

## The long-term role of forensic medical expertise in placements and detention: from the Enlightenment to the Swiss Civil Code, in Geneva and Vaud.

In civil and penal jurisdiction, forensic assessments coin decision-making with regard to the compulsory confinement of persons posing a threat to themselves or to others. Where does this power of the experts stem from and which factors contributed to the development of forensic psychiatry in Switzerland?

The period under investigation (1760–1910) saw a rise of the epistemological and social power of forensic psychiatry as well as, simultaneously, a strengthening of legal provisions guaranteeing individual freedoms and an increase in the number of institutions replacing hospitals. The project wishes to describe the emergence of novel coercion structures dealing with “deviant” behavior and “abnormal” conduct in a period of liberalism. The project will draw comparisons between the cantons of Geneva and Vaud in which control mechanisms, internments, and treatment methods were put in place precociously, based on forensic assessments.

The recent reappraisal of the history of psychiatry in Switzerland calls for the study of forensic assessments over a longer period of time. Even before cantonal and federal legislation (Swiss Civil Code, ZGB 1907, for example) declared medical expertise mandatory, therapeutic or safety internment was based on forensic assessments of which little is known and that are difficult to access in the archives. This project will highlight the history of an ambivalent practice that is reflected in the current legal situation.

The project wishes to identify the current challenges in the field of forensic psychiatry with regard to placement and internment measures. It will deal with changes to practices, sensibilities, the discourse, and those institutions responsible for forensic assessments, i.e. how they are structured and how they assert themselves. Thanks to the historical reappraisal of the impact of forensic assessments on society, this project will serve today’s experts as a basis for the critical reflection of current legal and administrative procedures.

Forensic assessments aim at objectivizing the mental state of health in order to serve as a basis for legal and administrative decisions. However, experts intervene within a context that is constantly evolving. Thanks to the analysis of a larger time frame, this study will suggest a new understanding for the different factors that change the normative role of forensic assessments with regard to internment practices. A better understanding of the changes that took place will prove to be advantageous for the analysis of current policies and the preparation of future policies.

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