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## A History of the Case Study

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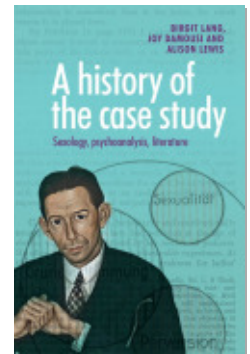
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## 'Writing back': literary satire and Oskar Panizza's *Psychopatia criminalis* (1898)

Birgit Lang

Oskar Panizza's *Psychopatia criminalis* (1898) constitutes the most biting parody of the psychiatric case study genre in German literature, and has been praised as a subversive work in the broader context of the anti-psychiatry movement of the 1960s and 1970s.<sup>1</sup> As a former psychiatrist who had been designated for priesthood and later prosecuted in court for blasphemy, Panizza (1853–1921) had intimate knowledge of 'the three great professions of the Western tradition – law, medicine, and theology – [that] developed practices centred on cases'.<sup>2</sup> *Psychopatia criminalis* for the first time and in literary form problematised the overlapping of legal and medical discourse, as well as the interdisciplinary nature of forensics. A short work, *Psychopatia criminalis* echoes the deterministic reasoning that characterised the psychiatric discourse about creative artists explored in Chapter 2. Panizza's text is of satirical and even dystopian character. A site of casuistic mastery, it is also the site of the first appearance of Panizza's doppelgänger, the German Emperor, who became the central figure in the author's increasingly delusional system of thought. The intrinsic element of judgement that is inherent to the case study genre suited both of these 'objectives' well.

For a range of reasons *Psychopatia criminalis* has remained deeply uncomfortable for readers from the very beginning. As this chapter explores, the text has found varying and disparate reading publics. German playwright Heiner Müller (1929–95) affirmatively claimed Panizza as a textual terrorist, and over time various audiences have felt drawn to the theme of political repression in *Psychopatia criminalis*, without necessarily being able to reflect on the link between their attraction and Panizza's perceived victimisation. For other readers, Panizza's late literary oeuvre in particular seems tainted by the fact that the eccentric writer was committed to a mental asylum, never to leave the confines of the asylum again. These readers remain haunted by Panizza's psychotic illness, which seems to call into question his literary abilities. Literary scholar Michael

Bauer remarks that *Psichopatia criminalis* does not always succeed in 'remain[ing] within the boundaries of satire, and sometimes descends to a direct polemic against the politics of its addressees'.<sup>3</sup>

The following analysis agrees with Bauer's assertion that *Psichopatia criminalis* pushes the workings of satire to its dystopian limits and questions the comprehensibility of intent in *Psichopatia criminalis* from the reader's point of view. It considers whether Panizza's *Psichopatia criminalis* was indeed conceptualised as a satire and, as such, whether the work helped its author and readers to release aggression against authorities – or whether the work reinforced Panizza's system of delusion and contributed to his demise. Again, if Panizza's text was also an expression of a self-destructive will, readers are left to question their attraction to Panizza's writings in the first place, and to ask how their acts of reading and interpretation deflect and become complicit in Panizza's enterprise. The present chapter aims to unravel these complex issues of authorial and readerly intent; of agency and ethics; of the role of the case study genre in this context, with its generic tendency to point towards one truth and to contain an intrinsic element of judgement.

### ***Psichopatia criminalis***

Throughout the twentieth century, *Psichopatia criminalis* received continuous attention from German intellectuals. To date, however, literary and historical scholars have devoted only a few fleeting remarks to Panizza's forty-eight-page work.<sup>4</sup> This satire of the German state sees Panizza purportedly diagnosing a new psychiatric disorder, the eponymous 'psichopatia criminalis'. He proceeds to suggest that the authorities should commit all sufferers (by which he means all dissidents) to a mental asylum and thus restore order in the German state once and for all. This chapter represents the first sustained analysis of *Psichopatia criminalis*, rereading the work through the lens of genre, and with an awareness of the workings of satire. More specifically, it examines how this provocative text continually echoes the case study genre, and the medical case study compilation in particular, while also entailing a bitter polemic against members of the Munich psychiatric scene.

By definition, satire refers to the very genre it satirises; the self-reflexive nature of parodic expression is characterised by 'repetition with critical distance'.<sup>5</sup> It stands to reason that traditions of medical case writing can be reflected in satirical ways. In his bold game of make-believe, Panizza presents the reader with a work that closely imitates the generic characteristics of the psychiatric case study compilation in the manner of Richard von Krafft-Ebing. Accordingly, *Psichopatia criminalis* consists of a short preface and introduction that establish a framing narrative, followed by four 'diagnostic chapters' on the phenomena of: softening of the brain; mania; melancholy; and paranoia. In turn, these

are followed by five sets of case notes about intellectuals afflicted with the frightful condition. The threefold structure of *Psichopatia criminalis* is a most peculiar form that contributes both to the satirical character of the work and to its subversion. Preface and introduction establish the framework of reference and entail a hefty satire against members of the Munich psychiatric scene; the four main chapters constitute Panizza's 'psychiatric' examination of the German state, while the case vignettes present the reader with an anti-utopian genealogy of oppositional and persecuted pre-socialist thinkers.

In short, this chapter answers the question: was *Psichopatia criminalis* a satire? It does so with reference to writings on parody by scholars such as Linda Hutcheon and discourse analyst Paul Simpson. The latter argues that for a text to function as satire, a prime element (or 'discoursal prime') serves as an echoic frame which draws intersemiotically on 'real discourses'.<sup>6</sup> Panizza's direct reference to the psychiatric case study compilation is easily identified as such a 'real discourse'. As per Simpson's schema, this prime element needs to be supplemented by a text-internal device called a dialectic, which forms the antithesis to the prime, and 'induces a collision of ideas or appeals to a line of reasoning that falls outside the straightforward'. Panizza does this by exaggerating the German state's supposed willingness to prescribe psychiatric treatment for all citizens ever guilty of a dissident thought. This second step is followed by a satirical uptake that places the reader on a 'satirical footing' and requires 'a special configuration of the three principal claims of sincerity, appropriateness and truth' – categories Simpson borrows from German philosopher Jürgen Habermas.<sup>7</sup> In this context, the dystopian and oxymoronic character of Panizza's work becomes obvious.

Panizza's choice of the psychiatric case study compilation as a prime can be traced back to the intimate knowledge he had of this case modality, as a former psychiatrist. Already the choice of title expresses his intention to problematise the forensic imbrication of legal and medical discourse. '*Psichopatia criminalis*' – in Panizza's phonetic spelling – obviously references Krafft-Ebing's influential *Psychopathia Sexualis* (1886), as well as the groundbreaking *Kriminalpsychologie* (*Criminal Psychology*, 1898) by Hans Gross (1847–1915), although the latter did not contain any case studies. Panizza's detailed knowledge of the field of psychiatry and its practices, as well as his critical stance towards his former colleagues, function to characterise him as an expert. In the Preface to *Psichopatia criminalis*, Panizza shows himself to be very familiar with the names and works of present and past psychiatric experts when he mentions German psychiatrist Heinrich Schüle (1840–1916) and influential French psychiatrist Valentin Magnan (1835–1916), a prominent representative of degeneration theory.<sup>8</sup> Panizza knew many such men well, whether as former fellow students or as colleagues. He had studied medicine in Munich and in the same city he had begun an estimable medical career as a psychiatrist, starting out as an assistant doctor for prominent

Munich-based psychiatrist Bernhard von Gudden (1824–86), who was formerly a director of the Zurich Burghölzli clinic (1870–72) and then of the Oberbayrische Kreisirrenanstalt (1872–86).<sup>9</sup> Gudden died in 1886, under mysterious circumstances: shortly after being appointed personal physician to Bavaria's King Ludwig II, and declaring the latter mentally incompetent to rule, both Gudden and the King were found dead in Lake Starhemberg; it is possible that Gudden was drowned by Ludwig II.<sup>10</sup> In a bitter twist of fate, just a few years after the publication of *Psichopatia criminalis*, Gudden's son was responsible for judging the state of Panizza's deteriorating mental health.

From the opening of *Psichopatia criminalis*, Panizza creates the dialectic in his framing narrative by representing the voice of the first-person narrator as that of the chief psychiatrist for the German nation. This practitioner holds the view that German revolutionaries should be incarcerated and undergo psychiatric treatment as a new way to prevent civil unrest. Panizza describes the narrator's fictitious psychiatric clinic as a 'moderately sized mental asylum built between the rivers Nekar [*sic*] and Rhine, the size of a palatinate and on the grounds of Rhineland-Palatineon, the very ground on which have flourished the most tumultuous intellects'.<sup>11</sup> This asylum can be identified by means of geographical proximity as Illenau, the model German mental hospital founded in 1842, at which Krafft-Ebing, Schüle and Panizza's former employer Gudden had worked. The Illenau clinic was defined by a humanitarian outlook, yet its clinicians were proponents of degeneration theory.

In *Psichopatia criminalis* Panizza evokes the humanitarian psychiatric language of his contemporaries, and then slowly undermines it over the course of his intellectual game. He comments that 'the principle of humanity ... is at the fore in our generally upset times', and elaborates:

The lenient treatment, fully tempered baths, the quiet, the remoteness, the song of the nightingale beyond the bars, the physician's benevolent words of comfort – a little bit of hyoscamine and potassium bromide – and the political insight of all these internees would have grown considerably.<sup>12</sup>

The idyllic picture is further underlined through an auditory evocation, the song of the nightingale, a symbol of paradise in European literature, which, however, draws attention to the patients' situation of confinement. The reader questions the psychiatrists' compassion, particularly on reading about their prescription of hyoscamine and potassium bromide. These sedatives produced considerable side-effects – they were used in very high dosage, due to the limited pharmaceutical means of intervention available at the time. Hyoscamine is a belladonna derivative and was widely used to treat schizophrenia; Krafft-Ebing suggested it was temporarily highly effective for 'motorically highly agitated patients and such, who soil themselves on purpose or are destructive'.<sup>13</sup> Potassium bromide was used for sedation and to treat epilepsy. Its

poisonous side-effects were well known and included excessive sedation, migraines, memory loss, hallucinations, as well as mucous hypersecretion of the lungs (called *Bromschnupfen*) and acne. Krafft-Ebing writes about the abatement of bromide poisoning in several of his case studies, which indicates the medical profession's awareness of such side-effects, as well as their justification as a 'necessary evil'.<sup>14</sup>

At this point in the text Panizza reiterates the ostensible addressees of his volume, that is, fellow psychiatrists, although the subtitle of *Psychopatia criminalis* also mentions physicians, laypersons, jurists, legal guardians, administrators and ministers – *Anleitung um die vom Gericht für notwendig erkanteten Geisteskrankheiten psychjatrisch zu eruiren und wissenschaftlich festzustellen; für Ärzte, Laien, Juristen, Vormünder, Verwaltungsbeamte, Minister etc.* Panizza seemingly softens his tone and acknowledges that 'some attentive readers, especially those belonging to the psychiatric profession, might interject that what is stated here is history, political history, literary history, reformation history, but not actually psychiatric casuistry, and not a discussion of psychopathologies'.<sup>15</sup> To make his point, Panizza takes as an example the first German psychiatric textbook, a work published by Rudolf Arndt in 1883. With irony Panizza adds in a footnote that this book 'has not been appreciated enough by far, and can still be purchased in its first edition'.<sup>16</sup> Panizza argues that Arndt

divided human cultural history and the history of ideas into hyper- and paraesthesias [overt sensitivity to stimuli of the senses and the skin], and in this way included in his wonderful textbook the complete historical development of the Christian West, all revolutions and Schiller's *The Robbers*, all political contracts and Metternich, with the exception of rulers and princes.<sup>17</sup>

Indeed, like other psychiatrists of this era whose theories were heavily grounded in biological reasoning, Arndt also referenced writers and other 'greats' of intellectual history. And like the psychiatrists investigated in Chapters 1 and 2 of the present volume, Arndt used biographies of important figures in German intellectual history to illustrate certain phenomena. For instance, he referenced Martin Luther's vision of the devil on the Wartburg to illustrate the phenomenon of hallucination.<sup>18</sup> Yet Arndt had recourse to this strategy in only a handful of instances. Highlighted by Panizza, the terms 'hyperaesthesia' and 'paraesthesia' appear just once in Arndt's textbook of over 600 pages, namely in his two-page discussion of genius. Here Arndt summarises relatively commonplace medical and popular notions of 'genius' and outlines that highly gifted individuals suffer from 'all sorts of pathological conditions, with peculiarities, idiosyncrasies and even perversions'.<sup>19</sup> In this context, Arndt provides a long list of names of 'great minds' who contributed to society through their ideas but died 'psychologically clouded and broken'.<sup>20</sup>

In *Psychopatia criminalis*, Panizza shifts Arndt's meaning for his own satirical purposes, by misquoting Arndt and by slipping text fragments into his account of the disregarded psychiatrist. A reference to Luther now becomes the alliterative 'Luther or Lafayette, Lincoln or Lucian', and the inflated corresponding claims relating to these names wrongly attest the psychiatric pathologisation of the Reformation, the utilisation of steam, the concept of 'human rights' and sheep shearing. This exaggerating literary technique presents Arndt's work as nonsensical. The same holds true for Arndt's alleged denouncement all of human cultural and intellectual history.

Thus Panizza attacks the first German psychiatric textbook and also his former Munich teachers and colleagues. By explicitly referencing what he calls 'older psychiatric textbooks [... by] Arndt, Krafft-Ebing, Schüle, Griesinger, Esquirol, Gudden, Kräpelin, Ganzer und Bumm', he discredits as outdated the relevance of a range of contemporary psychiatrists.<sup>21</sup> This holds particularly true for representatives of the Illenau school as well as Panizza's contemporaries in Munich: Sigbert Ganzer (1853–1931), assistant psychiatrist to Gudden between 1877 and 1884; Munich professor of psychiatry Anton Bumm (1849–1903), appointed head of the Munich mental asylum (Kreisirrenanstalt) in 1897; and, most importantly, Emil Kraepelin (1856–1926), who became the pre-eminent psychiatrist in Munich, and in whose defence Paul Julius Möbius wrote his modern pathographies a few years after the publication of *Psychopatia criminalis*. In later years Kraepelin turned the critique around: in his lectures and textbooks he presented the case of Panizza – made anonymous – as an example of paraphrenia, or the organised system of paranoid delusions.<sup>22</sup>

After establishing an 'anti-psychiatrist' framework, Panizza presents the four symptoms of 'psychopatia criminalis' and expands his satire from the realm of the clinic to include that of the German state. As mentioned, the four antiquated diagnostic concepts that Panizza invokes in his satire are: softening of the brain; mania; melancholy; and paranoia. There is no reference to recent progress within psychiatric thinking; there is no acknowledgement of Krafft-Ebing's new intellectual adventures in the world of sexual perversion, nor of the explorations of hysteria undertaken respectively by Ganzer, Sigmund Freud and Josef Breuer. The dialectic in *Psychopatia criminalis* is the exaggeration that any thought directed against authority both undermines the order of the German state and constitutes the symptom of a psychiatric illness that requires institutionalisation. Ultimately, of course, this implies that all human beings need to be committed to a mental asylum.<sup>23</sup>

Panizza's technique of negation is repeated in the main text of *Psychopatia criminalis*. 'Softening of the brain' queries how human beings come to have dissident thoughts. Panizza scoffs delightedly at the infectious and hereditary nature of dissident ideas. With satirical intent he states how many political opponents of 'the powers that be' come from 'inverted-democratic' families and can be found to have a history of opposition

to politico-religious authority. They include: descendants of ‘Salzburger Émigrés’ (the protestant refugees who were expelled from Salzburg by decree in 1731); Anabaptists of the sixteenth-century Radical Reformation; and Huguenots, the members of the Protestant Reformed Church of France, many of whom established themselves in Germany in the late seventeenth century (among them the family of Panizza’s mother). ‘Mania’ explores the ‘silent rage, the secret and calm conspiracy, the inner insolent thoughts that characterise such [manic] people’.<sup>24</sup> Panizza explores these anti-governmental attitudes in a language characterised by oral imagery, in which German burghers are literally sick of their state (the German *den Staat gefressen haben* literally means ‘to have gorged on the state’). Although they do not necessarily speak, Panizza suggests that their every thought needs to be presided over. After this vision of absolute control, ‘melancholy’ turns to the temporality of power and dissidence, with a particular emphasis on the failed revolutions of 1848. Panizza declares the longing for different political conditions as a German illness, and skilfully uses the distorted notion of time that characterises melancholia to criticise contemporary political discourses of legitimacy. He ironically classifies the revolutionary folk song of 1848 ‘Fürsten zum Land hinaus’ (‘Out With the Princes’) as ‘asylum poetry as recently defined by Lombroso’; indeed, a third of the study *The Man of Genius* (1891) by the Italian criminal anthropologist was devoted to the creative production of the mentally ill in the asylum.<sup>25</sup> In the section of *Psichopatia criminalis* devoted to ‘paranoia’, Panizza argues that ‘we stand at the pinnacle of humanity’ because the accused are not treated as criminals but suffer from ‘psichopatia criminalis’.<sup>26</sup> This statement can be considered of utmost polemical importance, since it questions the humanitarian nature of the insanity defence, and with it the reason for the existence of the interdisciplinary field of forensics in the first place.

Another important parallel to the medical case study compilation is the use of casuistry in *Psichopatia criminalis*. Panizza uses this feature to create a genealogy of oppositional pre-socialist thinkers, thus inserting a more overtly political dimension. He names Roman senator and land reformer Tiberius Sempronius Gracchus (*circa* 169–33 BC); German poet Christian Friedrich Daniel Schubart (1739–91); utopian socialist Wilhelm Weitling (1808–71); German democratic politician Robert Blum (1807–48); and the early nihilistic German philosopher Max Stirner (1806–56).<sup>27</sup> These case vignettes are described by the narrator in a clinical and unsympathetic manner that classifies the subjects’ sense of injustice and rebellious behaviour as signs of the eponymous psychiatric illness. Panizza ends his treatise with an appeal to all rulers of Europe, warning them of the impending mass epidemic of dissident thought. Similar to Krafft-Ebing’s case compilations, Panizza’s biographical case vignettes become a place within the larger work where readers can much more easily identify with the subject and narrative mode, as an analysis of the reception of *Psichopatia criminalis* reveals.



## A dystopian satire and its reception

For a satire to be successful, Simpson contends, it needs to be comprehensible, and eventually suspend its truth, retract the claim of appropriateness and rescind the underlying claim of sincerity. *Psichopatia criminalis* challenges its readers in two respects: firstly, through the choice of the psychiatric case compilation as the satirical prime; and secondly, through its refusal to suspend the truth or rescind its sincerity.

From Simpson's standpoint, the role of the prime in satire is to provide an echoic frame which draws intersemiotically on 'real discourses', and is interpreted through a frame of general knowledge.<sup>28</sup> Yet the psychiatric case compilation was a very specific genre to choose for such a frame, conventionally written for and best understood at this period only by members of the medical profession. Lay people engaged with this genre when motivated by palpable interest – such as readers who self-identified as masochists – and often in an eclectic manner. Yet when compared with other contemporary attempts at anti-psychiatric satire, *Psichopatia criminalis* was the only work to satirise such an expert case modality. To the former psychiatrist Panizza, however, this choice made complete sense from a personal perspective, and from the perspectives of familiarity and authorial mastery. For the reader who did not share Panizza's erudition, his choice led to a limited comprehension and appreciation of the text. This is set forth in a review of *Psichopatia criminalis* from 1895, by an unnamed but sympathetic reviewer who writes in a journal targeted at socialist academics: 'yet the reader has to do a lot. Already the complex knowledge and the rare German words require the reader to play an active role; a Panizza encyclopaedia is asked for'.<sup>29</sup> Even so, for this socialist-leaning reviewer, such frustrations were presumably buffered by the chapters, with their clearly satirical description of symptomatology, and by the case notes, with their focus on dissident thinkers.

The second point of contention with regard to the question of whether *Psichopatia criminalis* is indeed a satire concerns a more fundamental aspect of the genre. Panizza's volume projects its truthfulness to the reader through the skilful recreation of psychiatric discourse, which involves the narrator taking the position of chief psychiatrist of the German nation state. Yet the satirical model is pushed to its limits, since *Psichopatia criminalis* never suspends the truth or rescinds its sincerity. Hence the work allows its readers no relief from its claustrophobic imagery. Furthermore, the continuous negation that characterises Panizza's writing pushes the text 'more into line with the various "straight" [psychiatric] anteriors', creating a dystopian anti-truth rather than a suspension of truth.<sup>30</sup> Readers come to occupy an uncomfortable position: they are refused the pleasure of relief from aggression, and here not even the genealogy of oppositional persecuted pre-socialist thinkers contains much relief, since the dissidents are described in a clinical manner and all suffer a pitiful fate. Readers find themselves, in other words, trapped in

a negative utopia; if they are brought to laugh, they laugh on the other side of their faces.

The particular nature of Panizza's text raises questions around whether and how this work can be, and has been, adequately understood. The reception of Panizza's oeuvre has always been controversial, dominated by the clichés 'martyr' and 'madman'. These terms implicitly describe the two most important identifiable audiences for his works: a socialist, left-leaning, 'revolutionary' readership that empathised with Panizza on the basis of his anti-authoritarian sentiment, the discussion of pre-socialist thinkers and his persecution by the German state and psychiatry; a liberal discourse that was sympathetic towards Panizza but also re-evaluated his oeuvre on the basis of his biography and his mental health. These publics tended to relate to *Psichopatia criminalis* in quite different ways, the former identifying it as a satire, the latter often bypassing its significance in Panizza's oeuvre – presumably because of the struggle to combine Panizza's radical decline in mental health towards the end of his literary career with the notion of satire as a genre that requires intent.<sup>31</sup>

According to Robert Phiddian, the success of satire is always dependent on a consenting audience which has a vested interest in seeing its own opinions reflected.<sup>32</sup> By intellectuals of the left, Panizza the political 'martyr' was seen as mercilessly persecuted by state authorities after the publication of his church drama *Das Liebeskonzil*; after all, the persecution resulted in Panizza's incarceration in Amberg prison during 1895–96.<sup>33</sup> Creating an instant literary scandal, this court conviction attracted comments from prominent German writers such as Theodor Fontane, Thomas Mann and, later, Kurt Tucholsky.<sup>34</sup> After the Second World War, a critical leftist public dubbed Panizza the greatest German satirist since Luther.<sup>35</sup> Panizza's unremitting resistance to excessive persecution by state authorities led playwright Heiner Müller to affirm the earlier writer as a 'terrorist: those who do not want to become German should read him'.<sup>36</sup> For Müller, Panizza's fate represented no less than 'the misfortune of the prophet who prognosticated too early'; he sees Panizza as a victim of German unification, rejected by the German state, and an enemy of the state 'in the tradition of the counterculture of half-mad heretics'.<sup>37</sup> Dramaturg and film-maker Knut Boeser, in his carefully arranged collection of documents concerning Panizza's imprisonment, underlines the strict morality of the late Wilhelmine era as a factor in Panizza's demise, and compares Panizza's case with that of twentieth-century British Indian writer Salman Rushdie.<sup>38</sup> Indeed, from 1895 onwards Panizza's main works underwent various forms of censorship imposed by the German authorities during the Wilhelmine period and beyond, and by Panizza's family. Active steps were taken to suppress the ongoing circulation of his works and, as a consequence, his historical sacrilegious play *Das Liebeskonzil* (1894) was first produced in Paris only in 1969.

Throughout the twentieth century, reviewers observed the ideological, individualist and socialist underpinnings of Panizza's work, reading

him in a manner similar to that in which Krafft-Ebing's readers read *Psychopathia Sexualis* – that is, highly selectively. Thus Fritz Brügel, socialist writer and later Czech post-war ambassador to Berlin, underlined Panizza's reputation as a satirist, noting in 1926 that *Psychopathia criminalis* represented a 'political satire about the persecution mania of German state prosecutors'. Brügel went so far as to claim that the authorities suspected Panizza of socialist leanings (other members of the same literary circle in which Panizza moved suffered this fate); he even argued – wrongly – that Panizza had been sacked from his post as a psychiatrist for this reason.<sup>39</sup> For Tucholsky, 'the unhappy Panizza stood out by far among Munich writers', since their political will – which was supposedly typical for the period – was too narrow, and failed to establish a 'connection with the working social democracy, which could have intellectually stimulated these writers, and rather subsided into a middle-class bohemia'.<sup>40</sup> This view of Panizza was rekindled by the German political left throughout the twentieth century, which considered Panizza a political forebear.

While the Weimar critics focused on Panizza's attempt to create a genealogy of German dissidents, from the 1960s onwards, and due to anti-psychiatric leanings, the new left was able to embrace Panizza's conflation of psychiatry and state politics more thoroughly than any previous readership. This becomes apparent when literary critic Jörg Drews (1938–2009) emphasises the 'exciting political reflections of the great satire *Psychopathia criminalis*' and he compares Panizza's text, with anti-authoritarian sentiment, to 'a handbook for the Verfassungsschutz [the Federal Office for the Protection of the Constitution]'.<sup>41</sup> For Drews, Panizza 'transforms political into psychiatric categories and – as a devil's advocate and with rapidly sustained irony – advises that all critical, that is, anti-authoritarian and specifically anti-monarchist sentiment be understood as mental illness'.<sup>42</sup>

The shortcomings of such forms of reception become obvious, however, in the reviewers' limited engagement with the 'uncomfortable' Panizza as conveyed in his work; his anti-Semitism, homophobia and misogyny. Perhaps more importantly, the new left's problematic embrace of Panizza is seen in the limited reflection on troublesome parallels between Panizza's delusional logic (which effectively prohibited him from taking responsibility for his own actions) and the politics of the new left, which also considered 'the system' the enemy. At the same time, such unconscious parallels may be considered responsible for much of the left's efforts to engage with Panizza and *Psychopathia criminalis* in the twentieth century. The myth of the degenerate genius is reinforced by the fact that Panizza, who was formerly a psychiatrist, eventually succumbed to his schizophrenic illness. The same myth is transformed later into that of the anti-psychiatrist becoming 'prey' to mental illness and psychiatry.

The image of the 'psychiatrist who went in his own manner towards his own madness', as Michel Foucault remarked, although contributing

to an understanding of Panizza's personality, also clouds the reception of Panizza's works.<sup>43</sup> The context and meaning of his psychological slippage into a psychotic world have been vigorously debated among scholars, who have presented three narratives concerning the life of the modernist writer. In the first book-length study on the subject, American scholar Peter D. G. Brown considers Panizza 'the first German author to explode the taboos surrounding sex and religion'.<sup>44</sup> With the exception of Rolf Düsterberg, German scholarship continues to debate Panizza's status as victim of state prosecution and psychiatry or rightful patient. By contrast, Brown underlines Panizza's detrimental self-perception as a failure and the complete isolation Panizza experienced through most of his life, except in the early 1890s, when he participated in the social circles around the avant-garde association *Gesellschaft für modernes Leben* (Society for Modern Life).<sup>45</sup> Michael Bauer's comprehensive and thorough study is based on Panizza's diaries and archival materials concerning the relevant court cases. Bauer foregrounds the author's placement under guardianship and considers this a politically motivated process against an oppositional writer, a process enabled by psychiatry.<sup>46</sup> Conversely, German psychiatrist Jürgen Müller examines Panizza's vicissitudes from a medical perspective, and after a careful reading of the psychiatric reports reaffirms Panizza's (self-)diagnosis. For Müller, Panizza's life history remains remarkable because, as a psychiatrist, Panizza was able to and sought to assess his own pathological symptoms; Panizza's insight into his condition was unprecedented.<sup>47</sup>

Writing for the *Neue Deutsche Biographie*, Bauer has lamented that Panizza's psychiatric case has remained better known than his works.<sup>48</sup> Indeed, all scholarly studies, Bauer's included, reread Panizza's life story at least partly through the archive of his oeuvre, discussing the author's deteriorating mental health and its causes. Nor have twentieth-century feuilleton writers managed to resolve the question of whether a mentally unstable writer can produce literary works of a high quality. On the occasion of the reissue of *Das Liebenskonzil* in 1966, a writer for the German national weekly *Die Zeit* stated in agreement that 'even the editor [of *Das Liebeskonzil*, Hans Prescher] distances himself from the artistic merit and stresses the documentary value of the phenomenon Panizza for the medical history of the German empire'.<sup>49</sup> Another review conceded that Panizza was not a writer of significance, since 'his relationship to language was too erratic'.<sup>50</sup>

Scholarship has only rarely touched upon *Psychopatia criminalis* in the context of Panizza's decline in mental health during his self-exile and after his forced return to Munich. On this theme, Bauer, Panizza's literary biographer, remarks that *Psychopatia criminalis* is often directly polemical rather than satirical.<sup>51</sup> Düsterberg is the only scholar who has investigated Panizza's late works; he steers clear of *Psychopatia criminalis*, even as, with reference to Panizza's journal *Zürcher Diskußjonen* (*Zurich Discussions*), he highlights at great length Panizza's productivity during the Zurich

period.<sup>52</sup> Düsterberg also concedes that from about 1895 onwards Panizza developed a pronounced paranoia centred on German Emperor Wilhelm II, whom Panizza held responsible for his persecution. Nonetheless, in his defence of Panizza, Düsterberg does not find a way to correlate Panizza's inner life and his writing as part of a productive discussion of Panizza's claustrophobic and increasingly repetitive imagery. Especially in his late oeuvre, this closed aesthetic comes to visibly parallel Panizza's delusional ideas concerning the Church, the state and psychiatry. Scholars have thus struggled with deciphering the precision and depth of *Psichopatia criminalis* – or failed to find it sufficiently compelling.

In the paucity of discussion about *Psichopatia criminalis* there hovers a rarely articulated yet persuasive assumption that Panizza the satirist was not the master of his own writings. Apparently, the unease discernible in secondary literature arises from queries about whether a delusional writer can be credited with deliberately suspending the truth in his work, as the genre commands. With this in mind, Bauer, Müller, Brown and Düsterberg would appear to conspicuously avoid discussing *Psichopatia criminalis* – which makes for a very different crisis of reception.<sup>53</sup>

### **A new interpretation of *Psichopatia criminalis***

Panizza's varied literary oeuvre includes prose poems, fictionalisations of medical case studies, short fiction with a fantastic streak, and satirical plays, as well as works of non-fiction focused on historical investigations of political persecutions, and discussion of the role of prostitution. Panizza's literary beginnings manifested as poems and songs; his narrative explorations of the early 1890s – some of which were fictionalisations of medical case studies – were later superseded by dramatic ventures. These he developed into the peculiar form of the dialogue in verse, only to return to the case study genre as satire and as cultural histories for his late works.

While the most recent interest in Panizza focuses on his early works, I argue that *Psichopatia criminalis* for Panizza indicates a new way to relate to the case study genre.<sup>54</sup> That volume stands at a crossroads between Panizza's literary and his cultural-historical non-fiction case writings, marking a discernible turning point in his oeuvre. It also represents, I submit, a psychological and intellectual defence against the forensic imbrication of the legal and psychiatric domains, triggered in all likelihood by an application for pardon on grounds of insanity made by his friends and supporters after his imprisonment.

Throughout his literary career, Panizza referenced medical case study traditions, not always with satirical intent. The first reference to this genre can be found in his story 'Der Corsetten-Fritz' ('The Orange Corset') (1893), in which the main character eventually enters a psychiatric ward and – on the request of its director – writes his life story.<sup>55</sup> From the same year, 'Ein skandalöser Fall', or 'A Scandal at the Convent' (the German

title literally means ‘a scandalous case’) fictionalises a medical case study of the life of Herculine Barbin. This story represents Panizza’s most widely known literary piece in the English-speaking world, since it was published in English and German as part of Foucault’s edited volume *Herculine Barbin*. Although Foucault included ‘Ein skandalöser Fall’ in his own case compilation, he was disconcerted by it, since Panizza’s fictionalisation of Barbin’s case notes resisted his own understanding of the workings of medical power. After all, Panizza saw the religious framework of the convent as the greater contributor to Barbin’s decline, rather than psychiatry.<sup>56</sup> Panizza critically depicts the psychiatrist in this story as a detached participant invested in a process of painful physical assessment. While the doctor’s voice is described as ‘gentle, compassionate’, the outcome ‘sad’ – emotions are lacking in his clinical report.<sup>57</sup> In the cursory and playful introduction to the compilation, Foucault rehearsed, albeit in a self-reflexive manner, what many literary commentators had done before him: he made Panizza into ‘a case’ for his own argument, at the expense of exploring the ‘anti-archaeology’ of Panizza’s text, and listening to its echoes of insanity, sex and subversion.<sup>58</sup>

*Psychopatia criminalis* was published three years after the famous 1895 court case concerning Panizza’s play *Das Liebeskonzil*, and the satire represents an attempt by Panizza to come to terms with these earlier events and their consequences. The dramatic investigation was set in the late fifteenth-century papal court of Alexander VI, and became a veritable literary scandal, since the biting portrayal of the papal church depicted the rise of syphilis as God’s punishment for a lewd Vatican. At the subsequent trial the Bavarian authorities convicted Panizza of blasphemy and he was sentenced to one year’s imprisonment in Amberg. Certainly, in many ways the verdict prompted by *Das Liebeskonzil* represented a significant juncture in Panizza’s life. Following his imprisonment he moved to Zurich (1896–98) and after his expulsion from there he relocated to Paris (1898–1901). State authorities used legally questionable methods to force his return to Munich. After they managed to acquire a copy of *Psychopatia criminalis* (with great effort), and through the help of a local bookseller from Paris, they froze his assets in Bavaria and ordered the temporarily destitute Panizza to return.<sup>59</sup>

In his second trial (1901) Panizza was accused of lese majesty in his works *Parisjana* (1899) and *Psychopatia criminalis* (1898). In the context of an assessment of Panizza’s soundness of mind, the 1905 psychiatric report by Dr Fritz Ungemach stated that Panizza believed the German Emperor to have passed a law against prostitution in Switzerland to revenge the publication of *Psychopatia criminalis*.<sup>60</sup> During this second trial (and in contrast to 1895), the court no longer held Panizza accountable for his actions, and his literary peers remained distant. After his acquittal, Panizza returned to Paris, where, towards the end of his stay in 1904, the former psychiatrist diagnosed himself as suffering from ‘personality dissociation’.<sup>61</sup> By 1905, having returned to Munich,

he wished to be admitted to the public psychiatric clinic where he had once worked, but was refused because he had previously renounced his German citizenship. He later attempted to commit suicide and, after denuding himself in public, was eventually committed to the private asylum of St Gilgenberg, close to Bayreuth. In 1907 he was transferred to a nearby luxury sanatorium, the castle Herzoghöhe, where he died in 1921. One of his last literary utterances was a poem titled 'Umsonst gelebt', or 'Lived in Vain'.

The persecution of Panizza by state authorities was exemplary in its harshness and lack of mercy, and represented the greatest literary scandal of the 1890s in Germany. His contemporary Frank Wedekind (1864–1918) was sentenced to six months in Amberg jail for lese majesty in 1898 because of a poem directed at Emperor Wilhelm II. A similar fate was suffered by Hanns von Gumpenberg (1866–1928), who was convicted of lese majesty after he delivered a lecture on the socialist lyrics of German author Karl Friedrich Henckell (1864–1929) to workers and modernist writers; Gumpenberg was imprisoned for two months.<sup>62</sup> Thus writers in the satirical scene in Munich feared the censorship authorities for good reason, yet, unlike Panizza, both Gumpenberg and Wedekind were able to carve out an existence as creative writers, and later worked for the first political German cabaret as one of *Die Elf Scharfrichter*. Wedekind also became established as a widely successful playwright in his own right.

As a fellow writer, Gumpenberg characterised Panizza's literary method as 'historical-theological-critical'.<sup>63</sup> Panizza's imprisonment for a work that had not been staged – a work published across the border in Switzerland, and one that had reached a comparatively small readership – seems outstanding, even given the rule of the censor in Bavaria at the time. Like the hatred Panizza attracted from authorities and the jury, this fact is only explained by the way in which the content of *Das Liebeskonzil* targeted the Catholic Church rather than the Emperor, and by Panizza's open defiance in court. His reckoning with the Church was rooted in his childhood. Born in 1853 in the Bavarian spa resort of Bad Kissingen, he was the son of a well-to-do hotelier, and grew up in the midst of religious scandal. After the death of Panizza's Catholic father Karl, his Huguenot wife, Mathilde Panizza, insisted on a Protestant upbringing for her five children. Her husband had signed a declaration to this effect on the latter's deathbed. When the local Catholic priest challenged the attestation, arguing that Karl had not been of legally sane mind, the court found in favour of the priest in all instances.

Despite being threatened with imprisonment and monetary fines, Mathilde brought up her children in strict pietistic ways. To escape the state authorities, the children were sent to live with relatives in Swabia and Hesse. Oskar was eventually placed in a boarding school in Württemberg, then in different Bavarian schools in Schweinfurt and Munich, where he lived with his uncle, who was a city pastor, a profession his mother wished Oskar to occupy as well. Instead, Panizza eventually became a



psychiatrist and assistant to Gudden between 1880 and 1884. He left the clinic behind when his mother made the inheritance of his father available to the children, and Panizza now devoted his energies solely to his literary career. He had found the work with patients demanding and the research – largely based on the dissection of human brains – detrimental to his mental health, and he had come to appreciate the curative and therapeutic value of writing.<sup>64</sup> The welcoming writerly scene in Munich gave him a sense of belonging for the first time. While critical of psychiatry as an institution, Panizza appreciated the avenues of thought his studies had opened up to him. His fictional case writings are testimony to this fact, as is the medical and historical understanding of disease that informed his attack on the papal church in *Das Liebeskonzil*. Yet at court his standing as a former psychiatrist and holder of expert medical knowledge might have actually increased the bias against him.

When *Das Liebeskonzil* was first confiscated in early 1895, Panizza had decided to remain in Munich. He did so although he had the financial means to take up residence abroad. In retrospect he acknowledged that this decision proved detrimental, but he ascribed his insistence to await trial in Munich in 1895 to his ‘Hugenot lust for opposition’.<sup>65</sup> Despite warnings from different sides, Panizza must have envisaged it possible to instrumentalise the court as a stage for his critique of the Church, and to take a stance for the freedom of the arts. Had he succeeded, not only would this have been a considerable affirmation for the autonomy of the arts and of literature, but also he would have symbolically repealed the much older sentence against his father, whose decision to allow his children to be raised in the Protestant faith was revoked by the court. In his own court case, Panizza insisted on defending himself, and called as an expert witness the founder of the modernist Munich journal *Die Gesellschaft* (*Society*), Michael Georg Conrad, to which Panizza contributed regularly.<sup>66</sup> For his defence Panizza prepared a lengthy speech in which he intellectually justified his literary project and defended the freedom of the arts, but in the actual trial his speech was cut short. After admitting that as a creative writer he wished readers in Germany to engage with *Das Liebeskonzil*, the verdict was given – and the author was sentenced to immediate detention.

While his conduct raised concern among his friends, at no point in the trial was a plea on the grounds of insanity entered, although there are indications that Panizza’s mental state had been of concern to him since at least the early 1880s. In 1882 he advised his mother to have his sister treated psychiatrically after she had made a suicide attempt. The death of his uncle Ferdinand in a psychiatric hospital in 1884 must have increased Panizza’s fears for himself – Panizza attended his relative’s post-mortem examination and wrote an extensive report.<sup>67</sup> In ‘Genie und Wahnsinn’ (‘Genius and Insanity’), his first talk on the topic of genius to the bohemian and writerly audience of the modernist association *Die Gesellschaft* in Munich in 1891, he elaborated that ‘however much the



genius amazes and admires in his milieu and in history, he never is completely content. He lives alone and in continuous struggle with himself.<sup>68</sup> At this point in time Panizza discussed the psychiatric discourse of genius critically, but also agreed with much of what was said. Like Arndt, Panizza contended that cases in which a genius experiences hallucinations are relatively rare, albeit with known exceptions such as Luther. 'More often', Panizza asserts, 'a condition exists by which the rising fantastical images might be strange, but are perceived as part of one's own mind'.<sup>69</sup> It is worth recollecting Panizza's later appropriative critique of Arndt's psychiatric textbook in *Psichopatia criminalis*.

Close study of the court files reveals that the reason why an insanity plea was not considered at trial lay with Panizza himself. As Panizza's lawyer, Dr Kugelmann, claimed, 'he had not dared to raise the question [of unsoundness of the mind] because the accused with his whole persona would have rejected in the most utmost manner such a presumption'.<sup>70</sup> Yet within the first month of serving his sentence, on 30 August 1895 and without Panizza's consent, Kugelmann applied for pardon for his client on these very grounds. In his petition Kugelmann wrote to Prince Regent Luitpold and argued that the content of *Das Liebeskonzil* 'immediately raises doubts as to the intellectual freedom of its author'. (This might have been a strategic means to sway the Prince Regent's favour; Luitpold was well aware of the consequences of insanity. In 1886 he had been instrumental in having King Ludwig II declared mentally incompetent. After King Ludwig's death, Luitpold remained Prince Regent in the name of Ludwig's younger brother, Otto, who had shown first signs of a mental disorder in 1865, and had been declared mentally ill in 1872.) As supporting evidence Kugelmann also provided two references: one by a Dr Nobiling and the other by Panizza's friend from university and personal physician Dr Paul Ostermaier. Both expressed the fear that solitary confinement would worsen Panizza's condition.<sup>71</sup> Ostermaier further elaborated that he had been in regular contact with Panizza both socially and scientifically, and had been for many years of the belief that his friend 'is to a high degree pathologically disposed and cannot be held responsible for any of his speeches and deeds'.<sup>72</sup>

Panizza had found the *Liebeskonzil* trial and the concomitant imprisonment on remand highly stressful. Before Kugelmann applied for his pardon, Drs Nobiling and Ostermaier had both supported an application for a two-month delay of Panizza's term of imprisonment because of anxiety attacks and nervous stomach cramps; this might have triggered Kugelmann's application for a pardon as well as Nobiling's and Ostermaier's support. Yet a month later, if prison physician Dr Schmelcher was right in his assessment, Panizza felt physically and mentally healthy, he slept well and his nervous stomach cramps had altogether disappeared.<sup>73</sup> It was in this somewhat stabilised situation that Panizza was called to meet with the director of the prison, who informed him of the application for pardon and the reasoning behind it. Panizza apologised profusely for having upset

religious sentiments but argued that, to his knowledge, *Das Liebeskonzil* had not reached anyone in whom such upset could be fostered. As to his former state of mental health, he detailed the detrimental influence of his incarceration, yet decidedly declared that he was of sound mind, even though, ‘like all intellectuals [he] suffered from mood anomalies, mental fluctuation, depression, yet [...] he had experienced such states since his earliest youth’.<sup>74</sup>

The application for pardon was subsequently rejected, yet it brought to the fore a central issue for Panizza. He knew that if he was to be declared legally insane, the literary value and standing of his work would be tarnished; presumably this proposition also insulted his professional pride as a psychiatrist. On a more personal level, to be classified as insane confronted him with fears he had harboured for over a decade – in a situation where he was not free to react: in order for the application to be considered, Panizza needed to present to the prison director his support for Kugelmann’s application and its claim. Instead, this well-meant act forced to a head a crisis that already been at the heart of Panizza’s court trial: was it more important to be right or to be free? Five years before he was acquitted on grounds of insanity in his second trial in 1901, Panizza chose the former solution.

It is in *Psichopatia criminalis* that Panizza comes to terms with the consequences of his trial, and problematises the forensic imbrication of legal and medical discourse for the first time in his wide-ranging career. Having effected a radical displacement of authority as an imaginative foundation for his project, Panizza creates a satire utilising his profound knowledge of the psychiatric case study genre to attack his former profession, the German state, and even his supporters and friends. Yet if, for the sake of argument, we read the plot of *Psichopatia criminalis* literally, a new interpretation arises. To recall, the prime of *Psichopatia criminalis* installs the author as the chief psychiatrist of Germany. In it, Panizza for the first time attacks the psychiatric profession, both from his imagined position as the German chief psychiatrist and from his position as a creative writer; moreover, this omnipotent figure holds accountable for their thoughts all citizens who had ever conceived of resistance, and commits them to a mental asylum. ‘All citizens’ included, surely, his lawyer and supporters Ostermaier and Nobiling, who – although with Panizza’s best interests at heart – brought the eccentric and self-destructive wordsmith into a situation in which he needed to confront his innermost fears.

In the voice of the chief psychiatrist of the German state, he addresses his psychiatrist colleagues, the nominal addressees of *Psichopatia criminalis*, and highlights their lack of understanding of the poor prognosis of the disease ‘psichopatia criminalis’. By offering his superior insights to the German Emperor, the chief psychiatrist insinuates the professional incompetence of his colleagues and assumes an omnipotent position; in collaboration with the Emperor he creates a system of total

control from which none can escape. This reasoning had an evident underlying logic. Before the introduction of the insanity defence in the nineteenth century, the court could only convict culprits and punish them according to the law, or acquit them, which indicated their complete innocence.<sup>75</sup> This polarised model of condemnation or redemption was now undermined, since being held in a clinic or prison on the grounds of legal insanity did not actually resolve the underlying question of guilt. Rather, if a person was declared temporarily insane, their accountability was fundamentally undermined and they relied on the judgement of psychiatrists to be released. Consequently, the public perception of their persona might remain tainted. Panizza was the first German writer to formulate this critique at the very point at which, historically, this legal defence strategy became widely accepted. He did so – at least in the instance of his own life – with prophetic clarity.

The creative experimentalism of Panizza's achievement in *Psichopatia Criminalis* has a darker underbelly. The strategy of displacement can be understood as the creative reformulation of a painful situation which was beyond Panizza's control. This analysis agrees with Henry Lothane when he claims – attempting to buffer an overtly deterministic interpretation of Panizza's biography – that 'Panizza was not just paranoid, he was also persecuted'. Similarly, it is possible to accept as readers that Panizza was not only persecuted but also paranoid, and unwilling and unable to perceive the ways in which he contributed to his own suffering.<sup>76</sup> *Psichopatia criminalis* enabled Panizza to express his deep-seated frustration with the uninvited application for pardon made by friends and supporters, but the relief he must have gained from writing his satire stood in the way of re-establishing a positive relationship with his peers. A year before the publication of *Psichopatia criminalis* Panizza published his grumbling literary farewell note, *Abschied von München (Farewell from Munich, 1897)*, in which he accused all inhabitants of Munich of being 'vassals of Rome' and the Catholic Church; *Psichopatia criminalis* expressed his increasing alienation from his Munich friends.<sup>77</sup>

With respect to the development of Panizza's psychosis, arguably the *Liebeskonzil* trial contains the moment of Panizza's psychological decompensation. In his discussion of Freudian concepts, Bernd Nitzschke expounds how neurosis suppresses the unwanted reality, while psychosis reformulates it.<sup>78</sup> Both the description of the mechanism of this loss as well as its traces can be found in *Psichopatia criminalis*. For instance, where Panizza describes paranoia as one of the four characteristics of the symptomatology of 'psichopatia criminalis', he argues that it is not easy to convict people of this disease, since they are erudite, and believe that 'because Schiller has written "The Robbers" they are allowed to think anything'.<sup>79</sup>

This statement can also be interpreted as a retrospective aggrandisement of Panizza's defence strategy in court. Like the characters of his case vignettes, Panizza flooded the president of the court with erudite

quotes, yet, in stark contrast to *Psichopatia criminalis*, Panizza was cut short in his own defence. Moreover, a passage of his satire against Arndt directly relates to Panizza's *idée fixe* of later years, that of rulers and princes. Panizza attests that Arndt did not include the ruling classes in his critique. Yet although it is only in the context of already marginal comments on genius, Arndt's textbook does mention 'the genius of statesmen and military commanders, the Duke of Marlborough and [Roman] commander Tiberius'.<sup>80</sup> The textbook also notes that sufferers of 'raving madness' (*Tobsucht*) often identify themselves with great figures of history, including kings and emperors.<sup>81</sup> Again, Panizza does not cite this reference; rather, his writings idealise a range of prominent historical figures in the case vignettes. Panizza's own world-view was one of extreme individualism and he was carried by a belief that world history is written by singular outstanding individuals; as he confessed to his mother, he too wanted to be a 'great man'.<sup>82</sup> Yet another figure looms large for the first time in his writing, that of German Emperor Wilhelm II. Accordingly Panizza dedicated the manuscript of *Psichopatia criminalis* to the German Emperor: 'The Great Megalomaniac/In Deepest Dedication/The Psychiatrist'.<sup>83</sup> While this inscription was present only in the manuscript and not the printed version of *Psichopatia criminalis*, just a year later, in *Parisjana* (1899), Wilhelm II became the delusional metaphor within Panizza's psychosis. Panizza remained haunted by Wilhelm II – as any psychotic subject is fixated – and the German Emperor now became the only image through which Panizza could integrate his reality.

Panizza's creation of a delusional metaphor and a conformist imaginary may be read in psychoanalytic terms as an attempt by the author to repair the psyche through writing, although at the cost of the loss of a sense of reality.<sup>84</sup> Symbolically, the Emperor belongs to the realm of the state and stands as a punitive father figure. In this sense, the trial surrounding the anti-Catholic play *Das Liebeskonzil* represented a refusal and an inability to connect to the symbolic order of social interchange bound by the name of the father, as Jacques Lacan has argued in his essay on psychosis.<sup>85</sup> This tendency was already present in the play itself, as Freud observes in his *Interpretation of Dreams*. Here the reflections on Panizza's play become part of Freud's chain of associations in which he reflects on the rebellion against his own father in his dreams:

This recalled a strongly revolutionary literary play by Oskar Panizza [*Das Liebeskonzil* (1895)], in which God the Father is ignominiously treated as a paralytic old man. In his case will and deed were represented as one and the same thing, and he had to be restrained from cursing and swearing by one of his archangels, a kind of Ganymede, because his imprecations would be promptly fulfilled.<sup>86</sup>

Panizza's Catholic father died when his son was only two years old. The ensuing religious conflict between his mother and the Catholic Church concerning the religious affiliation of Panizza and his siblings dominated

Panizza's childhood, and *Das Liebeskonzil* presented a literary means of siding with his mother against the persecution of the Catholic Church, and a means to carve out a troubled symbolic space for himself. Once the state impeded his freedom of movement and, as in his childhood, intervened on behalf of the Catholic Church – this is at least how the situation must have seemed to him – his defences broke down. The trial became the moment that determined his psychosis, since it revealed to him 'his own insufficiency, humiliating him at the ethical level'.<sup>87</sup>

With reference to this background, it can be shown that in *Psichopatia criminalis* Panizza lampoons the case study genre while also reinterpreting it. Thus *Psichopatia criminalis* can be read simultaneously as, firstly, incisive satire; secondly, Panizza's psychological defence against his own trial, and the question of unsoundness of mind that it raised for him; and thirdly, the first iteration of his persecutory doppelgänger. Moreover, it is possible to draw parallels between Panizza's shift to a satirical mode, with its attempt to reduce complexity, and his withdrawal from the social sphere. Both appear to be attempts 'to compensate for the lack of the ability to synchronise, by avoiding overcharging interactions', as philosopher and psychiatrist Thomas Fuchs outlines in his study of temporality and psychopathology.<sup>88</sup>

Panizza's later cultural historical case writings present a perpetuation of his genealogy of dissidents. Having started to present such case studies in *Psichopatia criminalis*, Panizza continued this work in his journal *Zürcher Diskußjonen*. While leading an isolated life, symbolically Panizza surrounded himself with a host of dissident thinkers, all of whom were martyrs for their cause. Yet his fixation with the German Emperor also remained, as his verses *Parisjana* and the unpublished 'Casus conscientiae' (1903), one of the very last texts Panizza composed, reveal. The latter piece, a short dialogue between a layperson and a priest, makes mixed reference to religious as well as medical case writing traditions, and exploits the forgotten religious case modality of the case of conscience – a form of religious reasoning used to resolve hypothetical or apparent instances of wrongdoing by analysing whether the protagonist has acted wrongly. 'Casus conscientiae' possibly restages a dialogue between Panizza and Friedrich Lippert, the chaplain at the Amberg prison who had befriended Panizza during his imprisonment, and who in 1908 became his legal custodian. In the dialogue, the figure of the layperson asks the priest if sex murder should ever receive a sentence from the courts on grounds of the diminished insanity of the accused murderer, as occurs in the context of worldly penal law. With reference to the fifth biblical commandment, the priest first denies, then follows the layperson's catch question: 'what if the prince, the margrave, the king, [or] the emperor is the sex murderer?'<sup>89</sup>

Had 'Casus conscientiae' been published, it would have held a notable challenge for Panizza's contemporary German readers: it illuminated the limitations of the Church's moral power in the real world and also noted the limits of German civil law. Based on positive law, the German

legal system has historically relied on the understanding that the state protects its citizens and, in turn, expects its citizens to respect its laws. The only scenario in which breaking the law can be ethically justified is under a rogue regime – in this instance, a rogue emperor. Panizza in this *casus* points to the limits not only of religious reality but also of political reality, and does so from a standpoint of moral superiority. As his final negotiation with the case study genre, ‘Casus conscientiae’ closely resembles Panizza’s own delusional system, detailing its three ‘fates’, Church, state and psychiatry. It also raises pertinent questions concerning the powers of these institutions and the accountability of the ruling classes.

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‘[Parody] stresses difference and through the inscription of difference in a literary or artistic tradition masters it. Its assumption is imperial.’<sup>90</sup> This verdict stands with reference to *Psichopatia criminalis*, in which Panizza ingeniously interweaves the reductionist nature of case writing with that of satire, while his late case writings similarly serve as sites of radical re-interpretation. Depending on the reader’s frame of reference, *Psichopatia criminalis* has been received as an extravagant *pièce de résistance*, as a means of overcoming aggression, and as the author’s conscious rendering of his emerging system of delusion. This chapter has aimed to show that these multiple interpretations need not be at odds with one another, but that their divergent momentum has engendered different reader responses. *Psichopatia criminalis* has suffered from limited availability and circulation, and poor critical engagement, understanding and appreciation, because it pushes satire to its very limits, while the choice of the psychiatric case study genre as a prime was not without complications. Yet this daring and distinctive project also allowed Panizza to portray the limits of forensic discourse. His interpretation was in many ways the consequence of his upbringing and medical education, combined with modernist phantasies about insanity, played within a context of Bavaria’s repressive rule of law.

As Phiddian points out, satirists often claim to be prophets in the name of truth.<sup>91</sup> This holds true for Panizza. Panizza’s decision to await his trial in Munich, his subsequent conviction for blasphemy and the harsh sentence – a year’s imprisonment – undoubtedly constituted a heavy psychological burden on a man who, by his own admission, had suffered from depression since his childhood. The conviction also created a marked, ongoing interest among the Bavarian authorities in persecuting Panizza in a merciless manner. As part of this destructive situation, the Bavarian authorities confiscated Panizza’s German assets – his main income – and forced him to return to stand trial for lese majesty in 1901, even though he had renounced his German citizenship and emigrated to Zurich, and then Paris. During the same years, Panizza was busy

constructing, with increasing intensity, German Emperor Wilhelm II as a persecutory *doppelgänger*, both in his interior symbolic world and in his publications. Acquitted on grounds of insanity, later he admitted himself to the same clinic where he had once worked as a psychiatrist. Finally, he was declared incompetent in 1905. At once because of and in spite of these biographical vicissitudes, his exploration of the psychiatric case study genre in *Psichopatia criminalis* remains unprecedented.

The scandal surrounding Panizza the man has had profound consequences for the reception of his oeuvre. Panizza was demonstrably both a revolutionary *enfant terrible* and a man struggling to maintain his sharp mental faculties. Given the deeply oxymoronic nature of much of Panizza's life and oeuvre, it is not surprising there has been a divided reception of his work. His readers either sympathise with this anti-clerical, anti-monarchist and antipsychiatric author and idealise his stance against authority, sometimes at the cost of understanding the rhetorical projects tackled in his written works, or they medicalise the author, and by extension the content of his writing, challenging Panizza's status and significance as a satirist. Originally, his books were difficult to come by, because they were published by obscure publishers, often confiscated rather quickly, and subsequently published abroad in small editions. At best, the resultant rarity of copies of Panizza's publications fostered a fetishisation of his works, which gained value as collectors' items, and promoted the adulation of Panizza as a cultural-political dissenter. The accumulation since the 1980s of biographical insights into Panizza's suffering has changed readers' expectations of the satire *Psichopatia criminalis* by suspending the truth of the satire in a particular way. While, overall, the socialist reception clung to the satire's most comprehensible elements, the newer idea of Panizza's limited artistic accountability denies the writer agency over his text, and fails to provide a model for, or a clear explanation of, the impact of Panizza's mental health on his writing. This is partly a result of the incomprehensibility of certain aspects of Panizza's text, and partly follows from the specificity of his thinking, some of which, as evidenced above, can be contextualised biographically.

Both strands of reception intuitively grasp the fact that in Panizza's writing there exists a concurrence of art and mental illness, and each defends against one particular aspect of Panizza's unique system of thought, whether by means of idealisation or repression. Each of these divergent interpretations reflects characteristics inherent to Panizza's text. Prodded by generic means and inner defences, readers either idealise Panizza's dissident thought or avoid the question of whether a writer suffering from pronounced mental health problems can compose a literary text. This question is propelled by the satirical nature of *Psichopatia criminalis*, since, as Phiddian contends, satire requires intent: 'it is necessary to ascribe a rhetorical purpose to it, even if others see the purpose differently, and even if you then go on to criticise how coherent or consistently pursued that purpose may be'.<sup>92</sup>



This raises the much bigger question of the role and function of literature and creativity in the context of the mental health of authors. These questions are not new, and were particularly pertinent in the late nineteenth and early twentieth centuries. As discussed in Chapter 2, psychiatry assumed creative writers to be degenerate, while later psychoanalysts such as Wilhelm Stekel and Isidor Sadger tended to categorise at least some writers as neurotics. For psychoanalysts who stood in a psychiatric tradition, the creative act represented an expression of narcissism, and hence they did not pay any attention to literary texts, while Freud and his supporters championed the view that writing was a means to overcome or at least ease inner conflicts, both for writers and for their audience. Then there was contemporary criminal psychologist Erich Wulffen, a prolific writer and a master of case writing – presented in Chapter 4 – who argued that in the specific instance of criminals such as con man Georges Manolescu, writing functioned on a symbolic level as a repeat offence. Apparently Panizza was not privy to Freud's early writings, and he was already institutionalised in a psychiatric clinic when Freud elaborated on creative artists' ability to overcome their psychological impediments and resolve their inner conflicts. Nevertheless, it is possible to read *Psichopatia criminalis* for the ways in which it allowed Panizza to satirically transform his aggression against his lawyer, his supporters and psychiatry more generally into a work of literature. Simultaneously – to reference the criminal psychological discourse of Wulffen – Panizza also committed a 'crime' against himself. His retreat into language at the cost of experience was instrumental in his decline. This becomes most obvious in Panizza's focus on Emperor Wilhelm II, who came to assume the role of Panizza's eerie doppelgänger. As for the case study genre, like Alfred Döblin in the inter-war period, Panizza was one of the key German writers of the fin de siècle with an expert knowledge of a range of case modalities. He skilfully fashioned the psychiatric case study genre to invert its logic and to create a dystopian satire that challenged the institutions which traditionally had been the site of case knowledge: the Church, the court and psychiatry. His critique of psychiatric discourse as the basis of a new forensic legal mode was at the same time deeply personal and political.

## Notes

- 1 For example, Jörg Drews, 'Aus Anlaß von Oskar Panizza. Bemerkungen zu zwei Schriften des großen Satirikers', *Süddeutsche Zeitung*, 28 October 1978; Ernst Stein, 'Ein grandioses Greuel. Scheiterhaufen oder Denkmal für Oskar Panizza', *Die Zeit*, 25 March 1966; Klaus Wagner, 'Franz Marijnens große Wut. Panizzas Liebeskonzil in Hamburg', *Frankfurter Allgemeine Zeitung*, 21 July 1977.
- 2 John Forrester, 'Foreword', in Joy Damousi, Birgit Lang and Katie Sutton (eds), *Case Studies and the Dissemination of Knowledge* (New York: Routledge, 2015), pp. ix–xi, p. ix.
- 3 'Nicht immer gelang es Panizza, die Grenzen der Satire zu wahren und nicht zur direkten Polemik gegen die Politik jener überzugehen, an die sich seine Schrift



- angeblich wandte.' Michael Bauer, *Oskar Panizza. Ein literarisches Portrait* (Munich: Hanser, 1984), p. 202.
- 4 Bauer mentions *Psychopatia criminalis* only in passing. Despite his great interest in Panizza's Zurich writings Rolf Düsterberg does not engage with *Psychopatia criminalis*. Rolf Düsterberg, 'Die gedruckte Freiheit'. *Oskar Panizza und die Zürcher Diskussionen* (Frankfurt: Peter Lang, 1984).
  - 5 Linda Hutcheon, *A Theory of Parody: The Teachings of Twentieth-Century Art Forms* (New York: Methuen, 1985), p. 6.
  - 6 Hutcheon, *A Theory of Parody*, p. 6; Paul Simpson, *On the Discourse of Satire: Towards a Stylistic Model of Satirical Humour* (Amsterdam: John Benjamins, 2003), pp. 8–9.
  - 7 See Jürgen Habermas, 'What Is Universal Pragmatics?', in Thomas McCarthy (ed.) *Communication and the Evolution of Society* (London: Heinemann, 1979), pp. 1–68.
  - 8 Oskar Panizza, *Psychopatia criminalis: Anleitung um die vom Gericht für notwendig erkannten Geisteskrankheiten psychiatriisch zu eruiern und wissenschaftlich festzustellen; für Ärzte, Laien, Juristen, Vormünder, Verwaltungsbeamte, Minister etc.* (Zurich: Zürcher Diskußionen, 1898), p. v.
  - 9 Hanns Hippus, Hans-Jürgen Möller, Norbert Müller and Gabriele Neundörfer, *Die psychiatrische Klinik der Universität München, 1904–2004* (Heidelberg: Springer, 2005), pp. 37–8.
  - 10 A rich corpus of literature is available concerning the life of Ludwig II, for instance: Wilfrid Blunt, *The Dream King: Ludwig II of Bavaria* (Harmondsworth: Penguin, 1973); Oliver Hilmes, *Ludwig II. Der zeitgemäße König* (Munich: Siedler, 2013); Christopher McIntosh, *The Swan King: Ludwig II of Bavaria* (London: Lane, 1982); Hans Rall, *King Ludwig II: Reality and Mystery* (Regensburg: Schnell & Steiner, 2001). On the role of Bernhard von Gudden see: Ian Freckelton, 'Deaths of King Ludwig II of Bavaria and of His Psychiatrist, Professor von Gudden: Warnings from the Nineteenth Century', *Psychiatry, Psychology and Law*, 19:1 (2012), pp. 1–10; Heinz Häfner, 'War das psychiatrische Gutachten B. von Guddens über König Ludwig II. von Bayern korrekt?', *Der Nervenarzt*, 82:5 (2011), pp. 611–16; Wilhelm Kaltenstadler, 'Was Ludwig II Mentally Ill? Critical Remarks on the Estimate of Professor Dr med. von Gudden', *Deutsche medizinische Wochenschrift*, 136:51/52 (2011), pp. 2684–91; Jürgen L. Müller, 'Johan Bernhard Aloys von Gudden (1824–1886): Not Only the King of Bavaria's Psychiatrist', *International Journal of Psychiatry in Clinical Practice*, 5:2 (2001), pp. 135–9.
  - 11 In Panizza's characteristic spelling: 'Ein mässig grosses Irrenhaus zwischen Nekar und Rhein, etwa von der Grösse der Pfalz, und auf eben diesem Boden, wo die turbulentesten Köpfe gediehen, errichtet'. Panizza, *Psychopatia criminalis*, pp. vi–vii.
  - 12 '[D]as Prinzip der Humanität, welches bei unseren heutigen, auf allen Seiten aufgeregeten Zeiten, besonders auch immer an die Spitze gestellt wird.' 'Die milde Behandlung, richtig temperirte Wannenbäder, die Ruhe, die Abgeschlossenheit, Nachtigallenschlag jenseits der Gitter, der gütige Zuspruch des Arztes – ein Bischen Hyoscamin, und ein Bischen Bromkali – und die politische Einsicht all dieser Internirter wäre bedeutend gewachsen.' Panizza, *Psychopatia criminalis*, pp. v, viii.
  - 13 Hans C. Bangen, *Geschichte der medikamentösen Therapie der Schizophrenie* (Berlin: VWB, 1992), p. 23; Richard von Krafft-Ebing, *Lehrbuch der Psychiatrie auf klinischer Grundlage für Ärzte und Studierende*, 3rd new edition (Stuttgart: Enke, 1888), p. 298.
  - 14 For instance, Richard von Krafft-Ebing, *Psychosis Menstrualis. Eine klinisch-forensische Studie* (Stuttgart: Enke, 1902), p. 58.
  - 15 The German original reads: 'Mancher der aufmerksamen Leser, besonders solcher,

- die Psychjater von Fach sind, möchte vielleicht hier den Einwurf wagen, dass das hier Vorgetragene ja Geschichte, politische Geschichte, Literatur-Geschichte, ReformazjionsGeschichte, aber keine eigentliche psychjatrische Kasuistik, keine Darstellung von Psychopatteen seien'. Panizza, *Psychopatia criminalis*, p. 9.
- 16 'Das bewundernswerte Lehrbuch ist bei weitem nicht genügend gewürdigt und noch immer in der ersten Auflage zu haben'. Panizza, *Psychopatia criminalis*, p. 9.
- 17 The German original reads: 'Hat doch der treffliche Forscher *Rudolf Arndt* in seinem "Lehrbuch der Psychiatrie für Ärzte und Studierende" die ganze Kultur- und Geistesgeschichte der Menschheit in *Oxy- und Par-ästesieen* eingeteilt, und auf diese Weise die gesamte Entwicklungsgeschichte des Abendlandes, alle Revoluzjonen und die "Räuber" von *Schiller*, alle politischen Verträge und *Metternich* – mit alleiniger Ausnahme der Fürsten – in seinem hervorragenden Lehrbuche untergebracht!' Panizza, *Psychopatia criminalis*, p. 9.
- 18 *Rudolf Arndt, Lehrbuch der Psychiatrie für Ärzte und Studierende* (Vienna: Urban & Schwarzenberg, 1883), pp. 110–11.
- 19 '[A]llerhand krankhaften Zuständen, mit allerhand Eigenthümlichkeiten, Idyosynkrasien und selbst Perversitäten.' Arndt, *Lehrbuch der Psychiatrie*, p. 296.
- 20 '[P]sychisch verdüstert und gebrochen.' Arndt, *Lehrbuch der Psychiatrie*, p. 297. These elaborations are part of the fourteenth chapter (forty-eight pages long), which deals with the origins of psychosis.
- 21 Panizza, *Psychopatia criminalis*, p. 10. Yet in *Psychopatia criminalis* six of the nine psychiatrists that Panizza listed were his contemporaries, and only Arndt, Wilhelm Griesinger (1817–68) and French psychiatrist Jean-Étienne Esquirol (1772–1840) could be counted as 'old'.
- 22 See Jürgen Müller, 'Oskar Panizza: Psychiatrist, Antipsychiatrist, Patient. The Man Behind Emil Kraepelin's Case Report on "Paraphrenias"', *International Journal of Psychiatry in Clinical Practice*, 4:4 (2000), pp. 335–8.
- 23 Simpson, *On the Discourse of Satire*, p. 9. In Simpson's terms, while the prime is interpreted through a frame of general knowledge, the dialectic is accessed through the text, 'such that a schism or fracture occurs between these two frameworks'.
- 24 'Es ist die stille Wut, das geheime, ruhige Konspiriren, das innere freche Denken was diese Leute auszeichnet; es ist die mania anti-govermentalıs.' Panizza, *Psychopatia criminalis*, p. 18.
- 25 Panizza, *Psychopatia criminalis*, p. 30; Cesare Lombroso, *The Man of Genius*, trans. H. Havelock Ellis (London: Walter Scott, 1891). The Italian original of Lombroso's study was published in 1886, the German translation in 1890.
- 26 Panizza, *Psychopatia criminalis*, p. 39.
- 27 In comparison to Panizza, Austro-Marxist Max Adler mentions as socialist forebears and relevant thinkers: Rousseau, Schiller, Kant, Fichte, Saint-Simon, Owen, Weitling, Feuerbach, Stirner, Lasalle, Engels, Marx and Hegel. See Max Adler, *Wegweiser. Studien zur Geistesgeschichte des Sozialismus* (Stuttgart: Dietz, 1914).
- 28 Simpson, *On the Discourse of Satire*, pp. 8–9.
- 29 'Man kann sie in höchster Empörung als Attentate gegen Sitte und Schönheit und dann wieder als kindlich harmlose Launenspielerien auffassen. Allein selber dazu thun muss man jedenfalls nicht wenig. Schon die vielen Gelehrsamkeiten und seltenen deutschen Wörter stellen an den Leser die Anforderung des Mitarbeitens; ein Panizza-Lexikon wäre sehr erwünscht.' 'Vatikanische Satiren', *Der sozialistische Akademiker*, 10 (15 May 1895), pp. 178–82, p. 182.
- 30 Simpson, *On the Discourse of Satire*, p. 136.
- 31 Robert Phiddian, 'Satire and the Limits of Literary Theory', *Critical Theory*, 55:3 (2003), pp. 44–58, p. 49.
- 32 Phiddian, 'Satire and the Limits of Literary Theory', pp. 54, 49.
- 33 *Das Liebeskonzil* (1894) represented a veritable literary and judicial scandal, and created religious controversy long after its creation; it was censored the

- last time in Austrian Tyrol in 1983. See Peter D. G. Brown, 'The Continuing Trials of Oskar Panizza: A Century of Artistic Censorship in Germany, Austria, and Beyond', *German Studies Review*, 24:3 (2001), pp. 533–56; Gary D. Stark, 'Trials and Tribulations: Authors' Responses to Censorship in Imperial Germany, 1885–1914', *German Studies Review*, 12:3 (1989), pp. 447–68.
- 34 Peter D. G. Brown, *Oskar Panizza: His Life and Works* (New York: Peter Lang, 1983), pp. 36–9.
- 35 'Ganz ohne Frage ist der schludrige Stilist und miserable Orthograph Panizza der seit Luther derbste, deftigste, polterndste und zugleich genialistische Polemiker deutscher Sprache gewesen.' Hans J. Fröhlich, 'Der deftigste und genialischste Polemiker deutscher Sprache. Eine Neuauflage von Oskar Panizzas "Dialoge im Geiste Huttens"', *Frankfurter Allgemeine Zeitung*, 7 February 1980.
- 36 'Panizza ist ein Terrorist: wer kein Deutscher werden will, sollte ihn lesen.' Heiner Müller, 'Panizza oder Einheit Deutschlands', *Frankfurter Rundschau*, 4 August 1979.
- 37 The German original reads (with original emphasis): 'Panizzas Unglück ist das des Propheten, der zu früh vorausgesagt hat', and, further, 'Oskar Panizza ist ein Opfer der deutschen Einheit, kein REICH wollte ihn haben. Einigung ist Ausschließung, Panizza gehört zu den Ausgeschlossenen, ein Spaltpilz und Nestbeschmutzer, Gotteslästerer und Staatsfeind in der Tradition einer Gegenkultur der HALBVERRÜCKTEN Ketzler'. Müller, 'Panizza oder Einheit Deutschlands'.
- 38 Knut Boeser, 'Panizza und Ruschdie. Vom gefährlichen Leben der Schriftsteller in moralischen Zeiten', in Knut Boeser (ed.), *Der Fall Oskar Panizza: ein deutscher Dichter im Gefängnis; eine Dokumentation* (Berlin: Hentrich, 1989), pp. 220–9, p. 220.
- 39 '[P]olitische Satire über die Verfolgungswut der deutschen Staatsanwälte.' Fritz Brügel, 'Der kaiserliche Wahnsinn', *Arbeiterzeitung*, 2 August 1926.
- 40 'Der politische Wille dieser Münchner war – wie hätte es in dem Wilhelminischen Deutschland auch anders sein können! – viel zu eingeengt, und eine Verbindung mit der praktisch arbeitenden Sozialdemokratie, die die Literaten wieder geistig hätte befruchten können, und verebte schließlich in Bürgerbohème.' '[S]o ragte über die Münchner der unglückliche Oskar Panizza weit hervor... [Oskar Panizza] hat noch hassen können, wie heute nur Heinrich Mann haßt. Er hat sein Land geliebt und Die verabscheut, die es zu einem Kasernenhof und zu einer Treitmühle gemacht haben, derweil sie selbst nicht mitzutun brauchten: denn für galten keine Gesetze. Vorschriften gelten nur für die, die sie gemacht haben.' Kurt Tucholsky (writing as Ignaz Wrobel), 'Panizza', *Die Weltbühne*, 38 (11 September 1919), p. 321.
- 41 'Große Satire aber und geradezu aufregende politische Reflexionen allerdings bietet die "Psychopatia criminalis"... Bei der Lektüre braucht man bisweilen nur einige wenige Adjektive zu ändern, um Panizzas Anweisungen brauchbar zu machen als Handbuch für den zeitgenössischen Verfassungsschutz.' Drews, 'Aus Anlaß von Oskar Panizza'.
- 42 'Panizza verwandelt die politischen Kategorien in psychiatrische und rät als Teufels Advokat, mit einer rasant durchgehaltenen Ironie dazu, alle kritische, sprich: antiobrigkeitliche und speziell antimonarchistische Gesinnung als Geisteskrankheit, nämlich als verbrecherische Psychopathie zu verstehen.' Drews, 'Aus Anlaß von Oskar Panizza'. A similar sentiment is expressed by Klaus Völker, 'Phantast und Gelehrsamkeitspedant. Oskar Panizza: Auf dem Weg zu einer Wiederentdeckung des Verfemten', *Frankfurter Rundschau*, 19 January 1980.
- 43 Michel Foucault, *Herculein Barbin: Being the Recently Discovered Memoirs of a Nineteenth-Century French Hermaphrodite*, trans. Richard McDougall (Brighton: Harvester Press, 1980), p. xvii.
- 44 Brown, *Oskar Panizza*, p. 183.
- 45 Brown, *Oskar Panizza*, p. 182.

- 46 Bauer, *Oskar Panizza*, p. 219.
- 47 Jürgen Müller, *Der Pazjent als Psychiater: Oskar Panizzas Weg vom Irrenarzt zum Insassen* (Bonn: Narrenschiff, 1999), pp. 197–8.
- 48 Michael Bauer, ‘Panizza, Leopold Hermann Oskar’, *Neue Deutsche Biographie*, 20 (2001), pp. 30–2, [www.deutsche-biographie.de/pnd118739131.html](http://www.deutsche-biographie.de/pnd118739131.html), accessed 13 August 2015.
- 49 ‘[S]elbst der Herausgeber ... rückt von einem künstlerischen Anspruch ab und betont den dokumentarischen Wert seiner Erscheinung für die Krankengeschichte des Kaiserreichs.’ Ernst Stein, ‘Ein grandioses Greuel. Scheiterhaufen oder Denkmal für Oskar Panizza’, *Die Zeit*, 25 March 1966.
- 50 ‘Ein bedeutender Dichter war er nicht; dazu war sein Verhältnis zur Sprache zu unkontrolliert.’ Fröhlich, ‘Der deftigste und genialischste Polemiker deutscher Sprache’.
- 51 ‘Nicht immer gelang es Panizza, die Grenzen der Satire zu wahren und nicht zur direkten Polemik gegen die Politik jener überzugehen, an die sich seine Schrift angeblich wandte.’ Bauer, *Oskar Panizza*, p. 202.
- 52 Düsterberg, ‘Die gedruckte Freiheit’, pp. 138–9.
- 53 Bauer, *Oskar Panizza*, p. 202; Müller, *Der Pazjent als Psychiater*, pp. 95–7. Brown carefully separates biography and literary works, and while Panizza’s works underpin his biography, he simply neglects Panizza’s late oeuvre. Brown, *Oskar Panizza*, pp. 55–6. As for Bauer, Panizza’s case writings play a minor role in his analysis, whereas, ironically, the psychiatrist Müller presents them – like his medical predecessors – both as a means of exonerating and as an expression of Panizza’s delusion, without, however, considering their literary merit, or presenting the reader with a language-based understanding of psychosis.
- 54 See Joela Jacobs, ‘Verbrechen wider die Natur. Oskar Panizza’s First Encounter with Censorship’, in Godela Weiss-Sussex and Charlotte Woodford (eds), *Protest and Reform in German Literature and Visual Culture, 1871–1918* (Munich: Iudicium, 2015), pp. 125–38; Sophia Könemann, ‘Von “Menschen-Bälgen”, “kostbaren Rassen” und “Canarienvögeln”’: Fetischismus in Oskar Panizzas Erzählung “Der Corsetten-Fritz”’, in Sophia Könemann and Anne Stähr (eds), *Das Geschlecht der Anderen. Figuren der Alterität: Kriminologie, Psychiatrie, Ethnologie und Zoologie* (Bielefeld: Transcript, 2011), pp. 171–86. Jacobs discusses *Das Verbrechen in Tavistock-Square* (1891) and Könemann ‘Der Corsetten-Fritz’ (1893).
- 55 Panizza also references psychiatry in his poetry; see the edited collection Oskar Panizza, *Das Rothe Haus. Lesebuch zu Religion, Sexus und Wahn*, ed. Michael Bauer (Munich: Allitera, 2003).
- 56 A detailed reception history of the English, French and German editions can be found in Birgit Lang, ‘Michel Foucault, Herculine Barbin, and the Case Study Genre’, in Tess Do, Véronique Duché and Andrea Rizzi (eds), *Mélanges. Festschrift for Anne Freedman* (Paris: Classiques Garnier, 2015), pp. 243–57.
- 57 Oskar Panizza, ‘A Scandal at the Convent’, in Foucault (ed.), *Herculine Barbin*, pp. 155–99, p. 193.
- 58 The original context of publication was Panizza’s 1893 collection of short stories titled *Visionen. Skizzen und Erzählungen* (*Visions, Sketches and Stories*) – after *Dämmerungsstücke* (*Twilight Stories*) of 1890 and *Aus dem Tagebuch eines Hundes* (*Dog Diaries*) of 1892, his third and last extensive work of literary prose.
- 59 Staatsarchiv München (State Archives, Munich), Prosecution File 7122 (*Parisjana*).
- 60 Staatsarchiv München (State Archives, Munich), Prosecution File 7122 (*Parisjana*). Report Dr Ungemach, dated 10 March 1905, p. 11.
- 61 Müller, *Der Pazjent als Psychiater*, p. 212.
- 62 Hanns von Gumpfenberg, *Lebenserinnerungen. Aus dem Nachlass des Dichters* (Berlin: Eigenbrödler Verlag, 1929), pp. 174–9.
- 63 Gumpfenberg, *Lebenserinnerungen*, p. 173.
- 64 Bauer, *Oskar Panizza*, p. 99; Brown, *Oskar Panizza*, p. 83.

- 65 Quoted in Müller, *Der Pazient als Psychiater*, p. 89.
- 66 Oskar Panizza, *Meine Verteidigung in Sachen 'Das Liebeskonzil': nebst dem Sachverständigen-Gutachten des Dr. M. G. Conrad und dem Urteil des k. Landgerichts München I* (Zurich: Schabelitz, 1895).
- 67 Bauer, *Oskar Panizza*, pp. 98–9.
- 68 'Wie sehr auch das Genie von der Mit- und mehr noch von der Nach-Welt angestaunt und bewundert wird, es selbst ist nicht glücklich. Es lebt vereinsamt und im steten Kampfe mit sich selbst.' Oskar Panizza, 'Genie und Wahnsinn, Vortrag', *Münchner Flugschriften*, 1:4/5 (1891), reprinted in Oskar Panizza, *Die kriminelle Psychose, genannt Psychopatia criminalis* (Munich: Matthes & Seitz, 1978), pp. 85–117, p. 117.
- 69 'Häufiger besteht jener Zustand, wo die aufsteigenden Bilder der Phantasie zwar als fremd, aber doch im eigenen Kopfe vorgehend, erkannt werden.' Panizza, 'Genie und Wahnsinn', p. 107.
- 70 Staatsarchiv München (State Archives, Munich), Prosecution File 7119 (*Liebeskonzil*): Petition for pardon dated 30 August 1895 submitted by defence lawyer Dr Kugelmann to His Most Serene Highness Prince and Ruler. (This was Luitpold Karl Joseph Wilhelm of Bavaria, Prince Regent for Otto I, who had been declared mentally incompetent on 10 June 1886; he died on 11 October 1916.) The German original reads: 'Ich habe als Verteidiger desselben die Frage indessen nicht anzuregen gewagt, weil der Angeklagte eine derartige Unterstellung nach seinem ganzen Temperament sehr schwerst zurückgewiesen haben würde'. The doctors who attested that Panizza was not of sound mind were Panizza's physician and friend Dr Paul Ostermaier (report dated 24 August 1895) and Dr Nobiling (report dated 21 August 1895). Dr Schmelcher, the resident physician of the prison in Amberg, disagreed (report dated 15 September 1895).
- 71 Staatsarchiv München (State Archives, Munich), Prosecution File 7119 (*Liebeskonzil*): Medical certificate, Dr Nobiling, dated 21 August 1895; medical certificate, Dr Ostermaier.
- 72 Staatsarchiv München (State Archives, Munich), Prosecution File 7119 (*Liebeskonzil*). The relevant passage from Ostermaier's report states: 'Herr Dr Oskar Panizza ist dem Unterfertigten seit nunmehr 19 Jahren genau bekannt. Der Unterfertigte hat seit dieser Zeit viel mit dem Rubrikaten sowohl gesellschaftlich als wissenschaftlich verkehrt und ist seit vielen Jahren zur Überzeugung gekommen, daß derselbe psychisch hochgradig krankhaft veranlagt ist und für alle seine Reden und Handlungen nicht zur Verantwortung gezogen werden kann'. Brown, *Oskar Panizza*, p. 46, summarises the above. Bauer, *Oskar Panizza*, p. 186, suggests that Kugelmann's plea contributed to Panizza's legal incapacitation later on.
- 73 Staatsarchiv München (State Archives, Munich), Prosecution File 7119 (*Liebeskonzil*). Report concerning Panizza by Dr Schmelcher, Amberg Prison, dated 15 September 1895.
- 74 Staatsarchiv München (State Archives, Munich), Prosecution File 7119 (*Liebeskonzil*). Report by Head of Amberg Prison Eiger, Amberg Prison, dated 20 November 1895. The German original reads: 'Bezüglich seines dermaligen geistigen Zustandes erklärt Panizza, daß er sich zwar noch als vollkommen zurechnungsfähig erachten zu denken glaube, jedoch zeitweilig wie alle verschiedenen geistig Arbeitenden an Stimmungsanomalien, geistigen Schwankungen, Depressionen leide, daß aber derlei Zustand bei ihm schon seit seiner frühesten Jugend bestanden hätte und sich auch naturgemäß unter dem Einfluss der Zellhaft und bei dem durch die Anstaltsverhältnisse bedingten, für ihn persönlich nicht ausreichenden freien Bewegung in frischer Luft ungünstig fortentwickeln müßte, daß er daher wiederholt inständig um Begnadigung oder doch eine Umwandlung seiner Haft in Festungshaft bitte'.
- 75 See Ylva Greve, *Verbrechen und Krankheit: Die Entdeckung der 'Criminalpsychologie' im 19. Jahrhundert* (Cologne: Böhlau, 2004).

- 76 Henry Zvi Lothane, 'Romancing Psychiatry: Paul Schreber, Otto Gross, Oskar Panizza – Personal, Social and Forensic Aspects', in Werber Felber, Albrecht Götz von Olenhusen, Gottfried Maria Heuer and Bernd Nitzschke (eds), *Psychoanalyse und Expressionismus. 7. Internationaler Otto-Gross-Kongress, Dresden* (Marburg: LiteraturWissenschaft.de, 2010), pp. 461–93.
- 77 Oskar Panizza, *Abschied von München. Ein Handschlag* (Zurich: Schabelitz, 1897), p. 15.
- 78 Bernd Nitzschke, *Die Psychoanalyse Sigmund Freuds: Konzepte und Begriffe* (Wiesbaden: VS Verlag, 2011), p. 165.
- 79 'Diese Leute glauben wahrhaftig, ... oder weil Schiller die "Räuber" geschrieben hat, sei ihnen Alles zu denken erlaubt.' Panizza, *Psychopatia criminalis*, p. 40.
- 80 Arndt, *Lehrbuch der Psychiatrie*, p. 297.
- 81 Arndt, *Lehrbuch der Psychiatrie*, pp. 486–7. Panizza never succumbed to such ideas. He was not deluded that he was the Emperor, but was deluded that the Emperor was persecuting him, and was deluded that Nietzsche did not exist.
- 82 Panizza, *Psychopatia criminalis*, p. 203.
- 83 'Dem Großen Megalomanen/In tiefster Ehrfurcht dargebracht/Der Psychjater.' Quoted in Düsterberg, 'Die gedruckte Freiheit', p. 64.
- 84 Stijn Vanheule, *Subject of Psychosis: A Lacanian Perspective* (Basingstoke: Palgrave Macmillan, 2011), p. 73.
- 85 Jacques Lacan, *The Psychoses. The Seminar of Jacques Lacan. Book III 1955–1956*, ed. Jacques-Alain Müller (New York: Routledge, 1993), p. 193.
- 86 Sigmund Freud, 'The Interpretation of Dreams', in *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, ed. James Strachey, with Anna Freud, Alix Strachey and Alan Tyson, vol. IV (London: Hogarth Press and Institute for Psychoanalysis, 1953), pp. ix–627, p. 217. The German original reads: '[Es] erinnert an ein stark revolutionäres Buchdrama von Oskar Panizza, in dem Gottvater als paralytischer Greis schmächtig genug behandelt wird, dort heißt es: Wille und Tat sind bei ihm eines, und er muß von seinem Erzengel, einer Art Ganymed, abgehalten werden zu schimpfen und zu fluchen, weil diese Verwünschungen sich sofort erfüllen würden'. Sigmund Freud, 'V: Das Traummaterial und die Traumquellen', in Sigmund Freud, *Gesammelte Werke, chronologisch geordnet*, ed. Anna Freud, in collaboration with M. Bonaparte, E. Bibring, W. Hoffer, E. Kris and O. Isakower, vol. II/III (London: Imago, 1948), pp. 169–282, p. 222.
- 87 Jacques Lacan, *Paranoid Psychosis and Its Relation to the Personality* (1932), quoted in Vanheule, *Subject of Psychosis*, pp. 10–11.
- 88 Thomas Fuchs, 'Temporality and Psychopathology', *Phenomenology and the Cognitive Sciences*, 12:1 (2013), pp. 75–104, p. 93.
- 89 Monacensia, Literary Archive of the City of Munich, Oskar Panizza Papers, Oskar Panizza, 'Casus Conscientiae novissimorum temporum vom Pfaffen Panitius', unpublished manuscript of twenty-four pages dated 21 March 1903, p. 3, where the German original reads 'Wenn der Landesfürst, der Markgraf, der König, der Kaiser der Lustmörder ist?'
- 90 Vincent Crapanzano, 'The Postmodern Crisis: Discourse, Parody, Memory', in Amy Mandelker (ed.), *Bakhtin in Contexts: Across the Disciplines* (Evanston: Northwestern University Press, 1995), pp. 137–50, p. 138.
- 91 Phiddian, 'Satire and the Limits of Literary Theory', p. 53.
- 92 Phiddian, 'Satire and the Limits of Literary Theory', p. 49.