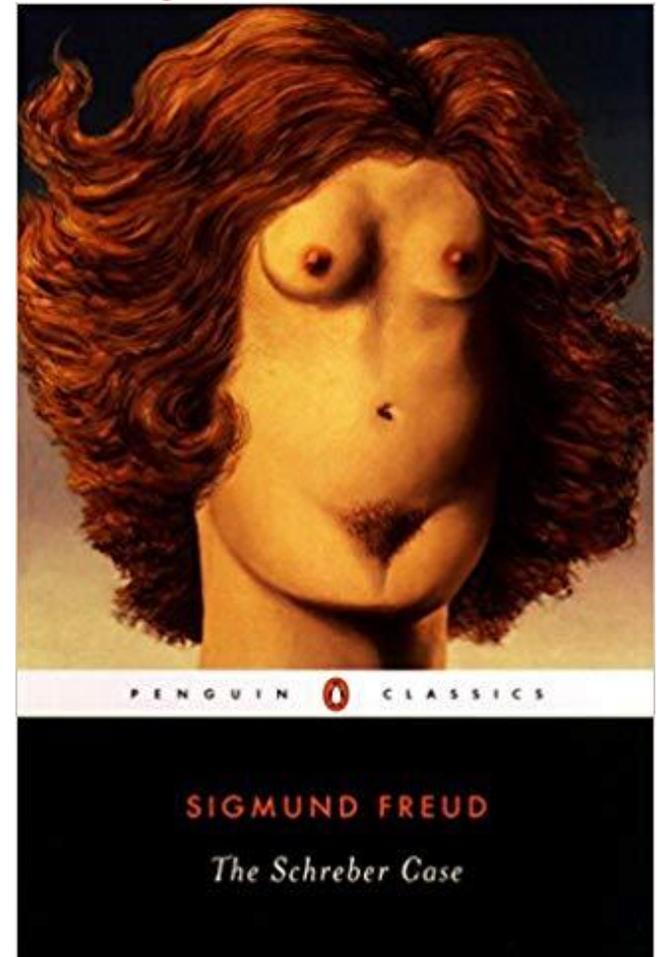


A Mad Judge and His Journey to Freedom: A Contemporary Tale From Saxony

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Daniel Paul Schreber (1842-1911)



- **Doctor of Law, Senatspräsident**
- **Chairman of County Court at Chemnitz**
- **Chairman of County Court at Leipzig**
- **President of the Senate of the County Court at Dresden**
- **1884: first “breakdown”**
- **1885: “recovery”**
- **1893: admission to Sonnenstein Asylum**
- **1900: confirmation of tutelage by 7th Civil Chamber, District Court of Dresden**



1895: Report by Dr Weber

1899: Forensic report by Dr Weber

1900: Schreber: “In What Circumstances Can a Person Considered Insane be Detained in an Asylum

1900: Forensic report as County and Asylum Medical Officer by Dr Weber

1902: Forensic report by Dr Weber

14 July 1902: Decision of Royal Superior County Court of Dresden

1903: Publication of *Memoirs of My Nervous Illness*



Daniel Paul Schreber

- Born in Leipzig
- 2nd of 5 children
- Father a renowned physician who directed a Leipzig sanatorium
- Brother committed suicide in 1877
- Father suffered long-term depression prior to death in 1861
- Defeated as a candidate for the Reichstag in 1884



Daniel Paul Schreber

- Treated by Prof Flechsig of the Uni of Leipzig whom he accused of being a soul-murderer
- Appeared to make full recovery from “hypochondria” by 1885
- In 1893 took up new role as Senate President of Dresden court
- Started dreaming of how nice it would be to be a woman submitting to copulation



Daniel Paul Schreber

- Re-emergence of sleeplessness and hypochondria
- Over-sensitivity of light & sound
- Morbid fantasies such as suffering from the plague & of emasculation
- Believed he could communicate directly with God
- Hallucinations of hearing religiously themed music
- Multiple suicide attempts, including by self-drowning

Freud, 1911
Bleuler, 1911
Jung, 1944
Deleuze, 1962
Klein, 1975
Wilden, 1972
Schatzman, 1973
Szasz, 1976
Canetti, 1983
Niederland, 1984
Lothane, 1992
Sass, 1994
Santner, 1996
Atlas, 1997
Dolnick, 1998
Leudar & Thomas, 2000



MEMOIRS OF MY NERVOUS ILLNESS



2005 - USA - English - 78 minutes
Directed by: Julian P. Hobbs
Featuring: Jefferson Mays,
Robert Cucuzza, Joseph Coleman,
Lara Milian

This late 19th Century-set drama based on a true story portrays Daniel Paul Schreber, a distinguished German judge who goes quite mad. His wife commits him to recuperative care in an asylum run by the obsessive Dr Flechsig, but the latter finds his schizophrenic new patient an extremely difficult case. As striking delusions awaken Schreber to an invisible world of possibility, the intense young man begins his transformation into a woman, putting him further at odds with Dr F and perhaps condemning him to confinement forever.



There is no one else who has been as mad, as vividly hallucinated as Schreber was, who at the same time has described with such detail and lucidity what he experienced. In following Schreber's testimony on what patterns the mind breaks up into when it goes wrong, it is as though we are also seeing a film reversed, one that records the putting together of reality from infancy onwards. Step by step, the ordinary growing child puts together time and space and identity. Schreber deconstructs them.

Dinnage 2000

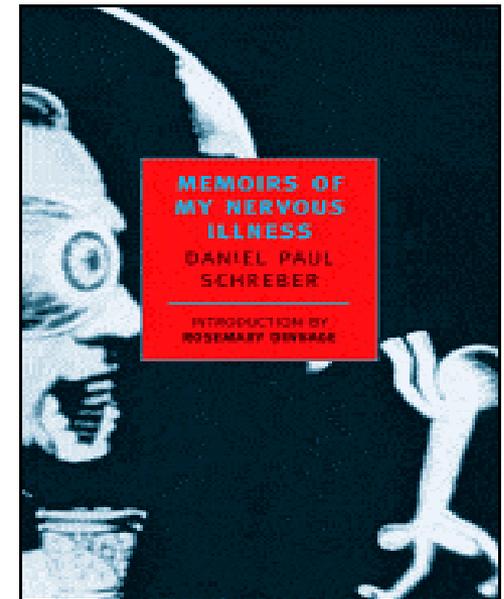
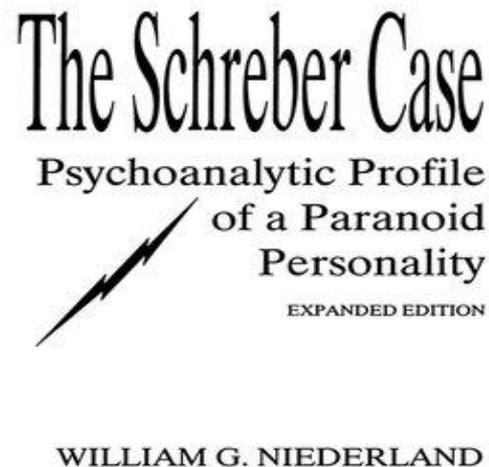


The signs of a transformation into a woman became so marked on my body, that I could no longer ignore the imminent goal at which the whole development was aiming. ...

Soul voluptuousness had become so strong that I myself received the impression of a female body first on my arms and hands, later on my legs, bosom, buttocks and other parts of my body

Schreber, 1903, p163

With my mind's eye I see the rays which are both the carriers of the voices and of the poison of the corpses to be unloaded on my body, as long drawn-out filaments approaching my head from some vast distant spot on the horizon (Schreber, 1903: 273).





Naturally I consider it beneath my dignity to have to bellow like a wild animal because of miracles enacted on me; furthermore the bellowing itself when repeated leads to equally painful concussion of the head. Nevertheless at certain times I have to allow the bellowing as long as it is not excessive, particularly at night when other defensive measures like talking aloud, playing the piano etc, are hardly practicable. In such circumstances bellowing has the advantage of drowning with its noise everything the voices speak into my head, so that all rays are again united. This allows me to go to sleep again ... (Schreber, 1903: 274-275).



**[F]or almost seven years - except during sleep -
I have never had a single moment
in which I did not hear voices.**

**They accompany me to every place and at all times;
they continue to sound even when I am in conversation
with other people, they persist undeterred
even when I concentrate on other things,
for instance read a book or a newspaper,
play the piano, etc;
only when I am talking aloud to other people
or to myself are they of course drowned
by the stronger sound and therefore inaudible to me**

(Schreber 1903: 271).

As long as the shutters [in the cell] were closed
I often thundered against them with my fists
until my hands were raw;
once I succeeded in knocking a shutter down
by force which had already been loosened by miracle,
with the result that the cross-bar was
by miracle made to descend on my head
with such force that my
head and my chest
were covered in blood

(Schreber, 1903:
184).

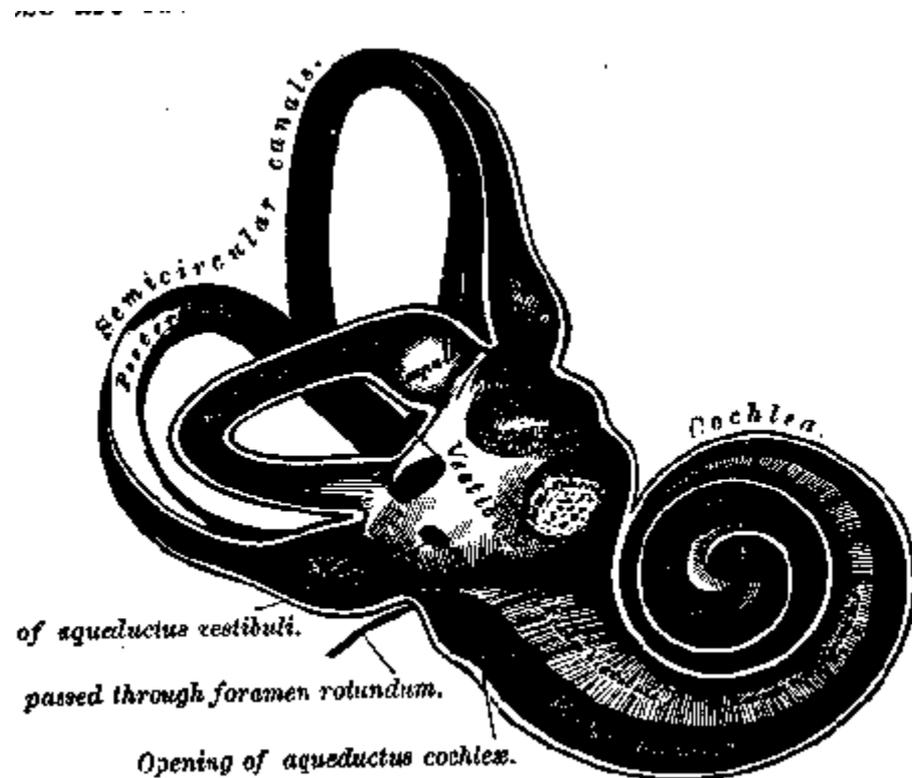


FIG. 460.—The osseous labyrinth laid open. (Enlarged.)

Tutelage under Saxony Law



- Could be imposed at the instance of prosecuting authorities by District Court, eg of Dresden
- If by reason of mental illness the person was incapable of managing their affairs
- A tutor could consent to involuntary detention of the person in an asylum for the insane



Schreber: In What Circumstances Can a Person Considered Insane be Detained in an Asylum Against His Declared Will (1900)

- The accommodation and maintenance of insane persons in institutions is part of the State's task of general care for its subjects
- A distinction must be drawn between those whose detention is in the public interest, ie those who through their illness could become dangerous to themselves or others, and those whose illness is of a less character – the harmlessly insane



Weber Report, 1899: Sonnenstein Asylum

- Progression in Schreber from an acute psychosis to hallucinatory insanity in which paranoid symptomatology had become more prominent



This kind of illness is, as is well known, characterized by the fact that next to a more or less fixed elaborate delusional system there is complete possession of mental faculties and orientation, formal logic is retained, marked affective reactions are missing, neither intelligence nor memory are particularly affected and the conception and judgment of indifferent matters, that is to say matters far removed from the delusional ideas, appear not to be particularly affected, although naturally because of the unity of all psychic events, they are not untouched by them

(Weber, 1899, in Macalpine and Hunter, 2000: 332-333).



Weber Report, 1899

- Schreber is neither confused nor psychically inhibited nor markedly affected in his intelligence
- He is circumspect, his memory excellent, he commands a great deal of knowledge, not only in matters of law but in many other fields, and is able to reproduce it in an orderly manner
- He is preoccupied by pathological ideas woven into a largely fixed system not amenable to correction

Also there is a total lack ...
of the most important criterion of
improvement or even recovery,
namely the more or less clear insight
into the pathological nature of
previous events. President
Schreber it is true leaves open
whether this or that perception
could be illusory; in the main
however he adheres firmly to
the reality of his delusional ideas
and declares the most monstrous
of the events described by him as
facts



(Weber, 1900/2000: 342).



I have since then shared hundreds of meals at the Director of the Asylum's family table, have gone on smaller and greater excursions on foot, by steamship or railway, to public places of entertainment, to shops, to Church, theatre and concerts, not infrequently without being accompanied by an attendant from the Asylum, and have been in possession of a certain, if limited, amount of money.

Nobody will have noticed on these occasions the slightest sign of unreasonable action on my part. It never occurred to me to molest other people by telling them of my delusions or hallucinations

(Schreber, 1901: 369).



Concession in Schreber Submissions

- He had been seen standing before a mirror for significant periods with the upper half of his body exposed and bedecking himself with “female adornments”
- My involuntary bellowing had significantly diminished
- I could safely be released from tutelage without risk to myself or others



Weber 1902 Report to Superior County Court of Saxony at Dresden

- Difficult for a psychiatrist to write a forensic report about a patient with whom he has striven to build up a therapeutic rapport
- Schreber 's behaviour in public had been reasonable: he had been tested in the general community
- However, his nightly outbursts had generated many complaints



Weber 1902 Report to Superior County Court of Saxony at Dresden

- Any layman would consider Schreber's conduct at daily meals pathological: not only the grimacing, screwing up of his eyes, clearing of his throat, the extraordinary position of his head, etc but still more his occasional almost total distraction and absentmindedness so that he does not notice what is going on around him



Weber 1902 Report to Superior County Court of Saxony at Dresden

- Schreber has not squandered any of his money and had been attentive to his personal hygiene, moderate in consumption of alcohol and made concerted efforts to maintain his fitness
- However, his appearance is drawn from sleep disturbances and diurnal restlessness and agitation



Weber 1902 Report to Superior County Court of Saxony at Dresden

- Schreber believes his diarrhoea is a “divine miracle”
- His determination to publish his Memoirs is “pathologically determined and lacking sensible consideration”
- However, the danger for the future is now not great because the sphere of his delusional ideas has gradually become more demarcated from the rest of his ideas
- There is no reason to expect a significant deterioration



Royal Superior County Court of Saxony Judgment

- For Schreber to remain under tutelage it had to be proved he was incapable of managing his affairs, both financial and residential
- Declined to take significantly into account the effect of removal of tutelage upon Sabine – the relationship with her had been close to non-existent for a considerable time



Royal Superior County Court of Saxony Judgment

- A distinction is to be drawn between the posing of significant risk, such as of physical harm, to himself or others, and the causing of annoyance, irritation and even unpleasantness
- The worst consequence that could flow from publication of the Memoirs would be that readers would consider Schreber mentally deranged – the document was not written “for flappers or High School girls”



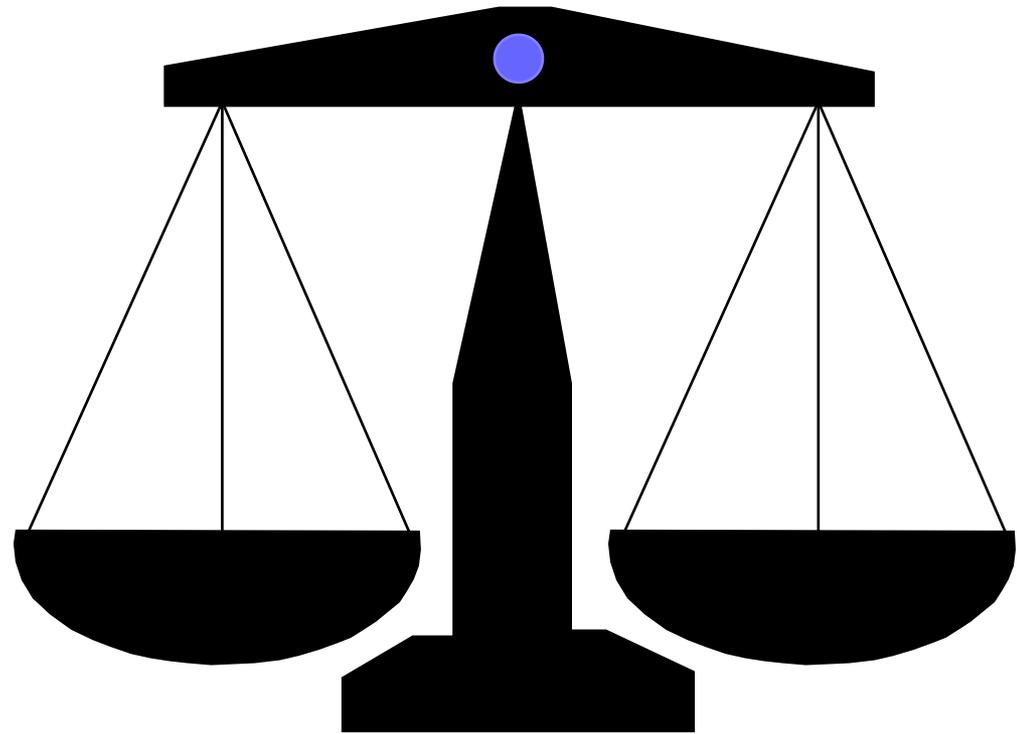
Royal Superior County Court of Saxony Judgment

The *Memoirs* are the product of a morbid imagination and nobody reading it would for a moment lose the feeling that its author is mentally deranged.

But this could not possibly lower the patient in the respect of his fellow men, particularly as no one can miss the seriousness of purpose and striving after truth which fill every chapter.

Whatever one may think of his belief in miracles, no one is entitled to see in it a mental defect which makes plaintiffs require State care. One does not usually and without further reason declare the adherents of spiritualism mentally ill and put them under a guardian, although their way of looking at things supernaturally is also neither shared nor comprehended by the vast majority of their fellow men

(Royal Superior
County Court of
Saxony, 1902)





There are numerous paranoiacs who, despite severe mental derangement and although their thinking sometimes moves in the confines of the most absurd delusional ideas are hardly recognized as sick by their environment, carry on their daily business correctly and in general fulfil the duties of their profession adequately.

One might consider them whimsical and think that they have fixed ideas, but as a rule one does not think of placing them under tutelage

(Royal Superior County Court of Saxony, 1902)



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Schreber's intellectual powers and clarity of thinking in no way have suffered by his illness. The way he personally took up the fight against the tutelage under which he was placed and how he carried it through according to plan, the acuity of the logical and juristical operation developed by him, the reasonableness with which he conducted himself, and last but not least the refined measured attitude he showed when in opposition to the medical expert and the Prosecutor - all this affords indisputable proof that in this field plaintiff has no need of protection by a guardian; rather in conducting his case he was able to preserve his interests to the full and independently, better indeed than anybody else could have done it in his place.



Practical experience has shown that the plaintiff's insane belief in miracles although forming the basis of his mental life does not so dominate him so exclusively that he is deprived of the capacity of quiet and sensible consideration of other affairs of life

**Royal Superior County Court of Saxony,
1902.**

A Postscript

- n Schreber on release spent some peaceful years with Sabine and his adopted daughter
- n 1907: Sabine suffered a stroke
- n 1907: Schreber decompensated and returned to Sonnenstein until his death in 2011





A Postscript: Final Hospital Notes

- Speaks only rarely with the doctor and then only that he is being tortured with the food he cannot eat
- Sleep at night mostly poor. Moans, stands in bed, stands rigidly in front of the window with eyes closed and an expression of listening on his face.
- Scribbles occasional words: “miracles”, “tomb”, “not eat”



A Postscript: Schreber's Wish

- That when my last hour finally strikes I will not find myself in an Asylum, but in orderly domestic life surrounded by my near relatives, as I may need more loving care than I could get in an Asylum.
- Not realised

Ramifications of the Saga



An extraordinary record of psychotic suffering

Unparalleled eloquence in the *Memoirs*

Complex and ethical balance achieved in the Weber reports

Absent narratives: esp Sabine

The forensic skills of the litigant & his encapsulated delusions

The focus on significant risk, not absence of insight in the judgment

**The modernity of the appellate court decision:
its humanity, empathy and lucidity**