

William David Myers. *Death and a Maiden: Infanticide and the Tragical History of Grethe Schmidt*.

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In July 1661, a young woman named Grethe Schmidt was arrested in the city of Brunswick on suspicion of infanticide. Roughly fourteen or fifteen at the time, she had come to Brunswick two years earlier from her native village in the duchy of Brunswick-Lüneburg to work as a servant in the home of a widow named Margarethe Hafferland. There, as she freely admitted, she had slept with the stepson of her employer. She denied, however, that she had become pregnant by him, let alone that she had murdered her child; and at the time of her arrest, no infant's corpse had been found. None of that seemed to matter. Convinced of Grethe's guilt, the magistrates pressed ahead with their investigation. For the next eleven months, Grethe languished in a dungeon, isolated from her family and twice subjected to torture, while the magistrates searched for evidence of the crime. The search led them beyond the walls of the city into the duchy, but there they ran into jurisdictional conflicts with the ducal authorities. Stymied in their investigations, the magistrates finally had to admit that the evidence was too weak and contradictory to justify a conviction on the charge of infanticide. Instead, they decided to punish Grethe for "suspected infanticide," sentencing her to flogging and banishment from the city.

Such, in broad strokes, is the story recounted in William Myers's *Death and A Maiden* — but only in broad strokes. The actual story is much more complicated, and Myers reconstructs it in minute detail from court records preserved in the archives of Brunswick and Wolfenbüttel. In addition, he makes effective use of a large body of secondary literature — on legal history, women's history, and the history of medicine — in order to tease out the larger significance of Grete's case. The result is a fine example of what Robert Darnton has called "incident analysis," a genre of historical writing modeled on Natalie Davis's pioneering book, *The Return of Martin Guerre* (Darnton, "It Happened One Night," *New York Review of Books* 51.11 [24 June 2004], 60–64).

Like many of the works belonging to the genre of incident analysis, Myers's does not come to any definitive conclusion about what actually happened. Instead, it follows the magistrates as they pursued their investigations, using the documents of the trial to illuminate various aspects of Grete's world: the perils and prejudices that beset a young unmarried woman in domestic employment; the fears that the crime of infanticide crystallized; the gossip of jealous neighbors in a tight-knit urban community; the competing claims to authority of midwives and physicians; and much else beside. The evocation of Grete's world is richly detailed. And the details accumulate in the course of a gripping story, which Myers recounts in clear and vivid prose. But what does all the detail add up to?

The most significant episode of Grete's case involved her lawyer, a crusading jurist named Heinrich Oldekop, whom her family had retained on her behalf. A champion of judicial reform, Oldekop took on the case for his own purposes: to indict the overhasty recourse to torture, the limited role of the defense, and the prosecutorial bias of criminal proceedings. Protected by the ducal authorities, he published a strongly worded memorandum denouncing the conduct of Grete's trial; and afterward, when the Brunswick magistrates fined him for his defamatory accusations, he appealed that verdict to the ducal Hofgericht. It was a remarkable display of defiance. By deftly exploiting the political fragmentation of the empire, Oldekop managed to open up a space for public debate on the criminal law, long before the legitimacy of such a debate was established in the Enlightenment.

Myers places his discussion of Oldekop within the dense and tangled narrative of Grete's case, so that its full significance does not emerge as sharply as it might otherwise have done. But he could not have given that discussion greater prominence without departing from his stated goal: to narrate "the story as it unfolds in the records" (14). Organized chronologically rather than analytically, his book brings to life the ordeals of a seventeenth-century German woman, the namesake of the most famous child murderer in German literature whose tragic fate Goethe would dramatize more than a century later.

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