THE SECULARIZATION OF SUICIDE IN ENGLAND 1660-1800*

Ever since the publication of Emile Durkheim's *Le suicide* in 1897, sociologists have regarded suicide as a talisman, an object of their science and a means to higher truths. Hundreds of books and articles have been written in this century, using it as the basis for inventing social theories and testing hypotheses. Durkheim was attracted to the study of suicide because of its paradoxical quality: the most inscrutable and private of all the ways to die, suicide nevertheless is influenced by social factors that affect everyone. It is at once an individual gesture and a social phenomenon. Durkheim's arguments explaining the connection between suicidal actions and social conditions are well known, even if they are frequently misunderstood; many sociologists have attempted to perfect and elaborate his approach to the study of suicide rates. During the past twenty years, however, scholars hostile to the theoretical assumptions of Durkheimian sociology have advanced their own phenomenological and ethnomethodological approaches to the study of suicide. They have assailed the reliability of the official statistics on which suicide rates are based and championed studies of the social construction of the meaning of suicide. This protracted battle over the significance of suicide is part of the larger theoretical war between the "positivists", who still march behind the standard of classical sociological thought, and the proponents of new social theories that are based ultimately on rival traditions in European philosophy. Despite the obscurantism that often envelops the field of combat, there is no doubting the importance of the intellectual issues at stake.[1]

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[1] The various approaches to the study of suicide are discussed cogently in Seymour Perlin (ed.), *A Handbook for the Study of Suicide* (New York, 1975); Erwin Stengel, *Suicide and Attempted Suicide*, rev. edn. (Harmondsworth, 1969); Anthony Giddens

(cont. on p. 51)

Historians have been largely indifferent to the fascination that suicide has exercised over the minds of social scientists, and when they have turned their attention to it they have generally treated it from resolutely old-fashioned perspectives. English historians are typical in their concentration mainly on the intellectual history of suicide. With a couple of exceptions, comments on its social history have been restricted to generalizations about the rates of suicide in various periods, and they have displayed a marked tendency to "vulgar Durkheimianism" — a naïve assumption that suicide rates are a direct measure of the health (or sickness) of the social organism at a given time. Peter Laslett, for instance, declares: "Suicide is the most usual index of social demoralization, of *anomie* as the sociologists call it. If ever we could get to know anything reliable about it in these earlier times, it would probably be an even more sensitive index than it is now, marking the relationship between personal discipline and social survival".[2] D. M. Palliser recently remarked that attempts to pursue Laslett's suggestion and compute a suicide rate for the Tudor and Stuart era continue to be frustrated by problems that beset the measurement of other crimes: missing records and a demonstrable but incalculable discrepancy between recorded suicides and the higher "real" rate at which the offence was committed.[3] The most sophisticated discussion of the social history of suicide in England that has yet appeared is Olive Anderson's analysis of suicide rates in

(n. 1 cont.)
(ed.), *The Sociology of Suicide* (London, 1971); Jack D. Douglas, *The Social Meanings of Suicide* (Princeton, 1967); Herbert Garfinkel, *Studies in Ethnomethodology* (Englewood Cliffs, 1967); J. M. Atkinson, *Discovering Suicide* (London, 1978); Steve Taylor, *Durkheim and the Study of Suicide* (London, 1982). All of these works justly assume familiarity with Emile Durkheim, *Suicide: A Study in Sociology*, trans. John A. Spaulding and George Simpson (London, 1970), with which it is still essential to begin.

[2] Peter Laslett, *The World We Have Lost*, 2nd edn. (London, 1971), p. 145. The point is made more briefly in the third and latest edition (New York, 1984), p. 173.

[3] D. M. Palliser, *The Age of Elizabeth* (London, 1983), p. 314. For other historical works on suicide in early modern England, see S. E. Sprott, *The English Debate on Suicide: From Donne to Hume* (La Salle, 1961); Roland Bartel, "Suicide in Eighteenth-Century England: The Myth of a Reputation", *Huntington Lib. Quart.*, xxiii (1960), pp. 145-58; Lester G. Crocker, "The Discussion of Suicide in the Eighteenth Century", *Jl. Hist. Ideas*, xiii (1952), pp. 47-72; P. E. H. Hair, "A Note on the Incidence of Tudor Suicide", *Local Population Studies*, v (1970), pp. 36-43; P. E. H. Hair, "Deaths from Violence in Britain: A Tentative Secular Survey", *Population Studies*, xxv (1971), pp. 5-24; Michael MacDonald, "The Inner Side of Wisdom: Suicide in Early Modern England", *Psychological Medicine*, vii (1977), pp. 565-82; Richard L. Greaves, *Society and Religion in Elizabethan England* (Minneapolis, 1981), pp. 531-7. Some useful information may also be found in A. Alvarez, *The Savage God: A Study of Suicide* (New York, 1973), pp. 144-93; Henry Romilly Fedden, *Suicide: A Social and Historical Study* (New York, 1972 edn.), chs. 6-7.

the early nineteenth century. Finding on the basis of official statistics that there was no correlation between industrialization and high rates of suicide, Anderson observes that the discrepancy between the figures published by the authorities and the Victorians' conviction that suicide was most frequent in industrial cities illuminates the force of contemporary anxieties about the spiritual and moral destructiveness of modern society. She concludes that the study of suicide clearly demonstrates that "to give himself the best possible chance of exploring many sorts of past reality . . . the social historian must also be a historian of ideas".[4]

The history of suicide in early modern England proves the wisdom of Anderson's dictum. Contemporary beliefs about suicide were transformed utterly between 1660 and 1800, and so were official responses to it. Religious and magical ideas that had justified savage punishments for self-murder were gradually eclipsed by medical and philosophical ideas that exculpated it. This paper describes the secularization of suicide and offers explanations for it. It advocates none of the current sociological theories of suicide exclusively but aspires instead to be comprehensive in two senses. First, it seeks to connect changes at the level of the individual with broader transformations in the society and culture. Secondly, it employs methods and insights from almost all of the major sociological and historical traditions that are germane to the study of suicide in the past. My aim is to show that the history of suicide illuminates changes that profoundly affected English society and culture. I hope also, like Anderson, to demonstrate that statistical approaches to the history of suicide are by themselves inadequate and must be married with intellectual history to be useful. Our methods of effecting the union of historical sociology and intellectual history are different, though, because I am convinced that it is not enough merely to introduce the partners and point out the ways in which they are compatible. The relationship must be cemented by establishing, in so far as it is possible, connections between attitudes to suicide and people's reactions to actual deaths. For that reason I shall examine in detail the behaviour of coroners' juries, local institutions composed of ordinary men whose verdicts determined what their community's legitimate public reaction to suicidal deaths would be.

I

Suicide was a heinous crime in Tudor and early Stuart England, and

[4] Olive Anderson, "Did Suicide Increase with Industrialization in Victorian England?", *Past and Present*, no. 86 (Feb. 1980), p. 173.

it merited condign punishment. The word "suicide" itself was not coined until the 1630s, and it did not pass into general circulation until the eighteenth century.[5] Before then there were no terms with which to describe self-destruction that did not brand its perpetrators as criminals or madmen. Self-killing was a species of self-murder, a felony in criminal law and a desperate sin in the eyes of the church. "For the heinousnesse thereof", observed Michael Dalton, "it is an offence against God, against the king, and against Nature".[6] Self-murderers were tried posthumously by a coroner's jury, and if they were found to have been responsible for their actions savage penalties were enforced against them and their families. They were declared to have been *felones de se*, felons of themselves: their chattels, like those of other felons, were forfeited to the crown and placed at the disposal of the king's almoner or the holder of a royal patent.[7] Their bodies were denied the usual rites of Christian burial. By ancient custom, based on popular lore, the corpses of suicides were interred at a crossroads or in some other public way, laid face down in the grave with a wooden stake driven through them. The state of mind of self-killers at the time that they committed their fatal deed was crucial. Men and women who slew themselves when they were mad or otherwise mentally incompetent were not guilty of their crime. Edmund Wingate explained concisely that suicides had to be sane and to take their lives intentionally to be guilty of self-murder: "He is *felo de se* that doth destroy himself out of premeditated hatred against his own life, or out of a humour to destroy himself". Idiots or lunatics who were insane when they killed themselves were judged *non compos mentis* by the coroner's jury and spared both the secular and the religious punishments for suicide.[8]

[5] Sir Thomas Browne, *Selected Writings*, ed. Geoffrey Keynes (Chicago, 1968), p. 50. Browne uses the word in *Religio Medici*, which was composed about 1636 but not published until 1642 (first authorized edition, 1643). Alvarez, *Savage God*, pp. 48-9; *The Compact Edition of the Oxford English Dictionary* (Oxford, 1971).

[6] Michael Dalton, *The Countrey Iustice*, 3rd edn. (London, 1626, S.T.C. 6208), p. 234.

[7] The office of the king's almoner is unfortunately very poorly documented. Most of the information about the procedures of the almoner and his deputies has been inferred from Star Chamber suits to recover deodands and forfeited goods: Public Record Office, London (hereafter P.R.O.), STA.C. 2, 3, 4, 5, 7, 8.

[8] Edmund Wingate, *Justice Revived: Being the Whole Office of a County Justice of the Peace* (London, 1661), p. 61. Good accounts of the law of suicide may be found in Dalton, *Countrey Iustice*, pp. 234-5; Wingate, *Justice Revived*, pp. 61, 88; Charles Moore, *A Full Inquiry into the Subject of Suicide*, 2 vols. (London, 1790), i, pp. 305-22; James Stephen, *A History of the Criminal Law of England*, 3 vols. (London, 1883), iii, pp. 104-5.

Abhorrence of suicide was deeply rooted in English history and custom, and it was very powerful. Despite the reluctance of many medieval theologians to condemn suicide unequivocally, self-murder was a crime in common and civil law long before the sixteenth century. The practice of confiscating the goods of suicides dates from the thirteenth century.[9] Elaborate rituals that dramatized the disgrace of suicides were prescribed by civil law, but these seem to have been little regarded in England.[10] The rites that were used when burying the bodies of self-murderers in this country were based instead on popular, supernatural beliefs, which were sanctioned by the church both before and after the Reformation.[11] Suicide was spiritually perilous. The souls of self-murderers were restless and malevolent, and the custom of burying them away from the community and piercing their bodies with stakes was supposed to afford some protection against their wandering ghosts. The clergy taught that suicide was literally diabolical. Latimer warned that some men are so vexed by the assaults and temptations of the devil that "they rid themselves out of this life".[12] The principal causes of self-murder, the Puritan John Sym declared almost a century later, are the "strong impulse, powerful motions, and command of the Devil"; and he added that Satan sometimes appeared to a suicidal man, especially if he were also plagued by melancholy, "speaking to and persuading a man to kill himself".[13]

[9] Modern scholarship on suicide in the middle ages is remarkably scanty, a situation that Alexander Murray proposes to remedy in due course. In the mean time, see F. Bourquelot, "Recherches sur les opinions et la législation en matière de mort volontaire pendant le moyen âge", *Bibliothèque de l'Ecole des chartes*, iii (1841-2), pp. 539-60, iv (1841-2), pp. 242-66; Jean-Claude Schmitt, "Le suicide au moyen âge", *Annales E.S.C.*, xxxi (1976), pp. 3-28. John Donne, *Biathanatos*, ed. Michael Rudick and M. Pabst Battin (New York, 1982), and Moore, *Full Inquiry into the Subject of Suicide*, i, pp. 286-305, are still useful. For thirteenth-century examples and a discussion of the widening scope of confiscation in the middle ages, see Alan Harding, *A Social History of the English Law* (Baltimore, 1966), pp. 60, 64.

[10] The civil law called for the body of a suicide to be drawn by ropes from the house in which the death occurred and gibbeted, and the practices of the Continental countries were based on it: Moore, *Full Inquiry into the Subject of Suicide*, i, pp. 304-5.

[11] Although the church had long refused Christian burial to suicides, the custom was not officially recognized in the liturgy itself until 1661: Francis Procter and Walter Howard Frere, *A New History of the Book of Common Prayer* (London, 1902), p. 636.

[12] Hugh Latimer, *The Works of Hugh Latimer*, ed. George Elwes Corrie, 2 vols. (Parker Soc., Cambridge, 1844-5), i, p. 435.

[13] John Sym, *Lifes Preservative against Self-Killing* (London, 1637, S.T.C. 23584), pp. 246-7. See also Richard Greenham, *The Works of the Reverend and Faithfvll Servant of Iesus Christ M. Richard Greenham* (London, 1599, S.T.C. 12312), p. 289; W[illiam] W[illymat], *Physicke: To Cvre the Most Dangerous Disease of Desperation* (London,

(cont. on p. 55)

These views were shared by men and women of every rank and calling. It is impossible to know if churchmen originally implanted among the common people the belief that suicide was the handiwork of Satan and his demons or if they merely validated an ancient popular conviction. English Protestant preachers certainly redoubled their medieval forebears' effort to incorporate many popular beliefs about the supernatural into a Christian theological context, and they emphasized the devil's role as a tempter in their sermons on suicide and despair.[14] There is in any case no doubt that Satan had become the leading supernatural figure in the popular lore of suicide by the sixteenth and early seventeenth centuries. The rector of Great Hallingbury in Essex wrote in his register in 1572 that "the enemye of mans salvayon on off the devylls angells" appeared repeatedly to one of his parishioners and succeeded at last in making him hang himself.[15] Richard Napier noted that 139 of his mentally disturbed patients were "tempted" to kill themselves between 1597 and 1634, and some of them actually saw or heard the tempter or one of his demons.[16] "A Pious, Credible woman" told Richard Baxter that one day when she was unhappy the devil had appeared in her parlour in the shape of a big black man, holding a noose in his hand and pointing to the lintel.[17] Coroners' inquests on the bodies of self-murderers, like other felony indictments, alleged that the crime had been committed "at the instigation of Satan", and at least until the late seventeenth century the legal formula expressed the almost universal belief that suicide was literally diabolical.[18]

(n. 13 cont.)
1607, S.T.C. 25762), pp. 7, 12-16; Richard Capel, *Tentations* (London, 1650 edn.), pp. 192-4; Richard Gilpin, *Daemonologia sacra: or, A Treatise on Satan's Temptations* (London, 1677), pt. 3, pp. 108-16; Greaves, *Society and Religion in Elizabethan England*, pp. 532, 533; John Owen King III, *The Iron of Melancholy* (Middletown, 1983), pp. 51-2.

[14] Susan Snyder, "The Left Hand of God: Despair in Medieval and Renaissance Tradition", *Studies in the Renaissance*, xii (1965), pp. 18-59; Michael MacDonald, *Mystical Bedlam: Madness, Anxiety and Healing in Seventeenth-Century England* (Cambridge, 1981), pp. 218-19; Keith Thomas, *Religion and the Decline of Magic* (London, 1971), pp. 469-77.

[15] Essex County Record Office, Chelmsford (hereafter Essex R.O.), D/P 27/1/2, 9.

[16] See, for example, Bodleian Library, Oxford, Ashmole MS. 413, fo. 198^{r} (Collins); 235, fo. 28^{r} (Cox); 404, fos. 33^{r}, 136^{v} (Althorn); 216, fo. 134^{r} (Paget); 212, fo. 26^{r} (Garret); 217, fo. 93^{r} (March); 410, fos. 146^{r}, 154^{r} (Harrys); 215, fo. 141^{v} (Worlye).

[17] Richard Baxter, *The Certainty of the World of Spirits* (London, 1691), p. 38. For other notable examples of satanic temptations to self-murder, see Thomas, *Religion and the Decline of Magic*, pp. 474-5, 521; Paul S. Seaver, *Wallington's World: A Puritan Artisan in Seventeenth-Century London* (Stanford, 1985), p. 69; Guildhall Library, London, MS. 204; John Gilpin, *The Quakers Shaken* (London, 1653), p. 8; King, *Iron of Melancholy*, pp. 49-54.

[18] For printed examples of the formula, see *Calendar of Nottinghamshire Coroners' Inquests, 1485-1558*, ed. R. F. Hunnisett (Thoroton Soc., xxv, Nottingham, 1969),

(cont. on p. 56)

Condemnation of self-murder thus was sanctioned by law, by folklore and by religion. To be sure, humanist intellectuals were aware of Roman customs and Stoic arguments in defence of suicide, and these views were given greater currency in the literature of the age.[19] Montaigne's famous discussion of the lawfulness of suicide was widely available in Florio's translation of the *Essays*.[20] Sir Thomas Browne worried that the Stoic philosophy, so fashionable among preachers, led some to "allow a man to be his owne *Assasine*, and so highly extoll the end and suicide of *Cato*".[21] And indeed John Donne greatly elaborated Montaigne's discussion in his *Biathanatos*, which demonstrated that self-destruction had not been condemned absolutely in scripture and by the ancient church.[22] Medical writers, who revived classical psychology, popularized another set of views about suicide that conflicted with the prevailing notion that suicides were wilful rebels against the laws of God and nature. Robert Burton declared in his famous *Anatomy of Melancholy*: "in some cases those hard censures of such as offer violence to their own persons . . . are to be mitigated, as in such as are mad, beside themselves for the time, or found to have been long melancholy, and that in extremity".[23] These gentler classical strains did not harmonize well with the views of the vast majority of people before the Civil War. "But these are false and pagan propositions", concluded even Burton, "profane Stoical paradoxes. It boots not what heathen philosophers determine in this kind, they are impious, abominable, and upon a wrong ground".[24] Some divines may have flirted with Stoicism, as Browne feared, but the clergy were practically unanimous in rejecting philo-

(n. 18 cont.)
p. xxv; Edward Umfreville, *Lex coronatoria*, first published 1761 (Bristol, 1822 edn.), p. 358. Coroners and juries occasionally departed from the formula and described the devil's temptations in their own words: see, for example, Essex R.O., D/DP/M 607/12; P.R.O., K.B. 9/696, m. 341.

[19] Theodore Spencer, *Death and Elizabethan Tragedy* (New York, 1960), pp. 141, 158-79, 218, 233, 251, 252; Clifford Leech, "Le dénouement par le suicide dans la tragédie élisabethaine et jacobéenne", in Jean Jaquot (ed.), *Le théâtre tragique* (Paris, 1962), pp. 179-97; Paul D. Green, "Doors to the House of Death: The Treatment of Suicide in Sidney's *Arcadia*", *Sixteenth Century Jl.*, x (1979), pp. 17-27.

[20] The pertinent essay is "A Custom of the Island of Cea", in *The Complete Essays of Montaigne*, trans. Donald M. Frame (Stanford, 1965), pp. 251-62. Florio's translation appeared in 1603: *The Essayes*, trans. John Florio (London, 1603, S.T.C. 18041).

[21] Browne, *Selected Writings*, p. 50.

[22] Donne, *Biathanatos*, pp. xxii-xxiii.

[23] Robert Burton, *The Anatomy of Melancholy*, ed. Holbrook Jackson, 3 vols. (London, 1972), i, p. 439.

[24] *Ibid.*, p. 438.

sophical defences of suicide. William Whitaker, for instance, warned in 1610 that "the Holy Spirit judges not of valour by the same measures of profane men, who extol Cato to the skies for committing suicide".[25] Donne was so apprehensive about the reception of *Biathanatos* that he refused to permit its publication in his lifetime and presented the manuscript to Sir Robert Ker with the comment that it was "a book written by Jack Donne and not by Dr. Donne". It was not finally printed until 1647.[26]

The penalties for suicide were rigorously enforced in the sixteenth and early seventeenth centuries. The Tudor crown was ruthlessly efficient in establishing its rights to the property of felons, and it supervised the activities of coroners and their juries very closely. The early Stuarts, although they were perhaps less efficient than their Tudor forebears, were no less jealous of their financial prerogatives. Nottinghamshire and Essex coroners returned inquests on 170 suicides in the sixteenth century, and only two of them were declared to have been insane.[27] A rapid search of the King's Bench indictments for the early seventeenth century shows that there were at least 267 suicides in Bedfordshire, Buckinghamshire and Northamptonshire reported, and just one of them was *non compos mentis*.[28] When *felo de se* verdicts were returned by coroners' juries, the civil and religious punishments were seldom mitigated very much by the crown or the church. Needy families were often granted the goods of their deceased heads, but royal officials took a substantial part of their value as their fee and sometimes granted away most of the rest to favourites and subordinates. The almoner and his deputies were often repellently eager to get their hands on suicides' chattels, regardless of the consequences for their heirs.[29] The religious punishments for suicide are inevitably less well documented than the financial ones, but the prohibition against the burial of self-murderers in consecrated ground seems to have been invariably observed.[30]

[25] William Whitaker, *A Disputation on Holy Scripture*, trans. and ed. William Fitzgerald (Parker Soc., Cambridge, 1849), p. 95.

[26] Donne, *Biathanatos*, pp. ix-x, xv, 4.

[27] *Calendar of Nottinghamshire Coroners' Inquests*; Essex R.O., T/A 428.

[28] P.R.O., K.B. 9/695-830.

[29] For examples, see the cases discussed below, p. 25, and cited in nn. 56-8.

[30] For examples, see Thomas R. Forbes, *Chronicle from Aldgate* (New Haven, 1971), p. 31; David Hey, *An English Rural Community: Myddle under the Tudors and the Stuarts* (Leicester, 1974), p. 46; Clare Gittings, *Death, Burial and the Individual in Early Modern England* (London, 1984), pp. 72-3; Laslett, *World We Have Lost*, 3rd edn., p. 175.

II

Attitudes to suicide changed profoundly in the century and a half following the English Revolution. Judicial and ecclesiastical severity gave way to official leniency and public sympathy for most people who killed themselves. This transformation was a complex phenomenon. The views of particular classes and groups altered at different times and for different reasons; the actions of officials and institutions did not simply reflect public opinion. Moreover the laws against suicide were not altered until the nineteenth century. The savagery of the traditional reaction to suicide was mitigated by the increasing suspension of the law on a case-by-case basis, rather than by reforms promulgated by parliament or by the officials at Westminster. The locus of change was therefore the coroner's jury, which became increasingly reluctant in the later seventeenth and eighteenth centuries to enforce the penalties for self-murder. The decisions made by coroners' juries are especially significant and revealing. They were influenced by the changing attitudes of the governing élite as well as by the moral conservatism of local communities. At the same time the verdicts that juries returned determined what the community's response to suicidal deaths would be. Neither the official penalty of confiscation nor the popular sanction of ritual desecration could be performed unless a jury brought in a verdict of *felo de se*. The mysterious alchemy of the coroner's inquest transmuted the insubstantial stuff of attitudes and beliefs into the tangible matter of collective action.

Coroners' juries meliorated the societal reaction to suicide in two ways. The first way was to frustrate the claims of lords and the crown to the goods of self-murderers by undervaluation and deliberate negligence. Undervaluation is obviously impossible to detect in individual cases unless the offenders were caught at it, but the trend in the numbers and size of forfeitures indicates that it became increasingly prevalent. Because so many people who committed suicide were poor or female, forfeitable goods had always been reported in less than half of inquisitions on self-murderers. Between 1485 and 1659 they were mentioned in only about 40 per cent of the inquisitions returned to King's Bench.[31] After the Restoration, however, the percentage

[31] The statistics in this paragraph and the following one are based on the Murphys' search of the central government's records for this period. The overwhelming majority of the inquests that they found were in the records of King's Bench, and for stylistic convenience I shall describe them all as inquests returned to that court: P.R.O., K.B. 9, 10, 11; P.L. 26; H.C.A. 1/83.

of inquisitions reporting goods fell inexorably until, at the end of Queen Anne's reign, property of any value at all was mentioned in less than 8 per cent of inquisitions returned to King's Bench.[32] (See

TABLE 1

GOODS OF SUICIDES REPORTED TO KING'S BENCH 1660-1714*

	Numbers of suicides	Goods reported	Per cent reporting goods
1660-4	334	122	36·5
1665-9	293	97	33·1
1670-4	241	72	29·9
1675-9	219	55	25·1
1680-4	256	68	26·6
1685-9	177	44	24·9
1690-4	256	59	23·0
1695-9	216	43	19·9
1700-4	181	30	16·6
1705-9	170	17	10·0
1710-14	156	12	7·7
Totals	2,499	619	20·9

* Notes and sources: Public Record Office, London (hereafter P.R.O.), K.B. 9, 10, 11; P.L. 26; H.C.A 1/83. The figures given for "goods" include only those inquisitions in which chattels were valued (i.e., were assessed at a sum larger than nothing).

Table 1 and Figure 1.) And when juries reported goods to seize, they set their worth at figures that were lower and lower. In the 1660s about one-third of the forfeitures reported in inquests to King's Bench were valued at sums higher than £1, and some of them brought the crown hundreds of pounds; by the period 1710-14 only 6·7 per cent of forfeitures were worth more than £1, and there were no windfalls of £50 or more at all. In the last decades of the seventeenth century and in the reign of Queen Anne juries were declaring openly that

[32] The proportion of inquisitions in which goods were reported was reduced by the increasing use of the *non compos mentis* verdict as well as by concealment (see the following paragraph). Even when one computes the rate of reported goods in *felo de se* inquisitions, however, the decline is unmistakable. Almost 40 per cent of such inquisitions mentioned property in the period 1660-5; less than 13 per cent did so in 1710-14. When goods were not reported in an indictment the crown could order an inquiry into the value of the deceased's property: Matthew Hale, *Historia placitorum coronae: The History of the Pleas of the Crown*, ed. Sollom Emlyn, George Wilson and Thomas Dogherty, 2 vols. (London, 1800 edn.), i, p. 415, describes the procedure. Except when blatant concealment was alleged by an informant and the stakes were high, however, it seems that the matter was seldom pursued. The inquisitions may be taken as a roughly reliable guide to the rate of compliance and as a very reliable indication of the trend in evasion.

yeomen and even gentlemen whom they judged to have been self-murderers either possessed no chattels or owned goods that were worth only trivial sums.[33] In other words, the proportion of cases in which suicides were supposed to have had no goods at all or in which juries simply ignored the matter grew as the value of the forfeitures that did take place shrank. Even allowing for the distortions that are caused by missing inventories and by procedures that were inconsistent and shifting, the king's right to the goods of suicides was obviously severely eroded by non-compliance between the Restoration and the accession of George I.[34]

The second way that juries effectively decriminalized suicide was to bring in increasing and finally overwhelming numbers of *non compos mentis* verdicts. Less than 7 per cent of the suicides reported to King's Bench were declared to have been insane in the early 1660s, but the proportion more than doubled in the next two decades. In the 1690s around 30 per cent of suicides were brought in *non compos mentis*, and lunacy verdicts exceeded 40 per cent in the early eighteenth century. (See Table 2 and Figure 2.) Unhappily, the practice of returning coroners' inquisitions to King's Bench declined in the eighteenth century. But there are some records from local jurisdictions that illustrate the growing tendency to bring in verdicts of *non compos mentis* in the otherwise poorly documented years between 1714 and about 1740. The long run of inquisitions for the city of Norwich is perhaps the best set of such records for the period.[35] *Non compos mentis* verdicts exceeded *felo de se* there even in the early eighteenth century. By the 1720s 90 per cent of all suicides were judged insane, and after a period of more rigorous enforcement of

[33] Examples of yeomen whose goods seem patently to have been undervalued are too numerous to cite. For gentlemen, see P.R.O., K.B. 11 20/2, m. 3 (Rowland Morgan, gent., no goods, 1702); K.B. 11/21/8, m. 12 (John Cheveley, gent. 26s., 1707); K.B. 11/18/2, m. 14 (John Gooch, gent., no goods, 1698); K.B. 11/17/2/4, m. 1 (James Thomas, gent., no goods, 1693); K.B. 11/12/3, m. 31 (James Prade, armiger., no goods, 1685); K.B. 10/3, m. 2 (Arthur Capel, earl of Essex, no goods, 1683). Essex was a very special case, and the disposition of his goods was a political issue: Gilbert Burnet, *A Supplement to Burnet's History of My Own Time*, ed. H. C. Foxcroft (Oxford, 1802), p. 100, gives an account of what happened to Essex's property. Many more gentlemen and aristocrats who killed themselves were simply declared to have been *non compos mentis*.

[34] William Blackstone, *Commentaries on the Laws of England*, ed. Edward Christian, 4 vols. (London, 1822), i, pp. 301-2, remarked that by his day juries regularly set the value of deodands at trifling amounts, an observation that applied equally to the closely related practice of the forfeiture of self-murderers' goods. See also Umfreville, *Lex coronatoria*, pp. 106-7.

[35] Norfolk and Norwich County Record Office, Norwich Coroners' Inquests, 1669-1800, cases 6a-c (hereafter Norwich Inquests).

TABLE 2

SUICIDE VERDICTS RETURNED TO KING'S BENCH 1660–1714*

	Felo de se	*Non compos mentis*	Per cent *non compos mentis*
1660-4	311	23	6·9
1665-9	262	31	10·6
1670-4	213	28	11·6
1675-9	196	23	10·5
1680-4	220	36	14·1
1685-9	143	34	19·2
1690-4	186	70	27·3
1695-9	151	65	30·1
1700-4	107	74	40·9
1705-9	95	75	44·1
1710-14	93	63	40·4
Totals	1,977	522	20·9

* Note and sources: All mixed and ambiguous verdicts have been disregarded. Sources as for Table 1.

the law *non compos mentis* became in the last three decades of the century the only suicide verdict that Norwich coroners returned.[36]

TABLE 3

SUICIDES IN NORWICH 1670-1799*

	Felo de se	*Non compos mentis*	Per cent *non compos mentis*
1670-99	12	5	29·4
1700-9	0	0	0·0
1710-19	1	17	94·4
1720-9	1	10	90·9
1730-9	8	26	76·5
1740-9	13	25	65·8
1750-9	16	40	71·4
1760-9	2	32	94·1
1770-9	0	27	100·0
1780-9	0	11	100·0
1790-9	0	5	100·0
Totals	53	198	78·9

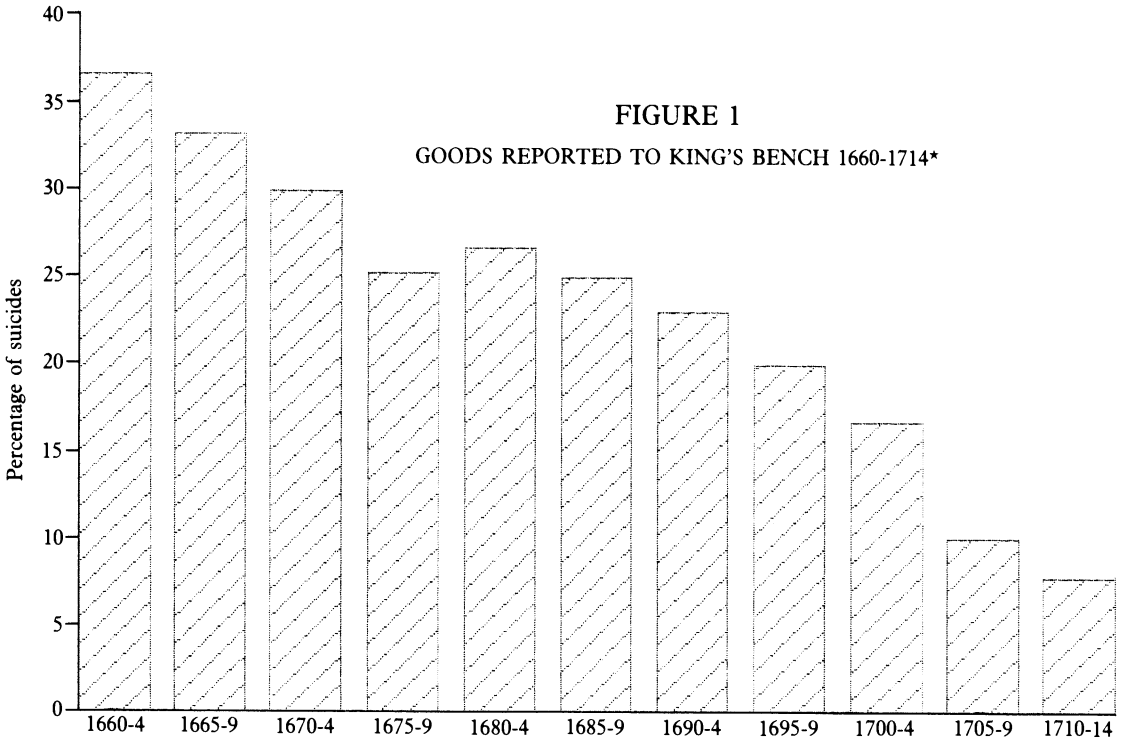
* Source: Norfolk and Norwich Record Office, Coroners' Inquisitions, cases 6a-c.

(See Table 3.) Several runs of coroners' inquisitions and bills from the second half of the eighteenth century tell a similar tale. Regardless

[36] A matching pattern may be observed on a smaller scale in Cumbria Record Office, Carlisle (hereafter Cumbria R.O.), D/Lec/CR I, Coroners' Inquest Records for the Liberties of Cockermouth and Egremont, 1693-1800.

FIGURE 1

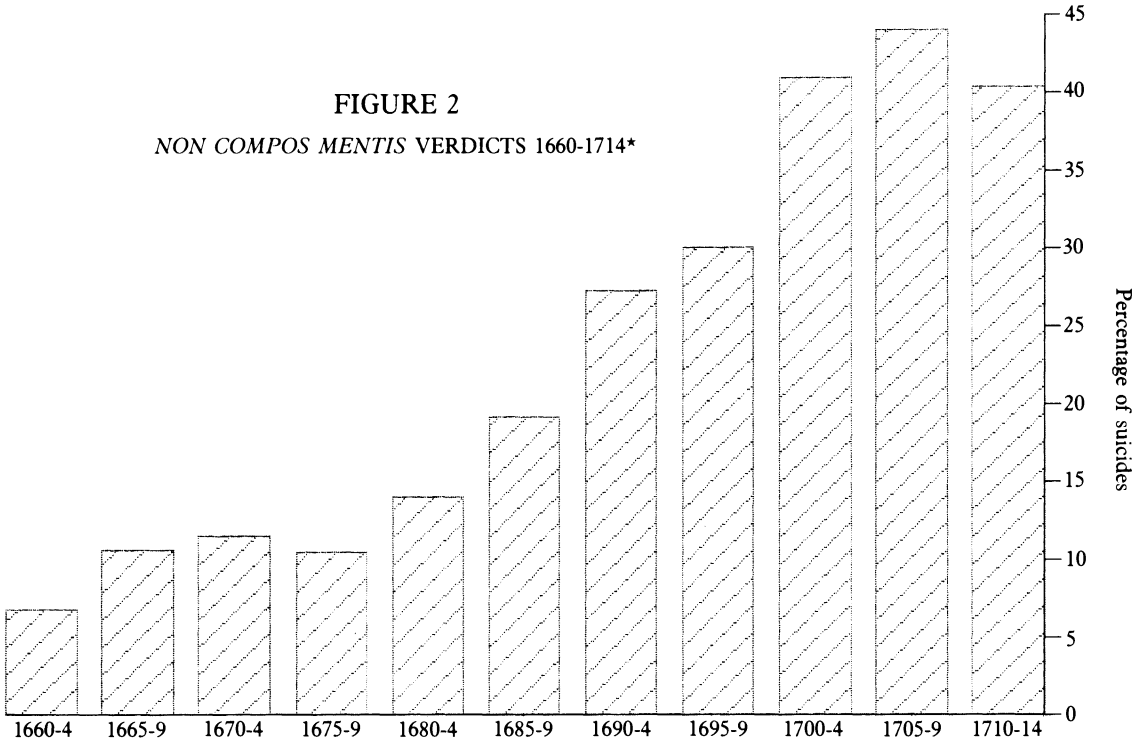
GOODS REPORTED TO KING'S BENCH 1660-1714*



* Sources: as for Table 1

FIGURE 2

NON COMPOS MENTIS VERDICTS 1660-1714*



* Sources: as for Table 1

of the character of the locality, from remote Cumberland to London itself, *non compos mentis* had become the usual verdict in cases of suicide by the last third of the century.[37] (See Appendix.)

III

A closer look at the practices of coroners and their juries is necessary if we are to understand the changes that occurred in the societal reaction to suicide. Coroners were usually minor gentlemen, elected to their posts by the freeholders of their counties or selected according to the custom of the liberty or borough that they served. Their numbers varied from county to county; between two and six seems to have been the usual complement for a shire, but it should be remembered that every county also contained special jurisdictions with their own coroners. At least until the mid-eighteenth century it was unusual for coroners to be medical men. The office, then, was a local one, held by a man of some standing in his county or community. Its duties included holding inquests on the deaths of all persons who died suddenly or violently, including the victims of natural diseases, accidents and foul play. The records of their inquests were returned to the crown at the periodic meetings of the assizes and eventually filed with the records of King's Bench together with the other documents collected at gaol delivery. Until 1752 the only compensation that coroners received from the government was a fee of 13s. 4d. (one mark) for inquests on the bodies of homicides, including self-murderers, which was paid out of the goods that the guilty parties forfeited. The statute 25 George II *cap.* 29 ordered

[37] Cumbria R.O., D/Lec/CR I; Q/11; P.R.O., CHES. 18/1-6 (palatinate of Chester); P.L. 26/289-94 (palatinate of Lancaster); P.R.O., K.B. 13 (various south-western counties, Salisbury); *Wiltshire Coroners' Bills, 1752-1796*, ed. R. F. Hunnisett (Wiltshire Rec. Soc., xxxvi, Devizes, 1981); Somerset Record Office, Taunton (hereafter Somerset R.O.), D/B/bw 1917; Corporation of London Records Office, Coroners' Inquests for London and Southwark, 1788-99 (hereafter London Inquests); Westminster Abbey Muniment Room and Library, Westminster Coroners' Records (hereafter Westminster Inquests); Greater London Record Office (hereafter Greater London R.O.), MJ/SPC.W; MJ/SPC.E (Middlesex); Norwich Inquests. Some small sets of stray inquests have been excluded from this list. I have attempted to find every long run of coroners' inquests that survives for the period 1660-1800, but it is quite possible that good sets of documents have escaped my notice. I was unable to examine some records because overburdened record offices could not produce them or because the costs of travel outweighed the importance of the information that I might reasonably expect to get from them.

counties to pay coroners a flat fee and a mileage allowance, and after its passage they submitted bills to quarter sessions.[38]

Even less is known about the coroners' jurors than the coroners. They were selected from the men of the deceased's village or nearby communities: very frequently they were neighbours. Juries were assembled in haste, and their members were chosen partly because of their acquaintance with the dead person and his or her affairs. Although the evidence is very scanty, it seems plain enough that jurors were usually of middling rank, mostly husbandmen and craftsmen, but that more exalted persons may sometimes have served on juries deliberating the deaths of gentlemen and ladies.[39] The coroner's jury was therefore representative of the local community and often very familiar with the deceased and his or her family. It had to be, for the task of the coroner and his jurors was twofold, investigation and judgement. The jury convened to view the body where it was discovered and to hear witnesses describe the circumstances of the death. Then they selected the verdict that fitted them most closely.[40]

[38] The leading authority on the office of the coroner from the middle ages until modern times is R. F. Hunnisett. The most important of his works in the present context are *Wiltshire Coroners' Bills*; "The Importance of Eighteenth-Century Coroners' Bills", in E. W. Ives and A. H. Manchester (eds.), *Law, Litigants and the Legal Profession* (London, 1983), pp. 126-39; *Calendar of Nottinghamshire Coroners' Inquests*. I have assembled some fragmentary evidence, from inquests and scattered references in other documents, on the backgrounds of coroners in Cumberland, Norwich, Westminster, Middlesex and the City of London that is the basis, together with Hunnisett's work, of the statements in the text.

[39] The ranks of jurors are impossible to determine precisely except through a thorough examination of the surviving records for a locality, a task beyond the scope of this national study of suicide. Occasionally, however, jury lists and depositions that include pertinent evidence survive. The generalization in the text is based on shards of such information from Cumberland, Norwich, Westminster, London and Essex in the later seventeenth and eighteenth centuries. These data support J. A. Sharpe's belief that the men who served on coroners' juries were of similar status to those who served on other juries and as constables and churchwardens: J. A. Sharpe, *Crime in Early Modern England* (London, 1984), p. 76. For a jury made up mostly of local gentlemen, see the *Annual Register*, xxxix (1797), p. 12.

[40] There are no wholly satisfactory published descriptions of actual inquests, but see *Calendar of Nottinghamshire Inquests*, p. iii; J. D. J. Havard, *The Detection of Secret Homicide* (London, 1960), pp. 18-20. The procedures to be followed in an inquest are described well in four contemporary handbooks: William Greenwood, *The Authority, Jurisdiction and Method of Keeping County-Courts . . . Also, The Office and Duty of a Coroner* (London, 1730), pp. 260-4; *The Coroner's Guide*, 3rd edn., appended to *A Treatise of Distress, Replevins and Avowries*, 4th edn. (London, 1761), pp. 10-19; Umfreville, *Lex coronatoria*, pts. 2, 3, *passim*; John Impey, *The Office of Sheriff . . . To Which is Added the Office and Duty of Coroner*, 2nd edn. (London, 1800), pp. 56-66. Perhaps the most vivid picture of how coroners' juries actually worked emerges from some of the pamphlets about the death of the earl of Essex: see esp. *Great News from the Tower* (London, 1683); *An Account how the Earl of Essex Killed Himself*

(cont. on p. 66)

Juries frequently relied on circumstantial evidence to prove that a person was a *felo de se*. Sometimes the method of killing and the setting pointed more or less unmistakably to suicide; sometimes, for instance when a person was found drowned, the forensic evidence created a mystery for the jury to solve. And many suicides drowned themselves. Drowning was the most popular method of self-destruction among women throughout the early modern period, and it ranked second only to hanging among men.[41] Drowning was also one of the commonest causes of accidental death, and unless there were witnesses to the event it was impossible to prove that a person whose body was found in a pond or stream jumped or fell into it.[42] The details of time and circumstance in inquests and in the depositions of witnesses make it clear that many suicides by drowning went, like Ophelia, obscurely to their deaths.[43] The number of drowned persons who were declared to have been *felones de se* in the sixteenth and early seventeenth centuries is surprising and illustrates the strength of the prevailing revulsion at suicide. Juries repudiated the opportunities presented by ambiguous deaths to avoid declaring a person a suicide. They reviewed the mood and behaviour of the deceased and looked for what John Sym called the "signs of self-murder". And in evaluating the psychological evidence they rejected the opinion of liberal medical writers that long and intense melancholy was grounds for a verdict of *non compos mentis*. Tokens of mental distress, particularly of dejection, were more likely to sway pre-Civil War juries towards findings of *felo de se* than to incline them to mercy.[44]

The attitudes of the coroner and jurors manifestly influenced their decisions, and their views were shaped by many factors other than the ostensible facts of the case. Furthermore the coroner and jurors

(n. 40 cont.)
(London, 1683); British Library, London (hereafter Brit. Lib.), Harleian MS. 1221, fos. 290-322.

[41] In Bedfordshire, Buckinghamshire and Northamptonshire, for example, one-third of all recorded suicides in the early seventeenth century were drownings: 22 per cent of male *felones de se* and 46 per cent of female self-murderers died by drowning: P.R.O., K.B. 9/695-830; MacDonald, "Inner Side of Wisdom", p. 567. In the inquests returned to King's Bench between 1660 and 1714 the corresponding figures were 19·3 per cent and 37·3 per cent. The pattern holds true for data from the second half of the eighteenth century as well.

[42] Hair, "Deaths from Violence in Britain".

[43] See, for example, *Nottinghamshire Coroners' Inquests*, nos. 292, 294, 304; P.R.O., STA.C. 5/A43/1; STA.C. 8/2/42.

[44] Sym, *Lifes Preservative against Self-Killing*, pp. 259-61. P.R.O., STA.C. 8/3/10; see also STA.C. 5/A29/23; STA.C. 5/A43/1; STA.C. 8/1/7; STA.C. 8/2/26; STA.C. 8/3/4; STA.C. 8/2/6 (now filed with STA.C. 8/3/43); Norwich Inquests, Ellen Downinge (28 July 1689).

were subject to pressures that sometimes placed them at odds with higher authorities or with each other because of their very different official and social positions. As royal officials, the majority of coroners were supervised by the justices of the assizes and by the deputies of the king's almoner. When verdicts were contested or forfeited property was allegedly concealed, the whole jury might be sued in Star Chamber, but it was the coroner who bore the largest responsibility for the jury's actions and it was he who dealt directly with the officials of the crown. In many liberties and towns, coroners were selected by the lord or corporation which possessed the right to the goods of felons. Coroners were therefore more likely than their jurors to interpret the law narrowly and to preserve the right of the king or franchise-holder. Jurors, on the other hand, were necessarily sensitive to local opinion and aware of the consequences for the survivors of a *felo de se* verdict. A pauperized family was a burden to the community that the jurors represented. Attitudes to suicide itself could also differ between the coroner and his jurors. Coroners, from the sixteenth century onwards, were literate and aware of the legal rules and procedures regarding suicide. They had access to books that propounded new ideas about suicide; they were members of the ruling élite and shared its culture. Jurors, in contrast, were very frequently illiterate in the sixteenth and seventeenth centuries; men who could only make their marks on the inquest or depositions still served on coroners' juries in the eighteenth century. The lore about suicide that such men learned was taught by the coroners themselves during inquests, by the clergy in sermons, and by popular literature and folk tradition. By the reign of George III, however, many jurymen, especially in London, were able to sign their names. As literacy spread to men of middling status, such as those who served on coroners' juries, they became cultural amphibians, capable of participating in both élite and popular culture. Coroners' juries were thus a microcosm of English society, a socially stratified institution that was influenced by broad cultural changes as well as by immediate pressures from royal officials above and community opinion below.

The authority enjoyed by coroners was very great, and they could determine the outcome of inquests. Complaining in 1700 about the growing tendency to suspend the laws against suicide, John Adams placed the blame on the coroner: "Though I have hitherto applied my self to the Jury, 'tis certain that their Verdict depends much upon the Coroner . . . 'Tis he that *summons* whom he *pleases* to be of the Jury, and to these he gives *what Charge he pleases*; the Examination

of the Witnesses, the Summing up the Evidence is done *by him*: so that unless there happen to be upon the Jury Men of Conscience, Courage, and Understanding (which may easily be avoided if the Coroner thinks fitting) they will be apt to be led by him implicitly".[45]

The coroner's views did not, however, invariably prevail. Throughout the period some juries occasionally displayed independence and even defiance. Very detailed records survive for two late seventeenth-century cases. Anthony Joyce, the husband of Samuel Pepys's cousin, cast himself into an Islington pond in 1668. Pulled from the water, he confessed that he attempted suicide, "being led by the Devil", and he fell ill with a fever that soon killed him. Legally Joyce was a *felo de se*, but in spite of pressure by the coroner (or foreman) and persons with designs on the dead man's goods, the jury eventually declared that he had died a natural death.[46] A similar incident occurred in remote Cumberland almost thirty years later. After declaring to several of his neighbours that he was utterly miserable and "that God had forsaken him and the devill had gotten holden of him", John Atkinson slashed his throat. He lingered for three days, then died of a "melancholy fever". The verdict of a somewhat irregular and hasty inquest, natural death, enraged the duke of Somerset, who possessed the right to the property of felons, and he ordered a second inquest. The body was disinterred and the new jury was sternly charged by the coroner of the liberty, who detailed the duke's rights, the meaning of the *felo de se* verdict, and the penalties of forfeiture. He carefully avoided any mention of the *non compos mentis* alternative, and yet that was the verdict the second jury brought in.[47]

Embalmed in bad Latin, the desiccated accounts of suicides in coroners' inquisitions have appeared to most of the historians who have used them to be reasonably straightforward and reliable documents. It should be plain enough by now that the verdicts they record were the result of a very complex legal and social event. Nobody can tell how many deaths that we would regard as suicides were declared to have been the results of accidents or illnesses. By the later eighteenth

[45] John Adams, *An Essay Concerning Self-Murther* (London, 1700), p. 128.

[46] Samuel Pepys, *The Diary of Samuel Pepys*, ed. Robert Latham and William Matthews, 11 vols. (London, 1970-83), ix, pp. 32-4, 49, 78. Pepys first wrote that opposition to the verdict came from the coroner, then crossed out the word and substituted "foreman". In either event the whole tale demonstrates that the jury held fast against considerable pressure from people who stood to gain from a *felo de se* verdict and who were able to control the procedures of the inquest.

[47] Cumbria R.O., D/Lec/CR I, 5/3.

century suicides by drowning were very frequently classified as misfortunes or simply recorded as "found dead".[48] Because the number of suicides was never great (compared to the total number of people who died each year) this is an insuperable obstacle to historians who hope to construct a reliable suicide rate for the early modern period. Even if the number of "hidden" suicides for any one year was small, annual rates calculated from coroners' records are at best refracted representations of the actual incidence of suicide. Vulgar Durkheimianism produces lucid delusions, statistically impressive conclusions based on records that give a false impression of the "true" incidence of suicide.[49] On the other hand, the phenomenologists and ethnomethodologists are wrong to dismiss the usefulness of official statistics altogether and to abandon the attempt to relate them to social and cultural change. The statistical study of suicide for the early modern period can be very revealing if the forces and angles of distortion that shaped the deceptively clear images we derive from coroners' records are taken into account.

IV

The changing response of coroners' juries to suicide after 1660 can

[48] Gary I. Greenwald, "Medicolegal Progress in Inquests of Felonious Deaths: Westminster, 1761-1866" (Yale Univ. Medical School M.D. thesis, 1980), p. 51; cf. Maria L. White, "Westminster Inquests" (Yale Univ. Medical School M.D. thesis, 1980), p. 82. My own examination of the Westminster inquests and the surviving London inquests for the period 1760-99 confirms the judgement of Greenwald and White: Westminster Inquests; London Inquests; Greater London R.O., MJ/SPC.W; MJ/SPC.E (Middlesex Inquests). The weekly bills of mortality for London usually listed up to a dozen persons "found drowned" per year in the early eighteenth century; the category was dropped from the bills later on: the most complete set of weekly bills is in the Guildhall Library, London. For a contemporary observation that an indeterminate number of persons classified as drowned and found drowned in the bills of mortality were in fact suicides, see Isaac Watts, *A Defense against the Temptation to Self-Murther* (London, 1726), pp. iii-iv.

[49] This is the argument of my "Inner Side of Wisdom", which now seems to me to be too sweeping in its rejection of suicide statistics. The sceptical position has recently been restated by J. A. Sharpe, "The History of Violence in England: Some Observations", *Past and Present*, no. 108 (Aug. 1985), pp. 209-11 (but note p. 214, where he declares that the early modern suicide rate was low). It is possible, but beyond the scope of this paper, to use suicide statistics to identify groups of people who killed themselves more often than others and to discover some of the reasons why they did so. The best example of this limited but very revealing use of suicide rates is Terence R. Murphy, " 'Woful Childe of Parents Rage': Suicide of Children and Adolescents in Early Modern England, 1507-1710", *Sixteenth Century Jl.*, forthcoming. It may also be possible to correlate some striking changes in the incidence of suicide reported in inquests and the bills of mortality with social and economic conditions, but the data are certainly too problematic to be used with confidence as an index of anomy or, conversely, of social integration.

be divided into three phases. From the Restoration until the end of the seventeenth century, juries increasingly flouted the crown's claim to the goods of suicides, even of self-murderers. From about the time of the Glorious Revolution until roughly the accession of George III, they mitigated the force of the law by another method. A growing proportion of suicides, over half for the whole period, were declared to have been insane at the time of their crime and not so punishable as felons of themselves. During this long period of transition, mercy and severity were balanced, and the scales of justice tilted one way or the other in particular cases depending on the attitudes of the coroner's jury to the deceased, his or her family, and suicide itself. Finally, from about 1760 until the end of the century they made *non compos mentis* the usual verdict in almost all cases of suicide. A very small, decreasing number of *felo de se* verdicts were returned, almost always to punish criminals who would otherwise have evaded legal retribution. It is important to stress that the chronology of the phases of change that I have identified is very inexact. Attitudes and behaviour typical of earlier periods persisted throughout the later seventeenth and eighteenth centuries, and change proceeded at various velocities in different parts of England. Nevertheless the division is not merely a heuristic one, for at every stage the prevailing reaction to suicide reflected the values and social relations that gave the period its particular character.

Resentment of the right of the crown and lesser lords to seize the goods of self-murderers was long-standing by 1660. In 1593 one coroner boldly (and falsely) declared to a sympathetic jury: "In the time of popery the goods of felons of themselves were distributed by the Almoner to poor people in hospitals and such like, but in these days . . . the Almoner had nothing to do with the said goods, chattels and debts . . . but the same was to pass by administration to the next of kindred".[50] His assertion was bad history and worse law, but it epitomized the attitude of many local communities. The records of Star Chamber abound with cases in which families and neighbours, sometimes with the collusion of the coroner and his jury, tried to prevent forfeiture. Few people were as foolishly outspoken as the Elizabethan coroner just quoted, and various deceptions were hatched to save the property from the almoner's men or the franchise-holder. Evaders alleged that the deceased was indebted for more than his goods were worth or had given all his chattels away; gangs of men

[50] P.R.O., STA.C. 5/A1/21.

were supposed to have descended on the houses of suicides immediately after their deaths and carried away the valuables; juries and families swore that they were ignorant of property that informants alleged the deceased had owned.[51]

Attempts to evade forfeiture rapidly became increasingly common after the Restoration. All of the old gambits were employed. Samuel Pepys carted home some flagons that he had been given by Anthony Joyce's wife, who stripped the house of her husband's goods as he lay dying. The village of Witham in Essex was fined £15 in 1666 because its inhabitants left 15s. 6d. in the hands of William Baker's widow and failed to return it to the authorities.[52] Undervaluation and even overt indifference to the forfeiture rules were rampant by the early eighteenth century, as we have already seen. Sympathetic coroners' juries even began to use the *non compos mentis* verdict as a means to keep the cormorants who dived after the goods of their neighbours from swallowing them up. Bishop William Lloyd, the king's almoner, was dismayed to learn late in 1689 that Francis Bonney's "widow had got the Coroner's jury to bring him in *non compos mentis*". Bonney was a London goldsmith who had posted a recognizance of £1,000 for Jasper Grant, who had absconded. In the end the bishop apparently had to content himself with collecting the recognizance, which he assigned "to several charities".[53] The proportion of *non compos mentis* verdicts began to rise markedly after about 1680, in more or less inverse proportion to the percentage of cases in which goods were collected by the crown, and it is probable that the attractiveness of the verdict in the later seventeenth century owed much to its usefulness as a means to protect the property of suicides.

Throughout the whole period juries that attempted to frustrate the crown's rights were motivated by sympathy for the suicide's survivors. Answering the almoner's charges in 1611, Robert Ridge admitted that the townspeople of Bedford had liquidated the stock of a

[51] The various gambits are briefly discussed in MacDonald, "Inner Side of Wisdom", pp. 568-9. For good examples of them, see P.R.O., STA.C. 8/1/35; STA.C. 8/1/27; STA.C. 8/1/37; STA.C. 8/1/14; STA.C. 8/2/7; STA.C. 8/1/29; STA.C 5/A17/18; STA.C. 5/A1/7; STA.C. 5/A1/15; Cumbria R.O., D/Lec/CR I, 1/3. It should be emphasized that the great majority of the Star Chamber disputes over suicides involve allegations of property concealed by juries, local officials or neighbours.

[52] Pepys, *Diary*, ix, p. 33; Essex R.O., D/P 30/28/9.

[53] *Calendar of Treasury Books, 1689-92*, ed. William A. Shaw, 4 vols. (London, 1931), pp. 319, 456, 497, 746, 2010 (continuous pagination). I am grateful to Robert Bucholz for this citation and for his help with the office of the king's almoner in the later seventeenth century.

Robert Taylour, an apothecary. They assumed, Ridge testified, that the property was theirs to dispose of and, besides, the funds were to be used by the bailiffs to maintain Taylour's children.[54] Arthur Barnes allegedly bribed the jury to bring in a verdict of natural death (visitation of God) after his brother's suicide in 1617. Compassion rather than corruption was probably the main reason why the jury co-operated with him. Arthur explained that the sudden deaths of two of William's sisters and one of their husbands had left a total of fourteen children, three poor widows and an elderly matriarch who were "to have some relief and maintenance out of the estate and goods of the said William Barnes".[55] When the practice of evading the law had become commonplace in the eighteenth century, commentators frequently remarked that juries were moved by sympathy for the survivors of suicides.

The hostility of juries to forfeiture was an expression of local solidarity. It is easy to see why jurors might react against the rapaciousness of royal officials or franchise-holders, like the men who schemed to get a cut of Anthony Joyce's property or the agents of the duke of Somerset who were frustrated in their attempts to confiscate the goods of John Atkinson by two Cumberland juries.[56] Although almoners were supposed to provide for the families of *felones de se* out of the goods that they forfeited, their actions often fell short of charity. The disposition of the property of Thomas Graves of Writtle is perhaps typical of the actions of royal officials. The goods in Graves's house, worth 9s., were granted to his widow. His firewood and crops were sold for £4. 5s. 8d. The widow's half-yearly rent of £1 was paid out of that sum and of the rest she received at best only 10s.[57] Even these pitiful sums would have been counted generous by some other families. The widow of John Bolton, a Cumberland tenant farmer who hanged himself in 1648, received nothing but a cow worth £2. 10s. from her husband's estate, which was valued at £58. 6s. 8d.[58] The stock of merchants, the tools of craftsmen, and the farming implements, crops and leases of husbandmen were all routinely confiscated.[59] Although the evidence concerning lesser

[54] P.R.O., STA.C. 8/3/38.

[55] P.R.O., STA.C. 8/2/46.

[56] Cumbria R.O., D/Lec/CR I, 5/3.

[57] Essex R.O., D/DP/M 607/12. The coroner's fee was deducted from the confiscated sum, which was customary. An equal amount was paid to the official on the spot and the remainder was evidently passed on to the lord of the manor.

[58] Cumbria R.O., D/Lec/CR I, 1/2.

[59] The full range of goods forfeited, as well as the manner in which they were seized and disposed of, may be readily observed in the following cases: P.R.O., STA.C.

(cont. on p. 73)

owners of the right to forfeited goods is comparatively scarce, it conveys the strong impression that they were even more ruthless than the crown.[60] The laws against self-murder wrought havoc with the normal rules of inheritance and often reduced the family of a substantial member of the community to poverty, to be supported, in all likelihood, by their fellow parishioners. They pitted villagers' rustic reverence for customary inheritance and self-interest against their respect for the prerogatives of the crown and the privileges of manorial lords and corporations.

The fact that the laws against suicide were rigorously enforced between about 1530 and 1680 testifies both to the horror that ordinary people felt for the crime and to the vigilance of royal officials. The clerks of King's Bench monitored the inquisitions returned to the crown, and when goods were not accounted for they initiated proceedings to recover them. Until 1693 it was routine for inquisitions to be filed in King's Bench even if the right of forfeiture was held by a manorial lord. But Star Chamber was the key to the elaborate and rather mystifying Tudor system for enforcing the law against suicide. It provided the almoner with an intimidating and powerful weapon to use against errant coroners' juries. And he used it often. There are over four hundred actions to recover the goods of suicides in the surviving records of Star Chamber.[61] The abolition of that court was one of the reasons why the successful evasion of forfeiture increased after the Restoration. King's Bench was a much less efficient tribunal, and the passage of 4 & 5 William and Mary *cap.* 22 gravely weakened its capacity to pursue delinquents. That statute made it unnecessary for an inquisition to be filed in King's Bench before rival claimants seized the property of suicides, and it laid down a £5 penalty for clerks of the court who, in their zeal to protect the crown's rights and their own fees, infringed the patents of lesser lords. The clerks of the Crown Office complained as the statute was passing through parliament that it would "render the Business of the said Office

(n. 59 cont.)
5/A1/15; STA.C. 5/A1/18; STA.C. 5/A1/26; STA.C. 5/A1/35; STA.C. 8/2/37; STA.C. 8/3/13. A convenient list of forfeitable property, together with a list of relevant precedents, is in Brit. Lib., MS. Hargrave 146, fo. 32^{r}.

[60] For an informed contemporary's confirmation of this conclusion, see Umfreville, *Lex coronatoria*, pp. 106-7.

[61] P.R.O., STA.C. 2, 3, 4, 5, 7, 8. Star Chamber was, of course, a large weapon to use against small offenders, but the king's almoner was a privileged prosecutor in the court, and so he could use it more easily and cheaply than the great blunderbuss of King's Bench: personal communication from Thomas G. Barnes; J. A. Guy, *The Court of Star Chamber and its Records to the Reign of Elizabeth I* (Public Record Office Handbooks, no. 21, London, 1985), p. 37.

wholly impracticable", and their political hyperbole eventually proved prophetic. Looking back at the end of the eighteenth century Henry Deathy, an official of King's Bench, observed that "some time after the passing of the Act . . . the coroners discontinued returning their Inquisitions into the Court of Kings Bench & of course all Proceedings upon such Inquisitions were discontinued likewise".[62]

The demise of the prerogative courts was not, in my opinion, the only way in which the turbulent events of the mid-seventeenth century contributed to the erosion of the traditional penalties for self-murder. Two generations of constitutional conflict demolished habits of unreflecting deference to the royal prerogative and fostered a cult of private property. "There is a thing called Property", wrote Bolingbroke, "that the People of England are fondest of".[63] Whatever their political allegiances, a majority of the gentlemen of late seventeenth- and eighteenth-century England shared Locke's view that no government might "take to themselves the whole or any part of the Subjects *Property* without their own consent".[64] The statute of 1693 epitomized the post-Revolutionary mood. Its blatant purpose was to prevent the crown from infringing the right of landowners to the goods of felons, even if this meant hindering the exercise of a royal prerogative. And the House of Commons was fully aware of the bill's implications. Summarizing the objections made to it in debate, Narcissus Luttrell commented that "it entrenched upon the rights of the Crown".[65] The argument that felons had forfeited their property rights because they were dangerous to civil society justified exceptions to Locke's general rule: nobody wanted to champion criminals. But as the eighteenth century progressed, signs that forfeiture was no longer entirely consistent with the political values of the ruling élite became more apparent and the law against suicide was increasingly criticized. In 1709 parliament nearly abolished the forfeiture of lands and goods

[62] *Jl. House of Commons*, x, p. 742; P.R.O., K.B. 33/25/2. The post-Revolutionary procedures for collecting deodands and other forfeited goods may be seen most readily in early eighteenth-century precedent books: P.R.O., K.B. 15/45, fos. 77 ff.; K.B. 33/25/2; K.B. 33/12/3. The controlment roll, K.B. 29, is useful as well.

[63] Quoted in Howard Nenner, *By Colour of Law: Legal Culture and Constitutional Politics in England, 1660-1689* (Chicago, 1977), p. 39.

[64] Quoted in James Tully, *A Discourse on Property: John Locke and his Adversaries* (Cambridge, 1980), p. 171.

[65] Narcissus Luttrell, *The Parliamentary Diary of Narcissus Luttrell, 1691-1693*, ed. Henry Horwitz (Oxford, 1972), p. 348. I am grateful to Henry Horwitz for discussing this act with me. The abolition of forfeiture for suicide had been proposed during the Civil War: Donald Veall, *The Popular Movement for Law Reform, 1640-1660* (Oxford, 1970), p. 131.

by traitors. Carried away with himself in debate on this matter, Bishop Burnet declared to an incredulous House of Lords that "it was neither just nor reasonable to set the children to begging for their father's faults" and that forfeiture "was never the practice of free governments".[66] The Lords were preoccupied by the Jacobite peril and were unmoved by Burnet's appeal to principle. But his attitude to forfeiture soon prevailed in the case of suicide. Answering a correspondent who blamed bribery for the prevailing laxity in enforcing the laws against self-murder, Defoe's Scandal Club observed in 1704 that society was inclined to pity the family: "the children should [not] be starv'd because the Father has destroy'd himself".[67] Even the opponents of the suspension of the traditional punishments for suicide acknowledged that forfeiture offended the public's sense of justice in the mid-eighteenth century. Suicide, wrote a correspondent to the *Gentleman's Magazine* in 1754, pillages "the widow and the orphans of the felon, thus heaping one calamity upon another . . . The extreme and evident cruelty of this law has produced an almost constant evasion of it . . . I therefore propose that the goods and chattels of the suicide belong to his legal representatives, and that whether lunatic or not lunatic, the body be delivered for dissection".[68]

V

The increasing frequency of *non compos mentis* verdicts in the 1680s and 1690s signalled the beginning of a fundamental change in the cultural significance of suicide. As we have already seen, the rise of the *non compos mentis* verdict was prompted initially by its attractiveness as a way of escaping the fiscal penalties for self-murder, and for a long time this no doubt remained a major aspect of its appeal to coroners' juries. But, unlike the other methods of avoiding forfeiture, declaring that suicides were mad unavoidably challenged durable popular beliefs about the crime. A *non compos mentis* verdict was an implicit

[66] Blackstone, *Commentaries on the Laws of England*, iv, pp. 383-4; William Cobbett, *Cobbett's Parliamentary History of England*, 12 vols. (London, 1806-12), vi, cols. 796-7.

[67] *Defoe's Review*, ed. Arthur Wellesley Secord (New York, 1938), p. 255 (no. 60, 30 Sept. 1704). See also Adams, *Essay Concerning Self-Murther*, p. 29; William Fleetwood, *The Relative Duties of Parents and Children, Husbands and Wives, Masters and Servants, Consider'd in Sixteen Sermons: With Three More upon the Case of Self-Murther* (London, 1705), p. 476.

[68] *Gentleman's Mag.*, xxiv (1754), p. 507. See also *ibid.*, xix (1749), p. 341; Caleb Fleming, *A Dissertation upon the Unnatural Crime of Self-Murder* (London, 1773), p. 17.

rejection of religious and folkloric interpretations of suicide that condemned it utterly, in favour of medical explanations that excused it. Used more and more commonly, it became the manifestation of the secularization of suicide. The transmutation in the meaning of suicide was representative of the most important cultural changes that occurred in late seventeenth- and eighteenth-century England. Swiftly moving currents that originated among the ruling élite pulled it along, and an undertow of popular traditionalism held it back. Coroners' juries were eventually caught up in the tide of scepticism about supernatural phenomena, but for almost a century, contrary to the charges of their critics, they lagged a little behind progressive opinion. It was not until the reign of George III that juries entirely abandoned the belief that self-murder was a diabolical crime. During the long period in which the attitudes of juries to suicide were gradually changing, roughly for a century after 1680, the law against self-murder was enforced selectively. This transitional phase in the secularization of suicide deserves special attention, despite dismaying gaps in the records for the period, because the pattern of juries' decisions reveals a partial picture of the social values that guided the behaviour of ordinary people in Georgian England.

"There is a General Supposition", wrote John Adams in 1700, "that *every one* who kills himself is *non Compos*, and that nobody wou'd do such an Action unless he were Distracted".[69] Adams and the writers who echoed him in the early eighteenth century exaggerated the tempo of the change they were witnessing, but they were right to believe that coroners' juries were broadening the range of behaviour that excused suicide. With each decade of the eighteenth century that passed, juries that were disposed to treat suicides mercifully accepted testimony describing less and less severe mental disorders as evidence of insanity. Before about 1760 it was still necessary that someone assure the inquest that the deceased had been disturbed

[69] Adams, *Essay Concerning Self-Murther*, pp. 120-1; Fleetwood, *Relative Duties of Parents and Children*, p. 482; *Defoe's Review*, p. 255; John Cockburn, *A Discourse of Self-Murder* (London, 1716), pp. 25-9; Watts, *Defense against the Temptation to Self-Murther*, pp. 48-9; *Self-Murther and Duelling the Effects of Cowardice and Atheism* (London, 1728), p. 4; *Gentleman's Mag.*, xix (1749), p. 341; *A Discourse upon Self-Murder*, 2nd edn. (London, 1754), p. 14; Francis Ayscough, *A Discourse against Self-Murder* (London, 1755), p. 13; *Duelling and Suicide Repugnant to Revelation, Reason and Common Sense* (London, 1774), p. 11. Two authors who approved of the practice were John Jortin, *Sermons on Different Subjects*, 3rd edn., 7 vols. (London, 1787), v, pp. 147-8; William Rowley, *A Treatise on Female, Nervous, Hysterical, Hypochondriacal, Bilious, Convulsive Diseases . . . With Thoughts on Madness, Suicide, &c* (London, 1788), pp. 342-3.

in order to justify a verdict of *non compos mentis*, but this was not a serious obstacle when the tribunal was sympathetic to the deceased and his or her survivors. Few people kill themselves without displaying some sign of anxiety or gloom. Juries were not, however, invariably disposed to be merciful, and a substantial number of suicides continued to be judged *felones de se*. Self-murder remained the majority verdict up till 1714 among the inquisitions returned to King's Bench. About one in five Norwich suicides was a *felo de se* in the first half of the eighteenth century. In the liberties of Cockermouth and Egremont in Cumberland, where the local lords were jealous of their rights to the goods of suicides, almost half of the thirty-nine suicides from 1700 to 1775 were *felones de se*. Even after 1760 *felo de se* verdicts were not rare in some places: they accounted for about one in six of the Wiltshire suicides from 1752 to 1796.[70] Thus, although the increasing use of the *non compos mentis* verdict greatly mitigated the societal reaction to suicide, juries extended mercy in a highly discriminating manner throughout much of the eighteenth century.

The criteria for distinguishing those to be pardoned from those to be condemned were seldom simply psychological. Evidence about the mental state of the deceased was considered in the light of many other factors that heightened or lessened its significance, and it was interpreted very flexibly. Thomas Law, a Cheshire clergyman who had come to London after losing his post as a chaplain, was observed to have been "melancholy and discontented" before he killed himself in 1684, but he was nevertheless declared a *felo de se*.[71] The London family with whom Dorcas Pinkney, a children's coat maker, lodged and worked noticed that she was "much dejected with Melancholy" before her suicide in 1686. But her conviction as a *felo de se*, unlike Thomas Law's, was set aside because she was found to have been "Distracted".[72] Witnesses who appeared before juries in early eighteenth-century Cumberland described the profound melancholy of Ann Garnett, Thomas Rothery, Robert Ravell, Robert Lowthian, Joshua Rumball and Abraham Bank in very similar terms, but only Garnett, Rumball and Bank were declared *non compos mentis*.[73] A critic who was very familiar with the practices of coroners' juries

[70] Norwich Inquests; Cumbria R.O., D/Lec/CR I; *Wiltshire Coroners' Bills*.

[71] *The Sad and Dreadful Relation of a Bloody and Cruel Murther Committed by Mr. Thomas Law, a Minister, in Heart-Street, Covent Garden upon his own Person* (London, 1684).

[72] *Sad and Dreadful News from Dukes-place near Aldgate: or, A True Account a Barbarous and Unnatural Self-Murther Committed by Dorcas Pinkney* (London, 1686).

[73] Cumbria R.O., D/Lec/CR I, 20/2, 22/1, 26/1, 27/4, 36/6, 43/4.

remarked in 1776 that they brought in one verdict or the other "without having even a shadow or presumption of Proof to support them . . . Their Judgments in general are the effect of Caprice and Partiality".[74]

The scarcity of extant depositions and other descriptions of ordinary people's suicides makes it impossible to be certain why one verdict or the other was returned in the overwhelming majority of cases. Some clues to the social factors that influenced juries' decisions do survive, though. Rank mattered. The *Connoisseur* in 1755 railed that the difference between a self-murderer and a pitiful suicide was the size of his fortune: "A pennyless poor dog . . . may perhaps be excluded from the church yard; but the self-murder by a pistol genteelly mounted or the *Paris*-hilted sword qualifies the polite owner for . . . a pompous burial and a monument setting forth his virtues in *Westminster Abbey*".[75] This was a cynical exaggeration, but it was not entirely wrong. With the exception of Essex, none of the noblemen who is known to have killed himself after 1680 was judged a self-murderer. Gentlemen's suicides were routinely classified as *non compos mentis* or deaths by natural causes.[76] Most suicides were, of course, neither aristocratic nor rich. Those for whom juries were most likely to feel compassion were prosperous and responsible persons of good reputation whose survivors would be greatly injured if their property was seized. The most likely candidate for a *non compos mentis* verdict was thus a man of some property and good reputation who was the head of a household. Testimony about the mental state of the deceased was likewise most persuasive when it was given by witnesses whose status or character commanded the jury's respect. Conversely, it is safe to say that eighteenth-century *felones de se* were often marginal members of the community in which they died: strangers, criminals, people in disgrace, servants, apprentices, abject paupers. The people judged to have been self-murderers in Norwich, for instance, included poor weavers and

[74] *Considerations on Some of the Laws Relating to the Office of a Coroner* (Newcastle, 1776), pp. 45-6.

[75] [G. Colman and B. Thornton], *The Connoisseur*, 2 vols. (London, 1755), no. 50, p. 298.

[76] There was a steady rise in the ratio of *non compos mentis* to *felo de se* verdicts in inquisitions concerning the suicides of gentlemen that were returned to King's Bench between 1660 and 1714. By the early eighteenth century *non compos mentis* verdicts were about three times as frequent as *felo de se* verdicts. *Felo de se* verdicts on gentlemen in the surviving records for the rest of the eighteenth century are very rare. For a contemporary comment on this trend, see Ayscough, *Discourse against Self-Murder*, pp. 13-14.

labourers, two women rumoured to have been in trouble because of illicit pregnancy and embezzlement, and unmarried youths who had no dependents. They were men and women with whom the jurors, as representatives of the local community, had at best weak ties of sentiment and obligation.[77] The factors that they weighed in making their decisions cannot be fully recovered – the records are too fragmentary and the facts that influenced them were too varied to support detailed arguments. But there is enough evidence to conclude with confidence that the suicide's social standing, personality, relationships with neighbours, and the survivors' claims on the community's sympathy all played a part in determining verdicts.

Historians have long been aware that the flexible application of a savage criminal code was characteristic of the period, but they have often disagreed about the social significance of discriminatory enforcement. The practices of coroners' juries lend support to Peter King's recent recension of Douglas Hay's thesis that the selective exercise of mercy was a "ruling-class conspiracy".[78] The law of suicide was applied in ways that expressed the social values of the period, and those values included reverence for rank. But even if exalted and rich people benefited from the discretionary powers of coroners and their juries more often than the destitute, the pattern of enforcement did

[77] See, for instance, Norwich Inquests, James Quailes (16 June 1692), a woolcomber who dwelt in the pest-house; John Fletcher (4 May 1692), a fourteen-year-old apprentice weaver; Ann Letree (4 May 1730), very poor and with child (see also *Norwich Mercury*, 2-9 May 1730); Daniel Alborough (7 Jan. 1735), a poor man (and *Norwich Mercury*, 3-10 Jan. 1735/6); Samuel Lane (23 Sept. 1737), a mason's labourer (and *Norwich Mercury*, 17-24 Sept. 1737); Susan Ward (17 Aug. 1737), allegedly stole some yarn (and *Norwich Mercury*), 13-20 Aug. 1737). Revealing examples from elsewhere include Cumbria R.O., D/Lec/CR 1, 26/1, Robert Ravell (1717), an impoverished old man; D/Lec/CR I, 27/4, Robert Lowthian (1718), at odds with his neighbours; D/Lec/CR I, 39/3, Mary Grave (1730), penniless, "being a poor mans daughter"; D/Lec/CR I, 53/2, Abraham Wood (1744), a pensioner long infirm in body; Somerset R.O., D/B/bw 1917/50, Thomas Ubank (1743), a soldier lodged at an inn; P.R.O., CHES. 18/3, Sarah Browne (1740), "suspected of being with Child of a bastard"; Essex R.O., CR/S 1, Richard Hughes (1773), a murder suspect. Criminals who killed themselves were regularly judged *felo de se*; a sampling of post-1760 examples is given below, nn. 123-6. Because of concealment, it is obviously impossible to know how many of the eighteenth-century *felones de se* who were said to have had no goods – the overwhelming majority of them – were actually paupers.

[78] Peter King, "Decision-Makers and Decision-Making in the English Criminal Law, 1750-1800", *Hist. Jl.*, xxvii (1984), pp. 25-58; Douglas Hay, "Property, Authority and the Criminal Law", in Douglas Hay, Peter Linebaugh, John G. Rule, E. P. Thompson and Cal Winslow (eds.), *Albion's Fatal Tree: Crime and Society in Eighteenth-Century England* (New York, 1975). See also John Langbein, "Albion's Fatal Flaws", *Past and Present*, no. 98 (Feb. 1983), pp. 96-120; Cynthia B. Herrup, "Law and Morality in Seventeenth-Century England", *Past and Present*, no. 106 (Feb. 1985), pp. 102-23.

not *simply* serve the interests of the ruling classes. Resistance to forfeiture and the use of the *non compos mentis* verdict eroded the privileges first of the crown and then of the lords of liberties. The defiant behaviour of the juries in the case of John Atkinson, discussed above, illustrates the inability of grandees to protect their rights against panels determined to exculpate a suicide. Mercy was also often extended to men and women of very humble social standing. King shows that the men of middling status who served on juries in criminal trials in the later eighteenth century enjoyed considerable independence and that they took into account a wider range of factors than social class in exercising their discretionary powers. Coroners' juries half a century earlier behaved similarly. They were in effect mediators between the values and interests of the governing élite and the sentiments of the local community.

VI

The selective enforcement of the laws against self-murder satisfied popular notions of just punishment; but it also expressed the ruling élite's growing scepticism about a wide range of supernatural phenomena. As more and more suicides were excused as lunatics in the later seventeenth and eighteenth centuries, it became apparent to critical onlookers that they were witnessing the gradual secularization of the crime. Soon after the turn of the century clergymen began to criticize the trend towards exculpating suicide philosophically and legally. In works published in 1700 and 1705 John Adams and William Fleetwood attacked both the defences of suicide by ancient and modern writers and the excessive mercy of coroners' juries, which they linked with an apparent increase in the frequency of self-murder.[79] The author of *Self-Murther and Duelling the Effects of Cowardice and Atheism* (1728) was one of many who lamented the infidelity of the age and declared that it was the reason why suicide was epidemical.[80] These early alarums often advanced wild claims

[79] Adams, *Essay Concerning Self-Murther*; Fleetwood, *Relative Duties of Parents and Children*, pp. 418-95.

[80] *Self-Murther and Duelling the Effects of Cowardice and Atheism*, pp. 45-55; Watts, *Defense against the Temptation to Self-Murther*, p. v; *Gentleman's Mag.*, ii (1732), pp. 915-16; George Cheyne, *The English Malady*, 3rd edn. (London, 1734), p. iii; *Two Dissertations: The First on the Supposed Suicide of Samson* (London, 1754), pp. 11-12; *Gentleman's Mag.*, xxxii (1762), pp. 151-3; Fleming, *Dissertation upon the Unnatural Crime of Self-Murder*, pp. 15-16; John Herries, *An Address to the Public, on the Frequent and Enormous Crime of Suicide* (London, 1774), p. 6; *A Dissertation or Discourse on Suicide* (Northampton, 1785), p. 28; George Gregory, *A Sermon on Suicide*, 2nd edn.

(cont. on p. 81)

about the causes and effects of leniency, but the critics nevertheless correctly identified an important implication of the trend. The suspension of the traditional sanctions against self-murder was in part a symptom of the governing élite's waning faith in the beliefs that justified them. By the last two decades of the eighteenth century their disenchantment with the traditional diabolical interpretation of suicide came to be shared by coroners' juries and many of the witnesses who testified at inquests.

After the Restoration many educated laymen began to feel that philosophical and medical arguments condoning suicide were more compelling than the religious and folkloric traditions condemning it. Some signs of change were evident within a generation or so after 1660. William Ramesey, in *The Gentlemans Companion* (1672), observed conventionally (and incorrectly) that suicide is forbidden by scripture, but he counselled that those who killed themselves ought to be regarded with compassion, for they were frequently the victims of mental illnesses: "They should rather be objects of our greatest pity than condemnation as murtherers, damn'd Creatures and the like. For, tis possible even for Gods elect, having their Judgments and Reasons depraved by madness, deep melancholly, or [some]how otherwise affected by Diseases of some sorts, to be their own executioners. We are but flesh and blood the best of us, and know not how soon *God* may leave us to our selves, and Deprive us of our Understanding. Wherefore, lets be slow to censure in such cases".[81] Ezra Pierce was roused to publish a discourse reaffirming the unlawfulness of suicide in 1692, but he conceded that deep melancholy as well as delirium excused the crime.[82] Some more daring people doubted the validity of prohibiting suicide in every circumstance. Renewed interest in *Biathanatos* prompted condemnation by Thomas Philipot in 1674 and praise from Charles Blount in 1680: a new edition appeared in 1700.[83] Twelve years after Blount's own suicide in 1683 his biographer and editor, Charles Gildon, published a "deist" defence of self-destruction that echoed the neo-Stoical arguments of Montaigne.[84] Writing some time after his retirement from the bar in

(n. 80 cont.)

(London, 1797), pp. 18-22; Bartel, "Suicide in Eighteenth-Century England", pp. 149-50.

[81] William Ramesey (or Ramesay), *The Gentlemans Companion: or, A Character of True Nobility and Gentility* (London, 1672), pp. 240-1.

[82] Ezra Pierce, *A Discourse of Self-Murder* (London, 1692), pp. 30-1.

[83] Thomas Philipot, *Self-Homicide-Murther* (London, 1674), sig. A_2; Charles Blount, *Philostratus* (London, 1680), p. 154, quoted in Sprott, *English Debate on Suicide*, p. 71.

[84] Charles Blount, *The Miscellaneous Works of Charles Blount* (London, 1695), Foreword by "Lindamour" [Charles Gildon], sigs. A_6-A_{12}.

1690, Roger North remarked: "I am of the opinion that men judg too severely of it, in Reputing it cannot be lawfull in any Case". North had scant sympathy for deistical or libertine ideas, but like Blount and Gildon he felt that a life of pain was a greater evil than a rational suicide.[85] Addison's play *Cato* (1713) was initially a sensation because of its literary appeal and the political messages the public inferred from it, but critics soon began to lament that it was also notable because it portrayed self-murder in a favourable light.[86] Their worst fears were realized when the Grub Street scribbler Eustace Budgell drowned himself in 1737. Before he filled his pockets with pebbles and cast himself into the Thames, Budgell wrote one last bit of bad verse to leave behind:

> What Cato did and Addison approved
> Cannot be wrong.[87]

As the eighteenth century progressed, polite society adopted a generally tolerant and even sentimental attitude to suicide. After about 1745 the majority of the comments on the subject in the *Gentleman's Magazine*, the litmus of fashionable opinion, counselled compassion towards the victims of self-destruction and their families.[88] The press noted without censure the suicides of many persons of quality and reported the pathetic circumstances that occasioned the deaths of humbler men and women. The suicide of the poet Thomas Chatterton in 1770 inspired an effusion of Romantic lamentation: Sir Herbert Croft interpolated a defence of Chatterton in his epistolary pot-boiler, *Love and Madness* (1780); and Southey, Wordsworth and Byron embellished his legend.[89] The translator of Goethe's *Werther*, which originally appeared soon after Chatterton's suicide,

[85] Brit. Lib., Add. MS. 32526, fo. 125^{v}. A longer and somewhat more moderate version of this reflection appears in North's autobiography: Roger North, *The Lives of the Norths*, ed. A. Jessop, 3 vols. (Farnborough, 1972 edn.), iii, pp. 151-4.

[86] Edward A. Bloom and Lillian D. Bloom (eds.), *Addison and Steele: The Critical Heritage* (London, 1980), pp. 22, 288; [Henry Stephens], *The Free-Thinker: or, Essays of Wit and Humour*, ed. Ambrose Philips, 3rd edn., 3 vols. (London, 1739), i, p. 24 (no. 6, 11 Apr. 1718); *Self-Murther and Duelling the Effects of Cowardice and Atheism*, pp. 7-17; Fleming, *Dissertation upon the Unnatural Crime of Self-Murder*, p. 5; James Boswell, *The Hypochondriack*, ed. Margaret Bailey, 2 vols. (Stanford, 1928), ii, pp. 137-8.

[87] *Dictionary of National Biography; Gentleman's Mag.*, vii (1737), p. 315.

[88] Roy Porter, "Lay Medical Knowledge in the Eighteenth Century: The Evidence of the *Gentleman's Magazine*", *Medical Hist.*, xxix (1985), p. 161. The *Annual Register*, which began publication in 1758, was also generally sympathetic, although by no means approving, in the many accounts of suicides that it published.

[89] Herbert Croft, *Love and Madness* (London, 1780); Linda Kelly, *The Marvellous Boy: The Life and Myth of Thomas Chatterton* (London, 1971).

declared that Werther's "feelings, like those of our Chatterton, were too fine to support the load of accumulated distress".[90] The phenomenal success of Goethe's novel in England as elsewhere may well have contributed to the growing conviction among the reading public that suicide was pathetic. Critics such as Charles Moore bracketed *Werther* together with David Hume's "Of Suicide" (1783) as the most influential modern defences of self-killing.[91] Conservatives' suggestions that the old penalties for self-murder be rigorously enforced or that new deterrents to suicide be invented were met with disinterest or derision. At about the same time that Hume's essay was published, the evening preacher of the foundling hospital, George Gregory, deplored the arguments in favour of suicide by the "modern epicurians" but granted that the deaths of Cato, Brutus and Clive could not easily be dismissed as sinful acts. "Till some better solution is offered", he concluded, "I shall for my own part continue to admire, with all proper respect, the *Stoical justice of our inquest juries*, who, with equal sagacity and candour, extenuate the offence against reason and society, by the verdict LUNACY".[92] The *Morning Herald* sarcastically denounced John Wesley's belief that suicide might be reduced if the people who committed it were publicly disgraced: "The pious John Wesley has proposed a remedy for *suicide*, by *gibbeting* the unhappy victim of despondency. Would not a total extirpation of the gloomy and absurd tenets of Methodism be much more conducive to that purpose?".[93]

In his excellent study of attitudes to suicide in eighteenth-century France, John McManners argues that the reluctance of authorities there to enforce the law against suicide was a manifestation of Enlightenment humanitarianism.[94] Although there is no doubt that much of the discussion of suicide in England was suffused with the most advanced philosophical opinions of the day, the secularization of suicide in this country was a more complex and revealing cultural change than it seems to have been in France. The attitude of the English élite to suicide in the eighteenth century cannot accurately be described as humanitarian. There was widespread alarm that

[90] Quoted in Moore, *Full Inquiry into the Subject of Suicide*, i, pp. 141-2.

[91] *Ibid.*, ii, pp. 42-66, 121-54. Hume's essay was written before 1757, but it was not published until after the author's death: *Dictionary of National Biography*.

[92] George Gregory, *Essays Historical and Moral* (London, 1785), pp. 341-2. See also Jortin, *Sermons on Different Subjects*, v, pp. 147-8.

[93] Quoted in Leon Radzinowicz, *A History of English Criminal Law and its Administration from 1750*, 3 vols. (New York, 1948), i, p. 217 n. 54.

[94] John McManners, *Death and the Enlightenment* (Oxford, 1981), ch. 12.

suicide was more frequent in England than elsewhere, and the penalties called for to curb the epidemic of self-slaughter were as barbaric as the traditional rituals had been.[95] Very few people openly advocated the liberalization of the law against suicide. French lawyers were apparently reluctant to exact the full penalties for self-murder. In England the leading legal authorities of the day protested against the lenient interpretation of psychiatric evidence. "It is not every melancholy or hypochondriacal distemper", wrote the great jurist, Matthew Hale, "that denominates a man *non compos*, for there are few, who commit this offense, but are under such infirmities, but it must be such an alienation of mind, that renders them to be madmen or frantic, or destitute of the use of reason". His words were repeated almost verbatim in the most widely read eighteenth-century handbook for justices of the peace and by Blackstone in his *Commentaries*. They were only slightly moderated by Edward Umfreville, who followed another passage in Hale when he declared that an exculpating mental disorder had to render the offender less reasonable than a child of fourteen.[96] Most importantly, throughout the eighteenth century a minority of suicides continued to be declared *felones de se* and subjected to all the old punishments. The English élite's attitude to suicide became more tolerant, but toleration had limits that were inconsistent with the humanitarianism of the *philosophes*.

Enlightenment rationalism certainly contributed to the demystification of suicide, but the appeal of philosophical and medical arguments cannot be ascribed to their novelty or logical superiority. The ideas of the free-thinkers and physicians who advanced more liberal attitudes to self-slaughter were strikingly unoriginal. The philosophers' defences of suicide were based largely on classical sources and had been familiar to sixteenth- and seventeenth-century writers.[97] The physicians made no notable contributions to the understanding of

[95] The best discussion of the widespread notion that suicide was more frequent in England than elsewhere and the proposals to remedy the situation is Bartel, "Suicide in Eighteenth-Century England". See also McManners, *Death and the Enlightenment*, pp. 428-9; G. Blaicher, "England als das 'klassische' Land des Selbstmords im 18. Jahrhundert", *Archiv für Kulturgeschichte*, 1 (1968), pp. 276-88. My own study of the relationship between suicide rates published at the time and the comments of contemporaries suggests that Bartel is correct to believe that England's notoriety was based on a "myth".

[96] Hale, *Historia placitorum coronae*, i, p. 412; Richard Burn, *The Justice of the Peace and Parish Officer*, ed. Charles Durnford and John King, 21st edn., 5 vols. (London, 1810), s.v. "homicide"; Blackstone, *Commentaries on the Laws of England*, iv, p. 189; Umfreville, *Lex coronatoria*, pp. 127-8.

[97] Crocker, "Discussion of Suicide"; Sprott, *English Debate on Suicide*.

suicide in the late seventeenth and eighteenth centuries. When they mentioned the subject at all, they were content to repeat the Renaissance commonplace that melancholy (sometimes rechristened the vapours or the spleen) often led to self-destruction.[98] The chief difference between the treatment of the psychiatric causes of suicide before and after the Civil War is that later writers no longer insisted that its medical causes, such as melancholy, might be amplified by supernatural ones, namely Satan and his minions. Except for clerical writers, Georgian authors who discussed the medical psychology of suicide assumed that its causes were entirely physical or psychological. Even very pious doctors like the famous Cheyne no longer invoked the devil as the author of self-murder after 1700.[99] It is notable as well that the medical and philosophical approaches to suicide contradicted one another. Medical apologists presumed that suicide was the action of a demented person: anyone who committed it was therefore innocent of their own murder because they were insane. Philosophical apologists argued that suicide was sometimes permissible because it could be defended as a rational course of action in certain circumstances. Juries acted increasingly on the former assumption while the press and pamphleteers debated the correctness of the latter point of view.

It is easily forgotten that the outlook that we characterize as Enlightenment rationalism was as attractive for what it was not as for what it was. Ideas that were free from the taint of religious zeal and superstition became fashionable in the eighteenth century even if they were not necessarily fresh or logically compelling. This was particularly true in England, where the events of the Puritan Revolution left a lasting impression on the governing classes. Reflecting in 1790 on the historical origins of "liberal opinions" about suicide, Charles Moore traced them back to the reaction against the "affectation of piety and bigotry of puritanism in Cromwell's days", which had led to "the opposite extreme of licentious and atheistical principles" in the Restoration. The victorious supporters of the crown regarded "the presence of God anywhere, or his concern at human actions, a mere bugbear and puritanical chimera; and hence in order to get rid of superstition and bigotry, they fell prey to infidelity

[98] Medical writings on melancholy are usefully discussed in Cecil A. Moore, *Backgrounds of English Literature, 1700-1760* (Minneapolis, 1953), ch. 5; and John Francis Sena, "The English Maladay: The Idea of Melancholy from 1700 to 1760" (Princeton Univ. Ph. D. thesis, 1967).

[99] Cheyne, *English Malady*, esp. pp. ii-iii.

and practical atheism". Improvements in "useful learning" and the establishment of religion on a rational basis subsequently tempered the infidelity of the age: "the extremes of atheistical licentiousness were equally avoided by the pious and rational believer". But scepticism and infidelity did not disappear altogether in the eighteenth century. "Free thinking" and "liberal principles", which culminated in defences of suicide like Hume's notorious essay, were in reality "neither more nor less than freedom from the restraints of virtue and religion".[100]

Moore's analysis of the cultural changes that fostered new attitudes to suicide is perceptive in spite of its obvious tendentiousness. The ruling élite's horror of religious fanaticism after the Restoration coincided with new developments in philosophy and science, and encouraged among educated laymen a "hankering after the bare Mechanical causes of things".[101] However violently they quarrelled in the late seventeenth and early eighteenth centuries, the contending parties in church and state were united in their hatred of religious radicals and of Catholics.[102] For over a century after 1660 establishment propagandists denounced "enthusiasm" and "superstition" as subversive forces that endangered English society. The enemies of enthusiasm and superstition saw one similarity between the sectarians and the papists: they both claimed miraculous gifts. Enthusiasts believed that they were divinely inspired and felt the motions of God and the devil in their hearts; Catholic priests were bogus conjurers and exorcists. It was therefore essential to discredit the presumption that good and evil spirits intervened directly and frequently in human affairs. Modern claims to inspiration were dismissed as the symptoms of mental or physical illnesses; natural causes were adduced for the pious emotions of the enthusiasts and for the spiritual afflictions that they and the papists were supposed to alleviate. The scientific arguments advanced by the champions of orthodoxy were not impressive, but they were lent greater plausibility by the achievements of natural philosophers and the support of the church hierarchy.[103]

[100] Moore, *Full Inquiry into the Subject of Suicide*, ii, pp. 68-70. See also the *Spectator*, ed. Donald F. Bond, 5 vols. (Oxford, 1965), iv, p. 117.

[101] Henry Halliwell, *Melampronoea: or, A Discourse of the Polity and Kingdom of Darkness* (London, 1681), pp. 77-8.

[102] Geoffrey Holmes, *Religion and Party in Late Stuart England* (Historical Association Pamphlet G. 86, London, 1975); G. R. Cragg, *From Puritanism to the Age of Reason* (Cambridge, 1950), esp. p. 64.

[103] Michael MacDonald, "Religion, Social Change and Psychological Healing in England", in W. J. Sheils (ed.), *The Church and Healing* (Studies in Church History, xix, Oxford, 1982), pp. 101-25. In a characteristically stimulating article Christopher

(cont. on p. 87)

Despite the anxieties of men such as Joseph Glanvill, who feared that the reaction against enthusiasm had gone too far, scientism and rational religion prevailed and scepticism about spiritual phenomena became more and more commonplace among the governing classes after the Restoration.[104]

VII

By the middle of the eighteenth century the ruling élite generally had come to regard suicide as the outcome of mental illness or a moral choice, not a diabolical act. The views of the common people changed more slowly than fashionable opinion, though. Ordinary men and women were reluctant to abandon beliefs that reinforced their view of the universe as a theatre of spiritual warfare between the forces of good and evil, and they continued to fear the power of Satan and malign spirits throughout the eighteenth century.[105] Allegations of possession and witchcraft were made long after exorcism and witchcraft prosecutions had ceased officially, and there seems to have been considerable popular support for the ritual burial of the minority of

(n. 103 cont.)

Hill has demonstrated that some of the religious radicals later denounced as enthusiasts were, paradoxically, materialists, or mortalists: "Irreligion in the 'Puritan' Revolution", in J. F. McGregor and B. Reay (eds.), *Radical Religion and the English Revolution* (Oxford, 1984), pp. 199, 201-4. This current of radical thought was largely ignored by establishment propagandists after the Restoration, and it is difficult to estimate what influence it may have had on the common people, or indeed how representative it was. Mortalism obviously precluded belief in ghosts, an integral ingredient in traditional ideas about suicide. For the decline of ghost-beliefs, see Thomas, *Religion and the Decline of Magic*, pp. 587-606.

[104] Joseph Glanvill, *Saducismus triumphatus: or, Full and Plain Evidence Concerning Witches and Apparitions*, ed. Coleman O. Parsons (Gainesville, 1966); Michael Hunter, *Science and Society in Restoration England* (Cambridge, 1981), ch. 7. This is obviously a very simplified explanation of an enormously complex change. For alternative views, see also Thomas, *Religion and the Decline of Magic*, chs. 18-22; Charles Webster, *From Paracelsus to Newton* (Cambridge, 1982); Barbara J. Shapiro, *Probability and Certainty in Seventeenth-Century England* (Princeton, 1983), esp. chs. 1-3, 6. Both Thomas and Shapiro emphasize the importance of rising standards of legal proof in the erosion of witchcraft beliefs: it ought to be emphasized in this context that the secularization of suicide verdicts involved a relaxation of the standards of proof so that more and more people could be declared lunatics on less and less solid evidence. For an informed contemporary's complaint that juries "do not govern themselves . . . by the Evidence laid before them", see *Considerations on Some of the Laws Relating to the Office of a Coroner*, p. 34.

[105] Thomas, *Religion and the Decline of Magic*, pp. 582-3, 666-7; Robert W. Malcolmson, *Life and Labour in England, 1700-1780* (London, 1981), pp. 83-93; J. F. C. Harrison, *The Second Coming: Popular Millenarianism, 1780-1850* (New Brunswick, 1979), pp. 40-9, 52, 104-5, 125, 127, 235 n. 58, 253; W. R. Ward, *Religion and Society in England, 1790-1850* (London, 1972), pp. 47, 78-9; James Obelkevich, *Religion and Rural Society: South Lindsey, 1825-1875* (Oxford, 1976), ch. 6.

suicides condemned as self-murderers. Orders to bury them in the public highways were observed, and huge crowds attended the interment of some celebrated *felones de se*.[106] Stories collected in the nineteenth century show that country folk still dreaded the spirits of suicides.[107] The practice of burying suicides who were judged *non compos mentis* on the north side of churchyards where excommunicants, unbaptized babies and executed criminals lay seems in the eighteenth century to have satisfied a strong, lingering antagonism to the legitimation of self-destruction: "We are all aware", commented a Scottish correspondent to *Notes and Queries* in 1852, "of the popular repugnance to permitting the bodies of suicides to be interred within the 'consecrated' or 'hallowed' precincts of a churchyard".[108] Even in the late eighteenth century attempted suicides sometimes implicated Satan or evil spirits in their deed, and these malign figures still made appearances in dying speeches and suicide notes.[109]

Some clergymen shared the popular reluctance to treat suicides like other deaths. The *Monthly Review*, for example, complained in 1760 that there were still ministers who denied Christian burials to persons who had been declared lunatic by a coroner's jury.[110] Although some traditionalists were orthodox clergymen, evangelicals, nonconformists and Methodists seem to have been less reticent in stressing that suicide was diabolical than were orthodox Anglicans.[111] Isaac Watts, for example, reiterated the seventeenth-century contention that melancholy was the occasion for Satan's temptations, not an excuse for self-destruction: when the humours are "ruffled" by disease "the great Enemy of the Soul is swift to make his advantage of it . . . These hurrying, wicked Thoughts may arise from the Disorders of the Body, or from *Satan*".[112] In moments of extreme anguish or despair many early Methodist preachers saw or heard

[106] Radzinowicz, *History of English Criminal Law*, i, pp. 196-8.

[107] *Notes and Queries*, iv (1851), pp. 212, 329-30; *ibid.*, 9th ser., v (1900), p. 288.

[108] *Ibid.*, v (1852), p. 272. See also John Brand, *Observations on the Popular Antiquities of Great Britain*, ed. Henry Ellis, 3 vols. (London, 1849), ii, pp. 290-9, *passim; The Gentleman's Magazine Library: Popular Superstitions*, ed. George L. Gomme (London, 1884), pp. 205-6.

[109] See, for example, *The Times*, 4 July 1786, p. 3[d]; *ibid.*, 24 Aug. 1786, p. 3[c]; London Inquests, John Abbot (14 Feb. 1792); Westminster Inquests, Sarah Reeves (10 Oct. 1774); E. H. (10 Dec. 1783); Samuel Parrot (26 Aug. 1788). Many Methodists related tales of satanic temptations to suicide: see below, n. 113.

[110] *Monthly Rev.*, xxiii (1760), pp. 443-7. See also Umfreville, *Lex coronatoria*, pp. 8-10; Fleetwood, *Relative Duties of Parents and Children*, pp. 482-6.

[111] Watts, *Defense against the Temptation to Self-Murder*, pp. 48-9; John Wesley, *Works*, 14 vols. (Grand Rapids, n.d.), xiii, p. 481.

[112] Watts, *Defense against the Temptation to Self-Murder*, p. 75.

the devil tempting them to kill themselves. Indeed the Methodists preserved old beliefs about suicide unchanged: their autobiographical accounts of diabolical temptation fused Protestant piety and popular supernaturalism, just as the religion of Bunyan had.[113] In 1709 John Prince, an Anglican rector, had reminded his readers that "the Devil . . . is very often the Author (or chief Agent) of this abominable Sin of Self-murder" and produced proofs of Satan's powers.[114] But Prince was unusual among orthodox eighteenth-century churchmen, who tended to favour philosophical and religious arguments against suicide that played down the devil's traditional role as the instigator of the crime.[115] The intemperate zeal of the traditionalists distressed Richard Hey, who began his *Dissertation on Suicide* (1785) with the observation that such authors seemed rather suspicious.[116]

There had been many discrepancies between clerical pneumatology and folklore in the sixteenth and seventeenth centuries, but the ministry and the common people had agreed that events in this world were frequently caused by spiritual powers, the most potent of which were commanded by God and the devil. The abandonment of popular supernaturalism after the Restoration may have made sense to an élite sick of religious conflict and civil war, but it destroyed an important link between theology and the cosmology of ordinary men and women. Evangelists, who were more concerned with the spiritual condition of the common people than with the perils of enthusiasm,

[113] *Arminian Mag.*, ii (1779), p. 147, pp. 420-1; *ibid.*, iii (1780), p. 209; *ibid.*, vii (1784), p. 356; *ibid.*, viii (1785) pp. 413-14; *ibid.*, xi (1788), p. 573; *ibid.*, xiii (1790), p. 69; *ibid.*, xiv (1791), pp. 494-6; *ibid.*, xv (1792), pp. 478-9; *ibid.*, xviii (1795), p. 6; *The Lives of the Early Methodist Preachers*, ed. Thomas Jackson, 3rd edn., 6 vols. (London, 1865-6), i, pp. 242, 271, 292; ii, pp. 285, 304; iv, pp. 117, 179; v, p. 248; vi, pp. 141, 213; John Rylands Lib., Manchester, Methodist Archives, autobiographies of Samuel Hodgson, pp. 126-7; John Valton, i, p. 103, iv, pp. 11-12, 25, vii, pp. 47, 56; Thomas Rankin, pp. 39-40. Many other passages in these sources and in the other autobiographies and diaries in the Methodist Archives demonstrate the continuity of Methodist religious psychology with seventeenth-century popular Protestantism. The figures of Satan and his demons are frequently invoked as the causes of anguish and despair.

[114] John Prince, *Self-Murder Asserted to be a Very Heinous Crime, in Opposition to All the Arguments Brought by the Deists, to the Contrary* (London, 1709), p. 18.

[115] The Anglican clergy's tendency to favour philosophical arguments against suicide may be noticed in Adams, *Essay Concerning Self-Murder*; Cockburn, *Discourse of Self-Murder*; John Henley, *Cato Condemn'd: or, The Case and History of Self-Murder* (London, 1730); Zachary Pearce, *A Sermon of Self-Murder* (London, 1736); Herries, *Address to the Public, on the Frequent and Enormous Crime of Suicide*; Richard Hey, *A Dissertation on Suicide* (London, 1785). Exceptions to this approach are John Jeffrey, *Felo de se: or, A Warning against the Most Horrid and Unnatural Sin of Self-Murder* (Norwich, 1702); Ayscough, *Discourse against Self-Murder*, pp. 15, 17.

[116] Hey, *Dissertation on Suicide*, pp. 1-2.

understood this. John Wesley, for example, defended popular beliefs in demons and witches vigorously, regardless of the notoriety that his position won him. Predictably he also called for the desecration of suicides' bodies.[117] Fear and hatred of self-killing long remained a foundation-stone in the edifice of folk psychology, and it could not be removed without reconstructing the whole structure of popular thought. The relatively slow pace at which verdicts in suicide cases were secularized was perhaps a concession to public opinion as well as a sign of continuing ambivalence on the part of the jurors themselves.

Eventually, in the nineteenth century, scientism reshaped the common people's assumptions about most of the phenomena that their ancestors had regarded as diabolical. Before 1800, however, the educated élite's repudiation of demonism affected the folklore of suicide indirectly. It must have encouraged the increasing use of the *non compos mentis* verdict by coroners' juries, which in turn narrowed the scope for ritual responses to suicide. The law gave the power to define a suicide as self-murder to the jury, and the church and community were bound to follow their lead. Explaining why it was wrong for ministers to refuse Christian burial to those whom juries judged to be lunatics, William Fleetwood insisted: "Now if the Civil Power has placed it in the hands of a *Jury*, to determine whether such a Self-murtherer were Distracted or no . . . so must the Church acquiesce in such a Judgment as those legally impowered Men think fit to give".[118] The responsiblity for ordering the burial of a suicide in a public highway lay with the coroner himself, and the constable and churchwardens could not legally perform the rites of desecration without his permission. In the later eighteenth century coroners seem to have been generally scrupulous about issuing such orders when verdicts of *felo de se* were returned, which suggests that they fulfilled their duty to have the bodies of suicides buried in a manner consistent with the verdict that the jury returned.[119] Without the co-operation of the authorities it was impossible legally to observe the folk customs punishing suicide.

Unfortunately we cannot know precisely why juries finally embraced the medical interpretation of suicide, but there is little doubt that

[117] Wesley, *Works*, iii, pp. 308-18, 383-4; iv, p. 72; vi, p. 358; vii, p. 315; xiii, p. 481.

[118] Fleetwood, *Relative Duties of Parents and Children*, pp. 482-3; Umfreville, *Lex coronatoria*, pp. 7-10.

[119] Umfreville, *Lex coronatoria*, p. 8. Orders to bury the bodies of *felones de se* in public highways may be found in the Westminster Inquests and the London Inquests.

they did so. The middling classes from which jurors were recruited had become increasingly literate: certainly many more of them could sign their names in 1760 than had been able to do so a century earlier. Some of them may simply have adopted the fashionable opinions about suicide that were publicized in newspapers and reviews. In some cases coroners may have pressured juries to interpret psychological evidence leniently, but the content of depositions and disposition of cases indicate that late eighteenth-century juries (and even witnesses) needed little prompting to regard suicide as the consequence of insanity.[120] Evidence of distress and gloom that would have supported a *felo de se* verdict before the Civil War was interpreted as the symptoms of lunacy. Previous suicide attempts no longer proved premeditation; they were regarded as strong presumptions that the deceased was mentally ill.[121] Even unidentified people who were found drowned were judged *non compos mentis*. The jury deliberating on the body of a man dragged out of the Serpentine in 1760, for example, concluded that "being Lunatick and not of Sound Mind, Memory and Understanding . . . [he] Voluntarily threw himself into the said Water".[122]

After 1760 or so juries virtually stopped punishing suicide itself: they used the *felo de se* verdict principally as a means of penalizing men and women who would otherwise have escaped punishment for crimes and anti-social actions. This was the last stage in the metamorphosis of the societal reaction to suicide in the early modern

[120] For example, the meticulous coroner of Westminster, Thomas Prickard, plainly asked witnesses whether the deceased had been mentally disturbed, but the very full depositions that he took show that he did not seek to impose a liberal interpretation of psychological evidence on the jury: Westminster Inquests, 1769-85. Another possibility is that as more and more coroners with medical qualifications were elected, they induced the humble men who served on their juries to accept the medical interpretation of suicide. But the scanty evidence that has come to light so far suggests otherwise. In two jurisdictions for which good records survive, Norwich and Wiltshire, medically qualified coroners appear to have been more willing to bring in *felo de se* verdicts than their lay colleagues. In Wiltshire, where all the coroners were medical men, there were more such verdicts than in Cumberland or Westminster, where they were not. In Norwich the proportion of *felo de se* verdicts increased when the first medically qualified coroner, the barber-surgeon Ambrose Gedge, assumed office: *Wiltshire Coroners' Bills*, p. xlviii; Norwich Inquests, *c.* 1737-60 (see Figure 2); personal communication from Margaret Pelling.

[121] Westminster Inquests, Thomas Clayton (4 May 1764) is a good example of this practice.

[122] Westminster Inquests, unidentified man (1 May 1760). See also *ibid.*, unidentified man (22 Feb. 1766), unidentified man (3 June 1767), unidentified woman (3 Sept. 1772), unidentified woman (8 June 1773), unidentified woman (5 Apr. 1779), unidentified woman (29 July 1782), unidentified woman (31 May 1799); Norwich Inquests, unidentified man (21 May 1762).

period. Most suicides were routinely excused, but occasionally the law and rituals condemning self-murder were invoked to stigmatize some precedent offence. Persons who killed themselves in prison were highly likely to be regarded as self-murderers, and so also were people suspected of crimes. David Mendes, for example, was accused of murdering his uncle, a Mr. Silva, and his uncle's wife in 1793, but the charges were dropped for lack of evidence. Soon, however, new facts came to light and it was rumoured that he was about to be rearrested; one of his children died the same week. He committed suicide on 26 January. The inquest became, in effect, Mendes's posthumous trial for the Silva murders. Solomon Israel testified that at Silva's funeral Mendes had complained of how miserable he was because of the accusations against him; but if this implied that Mendes was innocent, the fact that he "did not go to mourn on the side of the hall with the other relatives of Silva" must have weighed against him in the eyes of the Portuguese Jewish community and, ultimately, the jurors. The jury found him guilty of self-murder, and he was buried in the public highway. It was not the taking of his own life that made his suicide worthy of punishments that were by then very seldom exacted: it was the probability that he had committed the murders of which he was accused.[123] Sometimes *felo de se* verdicts were inspired by acts that defied the unwritten rules of proper conduct, rather than outright crimes. A soldier who killed himself in Westminster in 1782 was declared *felo de se* on the strength of testimony that he grumbled about an order to mount the guard and a suicide note in which he blamed his insubordination on his sergeant: "The Instigation of this Unhap Afair", he declared, "was by the Ill Usage by William Stevans Sarjeant of the Same Company".[124] The press reinforced the assumption that *felo de se* verdicts were a means of punishing anti-social actions posthumously, rather than a penalty for suicide itself. The newspapers and reviews published lurid accounts of the crimes committed by suicides and reports of the ritual burials of malefactors.[125] By the last three or four decades of the

[123] London Inquests, David Mendes (26 Jan. 1793); *Annual Rev.*, xxxv (1793), pp. 5-6. For other examples, see London Inquests, Hannah Horton (9 July 1794); Westminster Inquests, George Pricard (16 June 1791); Radzinowicz, *History of English Criminal Law*, i, pp. 195-9.

[124] Westminster Inquests, James Holt (14 Oct. 1782). See also *ibid.*, Sarah Hopkins (21 June 1792).

[125] See, for example, *Annual Register*, iii (1760), p. 130; *ibid.*, xxii (1779), p. 207; *ibid.*, xxxv (1793), p. 58; *ibid.*, xxxvi (1794), p. 13; *ibid.*, xl (1798), p. 57; *Gentleman's Mag.*, xxx (1760), p. 440; *ibid.*, liv (1784), p. 868; *The Times*, 25 Apr. 1785, p. 3[b];

(cont. on p. 93)

eighteenth century, then, suicide had been decriminalized, and the punishments for self-murder had been added to the arsenal of weapons used for social control.

The practice of ritually burying the bodies of criminal suicides continued well into the early nineteenth century. By that time the very rarity of their use in other circumstances added to their dramatic value as a method of defaming notorious malefactors. The burial of the famous murderer John Williams, who committed suicide while awaiting trial in 1811, was organized as a macabre entertainment. Williams's body was exhibited to the huge crowd that attended the rite. His countenance was "ghastly in the extreme"; the maul and ripping-chisel with which he had killed his victims were displayed beside him. A procession led by several hundred constables stopped at the houses of the families he had murdered and brought his body at last to a crossroads, where it was staked in the grave. The gravediggers sold small bits of wood cut from the stake to spectators as souvenirs. Williams's crimes and his punishment were highly publicized at the time and were the subject later of Thomas De Quincey's essay, "On Murder Considered as One of the Fine Arts", and a number of less notable literary efforts.[126] Williams's interment was the most famous ritual burial of the nineteenth century, but it was not the last, and other criminal suicides were occasionally desecrated in similar ceremonies until the 1820s.[127] Ironically, in this final phase of its enforcement the law against self-murder was restored to its original function: the *felo de se* verdict seems to have been invented in the middle ages as a means of punishing offenders who killed themselves to escape justice.[128] The principal achievement of the theologians and preachers who had condemned suicide in the Tudor and Stuart age had been to fuse the civil, religious and folkloric sanctions against self-murder into a single stereotype. By restricting the *felo de se* verdict to criminals and deviants, eighteenth-century coroners and their juries very slowly drained the rites of desecration of the last vestiges of supernatural significance and completed the gradual secularization of suicide that had begun soon after the Restoration.

(n. 125, cont.)
ibid., 13 June 1785, p. 3[b]; *ibid.*, 18 Nov. 1785, p. 3[d]; *ibid.*, 21 Nov. 1785, p. 3[b]; *ibid.*, 18 Mar. 1786, p. 3[d]; *ibid.*, 14 June 1786, p. 3[c]; *ibid.*, 18 Aug. 1786, p. 3[c].

[126] Radzinowicz, *History of English Criminal Law*, i, p. 198; *Notes and Queries*, 7th ser., iii (1887), pp. 237-8.

[127] The last such burial seems to have been in June 1823: *Notes and Queries*, vii (1853), p. 617. The practice was abolished in that year by the statute 4 George IV, *cap.* 52: Stephen, *History of the Criminal Law*, iii, p. 105.

[128] Harding, *Social History of English Law*, p. 64.

VIII

Durkheim chose to write about suicide because it provided an opportunity to demonstrate the relevance of broad sociological principles and methodological problems to an issue that had previously been thought to be beyond the scope of the science of sociology. Although his theories and methods have been convincingly criticized, he succeeded in proving that suicide is an extraordinarily revealing social phenomenon. It is no less suggestive as a historical subject. The secularization of suicide in late seventeenth- and eighteenth-century England indicates that the causes and dynamics of cultural change were more profound and complex than historians have recognized. It shows in particular that the revolutions of the seventeenth century affected beliefs and practices that were far removed from the realm of high politics in ways that no one can have anticipated and that the social basis of cultural change may have been broader than the prevailing two-class models can comprehend.

Recent trends in historiography have made it difficult to see the connections between political and religious events and social and cultural change. Our modern anatomists have worked over the English Revolution with minute attention to detail, and their busy scalpels have pared away everything except its political skeleton. Religious and constitutional conflicts, which were the flesh and blood of the subject a generation ago, have been reduced to historical offal. But much of the history of England in the century and a half after 1660 does not make sense unless the manifold influence that they had on the governing élite is recognized. In this instance the strife that climaxed in the Puritan Revolution and the Revolution of 1688 fostered cultural and institutional changes that eroded traditional attitudes to suicide and punishments for self-murder. The governing classes' intense antipathy to radical religion and miracle-mongering sectarians and priests cast doubt on supernatural explanations for events and enhanced the appeal of philosophy and science. Ideas that few people can have fully understood became the shibboleths of a whole class, and views that had been anathema to an earlier age became badges of fashion. Although it would be a grotesque oversimplification to ascribe the eighteenth-century élite's disenchantment with supernaturalism entirely to the cataclysms of the previous century, it would be equally perverse to deny that they had profound consequences for upper-class culture.[129] The revolutions of the seven-

[129] For similar arguments, see Sharpe, *Crime in Early Modern England*, pp. 154-6; Roy Porter, "The Rage of Party: A Glorious Revolution in English Psychiatry?", *Medical Hist.*, xxvii (1983), pp. 35-50; Christopher Hill, *The World Turned Upside*

(cont. on p. 95)

teenth century led to other changes that undermined traditional responses to suicide as well. The abolition of the prerogative courts, the abandonment of close supervision of local institutions by the central government, and the exaltation of the property rights of individuals made it much more difficult to ensure compliance with the law against self-murder. The crown's prerogative was weakened both in theory and in practice. But in the long run these changes, paradoxically, made it impossible for lords to enforce their own rights to forfeited property. Thus even a phenomenon as apparently unrelated to politics as suicide was affected by religious controversy and constitutional change.

The history of suicide also suggests that the prevailing models of social and cultural change are oversimplified. Many historians have observed that English society became increasingly polarized culturally as well as socially and economically in the seventeenth and eighteenth centuries. Students of popular culture have pointed to the élite's repudiation of beliefs and customs that had been the shared heritage of rich and poor alike.[130] E. P. Thompson and his followers have pursued this argument further than other historians and integrated it into a compelling theory that explains the changing relationship between patrician society and plebeian culture.[131] Superficially the transformation in attitudes and responses to suicide fits neatly into the scheme: the governing classes rejected plebeian beliefs and customs, and for much of the eighteenth century coroners' juries enforced the law against suicide in a manner that emphasized the privileges of rank. The traditional punishments for self-murder were transformed from communal rituals into instruments of social control. But, as we have seen, the changing pattern of enforcement did not simply reinforce ruling-class interests nor was it the consequence of the

(n. 129 cont.)

Down (Harmondsworth, 1975), pp. 294-5, 355-6; Margaret C. Jacob, *The Newtonians and the English Revolution* (Ithaca, 1976); Christopher Hill, *Some Intellectual Consequences of the English Revolution* (Madison, 1980), ch. 9.

[130] See, for example, Thomas, *Religion and the Decline of Magic*, p. 666; Keith Thomas, *Man and the Natural World* (London, 1983), pp. 80-1; Peter Burke, *Popular Culture in Early Modern Europe* (New York, 1978), pp. 270-86; Keith Wrightson, *English Society, 1580-1680* (London, 1982), pp. 220-1; David Rollison, "Property, Ideology and Popular Culture in a Gloucestershire Village, 1600-1740", *Past and Present*, no. 93 (Nov. 1981), pp. 70-97; MacDonald, *Mystical Bedlam*, pp. 10-11, 171-2; MacDonald, "Religion, Social Change and Psychological Healing".

[131] E. P. Thompson, "Patrician Society, Plebian Culture", *Jl. Social Hist.*, vii (1974), pp. 382-405; Robert W. Malcolmson, *Popular Recreations in English Society, 1700-1850* (Cambridge, 1973); Hay *et al.*, *Albion's Fatal Tree*. Although they modify Thompson's model somewhat, the essays in John Brewer and John Styles (eds.), *An Ungovernable People* (London, 1980) also develop it persuasively.

actions of men who were themselves members of the national élite. Resistance to forfeiture and the rise of the *non compos mentis* verdict eroded the rights of lords as well as of the king. It was coroners' juries whose decisions actually determined the legitimate response to suicide. To explain the secularization of suicide, therefore, one must introduce a third group into the model: the men of middling status who served as jurors.

Historians have recently begun to appreciate the part that substantial farmers and craftsmen played in local government. Constables, churchwardens, grand jurors and trial jurors, all of whom were recruited from their ranks, acted as mediators between the state and local communities. Coroners' jurors came from the same background and behaved in the same way as these other local officials. They stood at the focal point between the national culture, which was dominated by the educated and the powerful, and local society, which had its own cultural traditions and moral concerns. The law conferred upon them a considerable degree of independence and authority and, as we have seen, jurors sometimes defied the wishes of the royal officials, the lords of franchises, and even the coroners themselves. They were not simply the passive instruments of ruling-class hegemony. They gradually accepted the tolerant and secular attitude to suicide propounded by philosophers and physicians, and publicized in fashionable periodicals. But instead of abandoning the traditional punishments for self-murder altogether, they used them to reaffirm values that were dear to respectable villagers and townsfolk: sympathy for one's neighbour, distaste for departures from the normal customs of inheritance, regard for good reputation, and antagonism towards strangers, criminals and deviants. Plebeian beliefs in the spiritual ramifications of self-murder were invoked in an increasingly narrow range of suicides until at last they were sanctioned only to justify punishing notorious malefactors. In tens of thousands of inquests, therefore, men of middling rank responded to cultural polarization by gradually giving the rites of desecration a new function that was at once consistent with élite opinion about suicide itself and responsive to the moral values of their communities. They thus avoided conflicts over the abandonment of traditional beliefs and practices and even satisfied popular notions of just punishment by resisting forfeiture and by prosecuting people who belonged to groups that were generally supposed to threaten the security of respectable men and women of every social rank.[132] Until more work has been done to examine the

[132] It is notable that there seem to have been in England no major outbreaks of popular protest against the lenient treatment of suicide like the widely publicized riot that occurred in Voightland in 1776: *Annual Register*, xix (1776), p. 173.

part that the middling classes and local institutions played in early modern England, it would be premature to present the secularization of suicide as a typical example of the social dynamics of cultural change. Nevertheless it suggests that mediation and compromise may have been as much a part of the history of late seventeenth- and eighteenth-century England as hegemony and conflict.[133]

Like the grain of sand in which Blake saw a world, the history of suicide is a small subject that affords us a vision of matters of great magnitude. In the terse, pathetic records of desperate acts, made by hurried tribunals that deliberated their meaning and their consequences, some of the forces that transformed the lives of ordinary men and women can be seen, if only we interpret the patterns in them rightly. The study of suicide will not reveal everything that we want to know about social and cultural change, but it can cause us to look at the subject in new ways. That should be enough to make suicide matter as much to historians as it has to sociologists.

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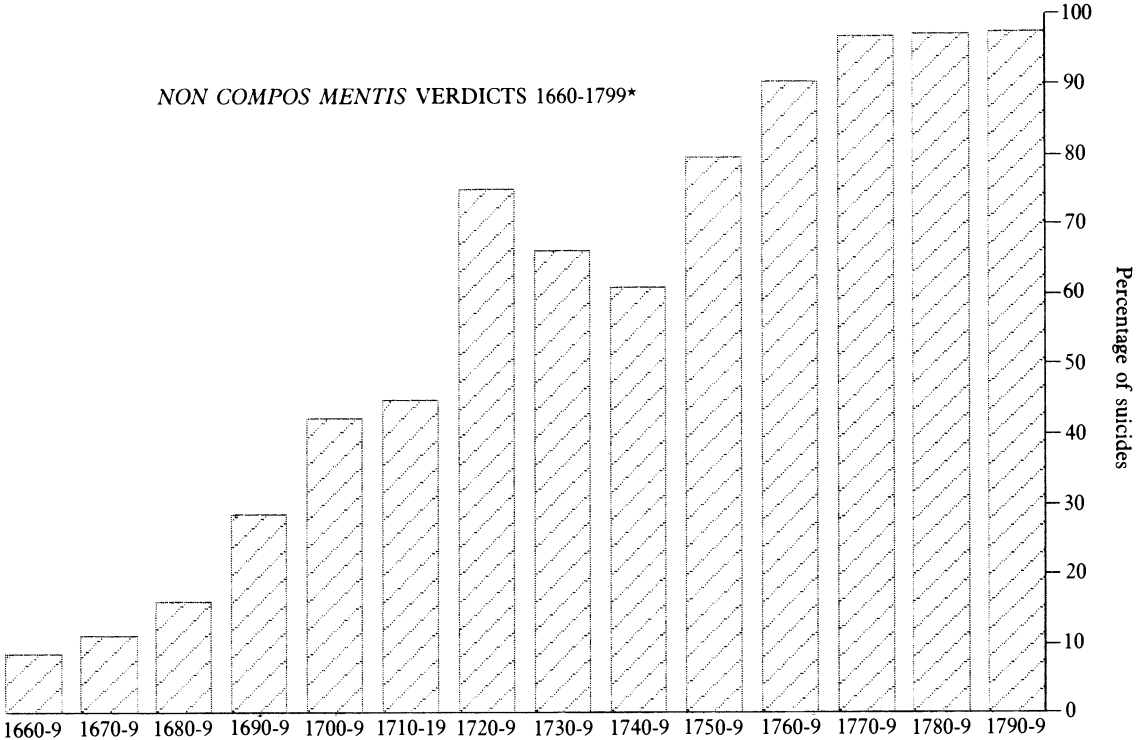
[133] Pioneering studies along these lines are Keith Wrightson and David Levine, *Poverty and Piety in an English Village: Terling, 1525-1700* (New York, 1979), chs. 6-7; Wrightson, *English Society, 1580-1680*, pp. 222-8, esp. pp. 226-7; King, "Decision-Makers and Decision-Making in the English Criminal Law", pp. 55-8; Herrup, "Law and Morality in Seventeenth-Century England", esp. p. 108. For a similar point, see Martin Ingram, "Ridings, Rough Music and the Reform of Popular Culture in Early Modern England", *Past and Present*, no. 105 (Nov. 1984), pp. 79-113.

APPENDIX

SUMMARY OF INQUEST DATA 1660-1799*

	1660-9	1670-9	1680-9	1690-9	1700-9	1710-19	1720-9	1730-9	1740-9	1750-9	1760-9	1770-9	1780-9	1790-9	Totals
King's Bench (England)															
Felo de se	573	409	363	337	202	93	0	0	0	0	0	0	0	0	1977
Non compos mentis	54	51	70	135	149	63	0	0	0	0	0	0	0	0	522
Total	627	460	433	472	351	156	0	0	0	0	0	0	0	0	2499
North-western counties															
Felo de se	2	0	0	3	2	6	6	6	6	1	0	1	0	1	34
Non compos mentis	0	0	0	1	1	1	10	3	2	9	39	49	72	15	202
Total	2	0	0	4	3	7	16	9	8	10	39	50	72	16	236
Western counties															
Felo de se	0	0	0	0	0	0	0	2	11	13	26	9	13	4	78
Non compos mentis	0	0	0	0	0	0	1	2	20	68	81	80	72	48	372
Total	0	0	0	0	0	0	1	4	31	81	107	89	85	52	450
Greater London															
Felo de se	0	0	0	0	0	0	0	0	0	0	4	1	2	7	14
Non compos mentis	0	0	0	0	0	0	0	0	0	0	146	188	358	379	1071
Total	0	0	0	0	0	0	0	0	0	0	150	189	360	386	1085
Norwich															
Felo de se	0	0	0	0	0	1	1	8	13	16	2	0	0	0	41
Non compos mentis	0	0	0	0	0	17	10	26	25	40	32	27	11	5	193
Total	0	0	0	0	0	18	11	34	38	56	34	27	11	5	234
Grand totals															
Felo de se	575	409	363	340	204	100	7	16	30	30	32	11	15	12	2144
Non compos mentis	54	51	70	136	150	81	21	31	47	117	298	344	513	447	2360
Total	629	460	433	476	354	181	28	47	77	147	330	355	528	459	4504
Per cent *non compos mentis*	8·6	11·1	16·2	28·6	42·4	44·8	75·0	66·0	61·0	79·6	90·3	96·9	97·2	97·4	52·4


NON COMPOS MENTIS VERDICTS 1660-1799*
100
90
80
70
60
50
40
30
20
10
0
Percentage of suicides
1660-9
1670-9
1680-9
1690-9
1700-9
1710-19
1720-9
1730-9
1740-9
1750-9
1760-9
1770-9
1780-9
1790-9

* Note and sources: A few inquisitions from scattered locations have been omitted from the "Summary of Inquest Data". For England 1660-1714, P.R.O., K.B. 9, 10, 11; P.L. 26; H.C.A. 1/83; for north-western counties 1700-99, Cumbria Record Office, Carlisle, D/Lec/CR I; Q/11 (Cumberland); P.R.O., Ches. 18/1-6 (palatinate of Chester); P.L. 26/289-94 (palatinate of Lancaster); for western counties 1729-99, P.R.O., K.B. 13 (various south-western counties, Salisbury); *Wiltshire Coroners' Bills, 1752-1796*, ed. R. F. Hunnisett (Wiltshire Rec. Soc. xxxvi, Devizes, 1981); Somerset Record Office, Taunton, D/B/bw 1917; for Greater London 1760-99, Corporation of London Records Office, Coroners' Inquests for London and Southwark, 1788-99; Westminster Abbey Muniment Room and Library, Westminster Coroners' Records; Greater London Record Office, MJ/SPC.W; MJ/SPC.E (Middlesex); for Norwich 1670-1799, Norfolk and Norwich Record Office, Coroners' Inquests, cases 6a-c.