusion of public executioners is not founded on a mere prejudice. It is in the heart of all good men to shudder at the sight of one who assassinates his fellow man in cold blood. The law requires this deed, it is said, but does the law command anyone to become a hangman?'¹⁹ Over a century later, Michael Bali, one of the last European hangmen to sell pieces of his ropes, wrote an indignant letter to the president of the Hungarian National Assembly after reports that the phrase 'the hangman is your friend' had been bandied about as a political insult during debates. Bali stated his trade was 'as honourable and useful as that of judges, lawyers, ministers or kings, why should the old superstition hold in modern times that the hangman's profession is disgraceful, abominable and loathsome? My friends are all perfect gentlemen and any member of parliament can consider it only flattery when he is called my friend.'²⁰ Still, despite the opprobrium that came with the job, when the position of executioner became vacant or was openly advertised, there was usually no shortage

of applicants. When the post of Swedish executioner was advertised in 1883, 28 people applied, including a butcher, baker, coppersmith, policeman and several soldiers. Thirteen people applied to fill the position of Madrid executioner following the death of Francisco Castellanos in 1894, including a barrister and an ex-sergeant major. When, in England, a vacancy for hangman was advertised in 1902 to replace the previous incumbent, William Billington, over 300 applications were received.²¹

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While much of this book is concerned with the afterlife of criminal corpses, and their custodians, in order to understand the connections between criminality, identity, morality and the body, and their therapeutic and magical value in society and culture, we need to start by considering the potency and power of the living criminal body. What relationship, if any, was there between the healing and protective properties of the criminal corpse and its previous sentient state? Was the power of the body activated or enhanced by the act of execution, or did the living criminal already bear the signs of his or her corporeal value in death?

NOTES

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16. Widely reported in the press, though not always accurately. See, for example, *San Antonio Light*, 9 August 1925; *Pittsburgh Press*, 18 October 1932.
17. Hazel Rosenstrauch, *Karl Huß, der empfindsame Henker. Eine böhmische Miniatur* (Berlin, 2012); Braun, *Karl Huss: Scharfrichter und Folklorist*; John Alois (ed.), *Die Schrift 'Vom Aberglauben': nach dem in der fürstlich Metternischen Bibliothek zu Königswart befindlichen Manuskripte* (Prague,

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