

# Justice and the lesser bodily needs

YESTERDAY I MET AN ACQUAINTANCE OF MINE WHO HAD A VERY strange expression on his face. He was muttering something under his breath, and finally it came out that he was swearing at the laws. It is the duty of every law-abiding citizen not to lose his head in such situations, but to say with complete loyalty, "Well, perhaps it won't be quite so bad."

This is in fact what I said, but the man swore even more and made one or two insulting remarks. First he started to swear at the cops, then he spoke about the Prague City Council and after that he began to abuse the police again. When talking of the district *hejtman's* \* offices he spat contemptuously, and finally he cursed the whole judiciary. After pulling to pieces one by one all those institutions which were set up to protect humanity, cities, animals, and the State, he proceeded to hand me the following instructions on a half-sheet of yellowish paper.

## *Summons*

You are required to report within three days for the purpose of commencing your sentence of six hours' imprisonment, passed by judgement of the City Council of the Royal Capital City of Prague on October 7,

\* Officer in charge of a political district.

1904 (ref. no. P 23714/3), on grounds of an offence under para. 3 of the decree of the City Council of the Royal City of Prague of March 7, 1888, no. 165538. In case of failure to appear you will be forcibly collected.

Imperial and Royal District Court, Royal Vineyards, Prague, section VI, January 9, 1907.

[Signature indecipherable]

“Para. 3 of the decree of the Prague City Council of March 7, 1888, no. 165538! Who the hell would know that? What does it mean, my good friend?” I asked.

“Miserable rascal that I am,” he said, “I broke this regulation three years ago. Blackguard that I am, I went so far as to perform my lesser bodily needs in the night. It’s a shocking case in all its details. I’ll tell you the whole story.

“Three years ago, at half past ten at night, when people were coming out of the theatre, I came out too. God knows what was playing that night. While I was in the theatre I’d already felt an urge to perform my lesser bodily needs, but I didn’t want to go to the urinal there, because I can’t bear the presence of other people when I’m doing it. I need quiet, and I always whistle to myself ‘Feeyu, fee!’ And so I went quickly along the Ferdinand Alley, and I didn’t like to stand over the gutter — not with people coming out of the theatre and the glare of electric light there. . . . Listen carefully — it is an interesting story.

“At that time they were repairing the police headquarters in Karolína Světlá Street. It was nice and peaceful by those planks, nice and quiet, in short a very suitable place. I stood up against them and did what my health required of me. I also gave my usual whistle in the circumstances: ‘Feeyu, feeyu, fee, feeyu.’ Then suddenly the door of the police headquarters burst open, a policeman came out, seized me by the collar, and said, ‘What are you doing here?’

“‘Performing my lesser bodily needs,’ I answered very readily.

“‘Then come with me to the guard-room,’ he said.

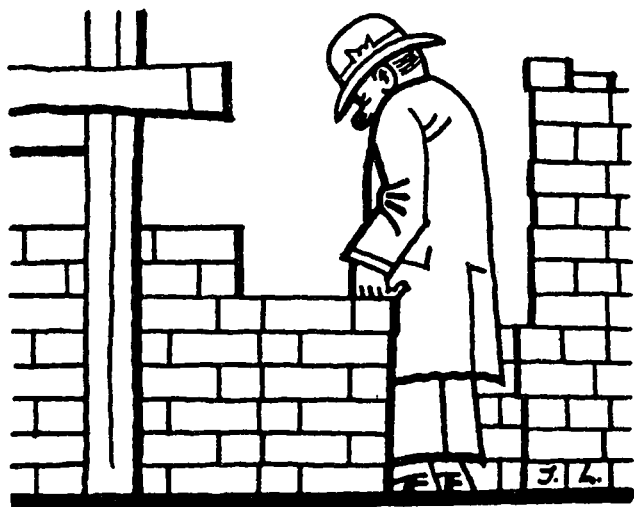
“‘If you insist,’ I said, ‘I’ll come at once, but first let me adjust my dress.’

“‘No, you must not do that,’ he declared. ‘In this case unadjusted dress will be a *corpus delicti*.’

“As he led me away, I just had time to do up one or two buttons. At the police station he handed me over to an inspector, who wrote a report when he learned of my crime.

“‘I can witness on oath,’ the policeman said in a firm voice, ‘that this man did not perform his lesser bodily needs over the gutter, but against the planks which were stacked in front of police headquarters.’

“‘Tell me about the whole incident,’ the inspector urged the policeman, who saluted and began to relate it. ‘I was standing in the carriage-way and I saw a figure approaching the planks. I immediately had the impression that something illegal was going on there. Shortly afterwards I heard a trickle and some whistling. I ran out quickly and caught the perpetrator just as he was going to do up his trousers.’



“‘Did you have the impression,’ asked the inspector, ‘that the accused was deliberately using a spot in the immediate proximity of police headquarters?’

“‘I was struck by his remarkable calm,’ the policeman replied.

The inspector then turned to me. ‘Have you anything to say in your defence or do you admit to the offence?’ I admitted it.

“‘Your name?’

“‘Josef Konvelský.’

“‘Where do you live?’

“‘1862, the Royal Vineyards.’

“‘What place do you come from?’

“‘Slaný.’

“‘Have you ever been convicted?’

“‘Certainly not.’

“‘What was the name of your father?’

“‘Antonín Konvelský.’

“‘And your mother?’

“‘Marie.’

“‘Maiden name?’

“‘Kautská.’

“‘Have you a grandfather or grandmother still living?’

“‘No.’

“‘How old are you?’

“‘Thirty.’

“The inspector then went to the telephone and called the police station at the Royal Vineyards. ‘Hallo! Send a man to see whether at number 1862 there is living a certain Josef Konvelský, thirty years old, coming from Slaný, whose father was Antonín Konvelský and mother Marie, born Kautská.’

“Half an hour later the answer came through. ‘The person in question does actually live in that house. The concierge there says that he is a disorderly man.’

“‘You can go,’ the inspector said to me, ‘but next time remember that the street near police headquarters is not the place for performing bodily needs.’

“A fortnight later I received a summons from the office of the *hejtman* at the Royal Vineyards. I went there and was surprised to find in what low esteem a man is held who performs his bodily needs in the street at night.

“‘That was not very clever of you,’ said the official there. ‘You know perfectly well that if you were not doing it out of sheer luxury or frivolity, you could have done it over the gutter. The City of Prague has asked us to investigate the case. Did you do it with the intention of damaging the City, in its capacity as the authority responsible for upkeep of the pavement?’

“‘No, certainly not.’

“‘Good, then you performed your lesser bodily needs without any wilfully malicious intention?’

“‘Yes.’

“‘All right then. You can go home, but I warn you that the street near the police headquarters is not the place for performing lesser bodily needs.’

“Again three weeks elapsed, and I received a fresh summons to come to the office of the *hejtman*. Here I was told this much: ‘The City of Prague issued a decree of the City Council on March 7, 1888, no. 165538. Are you aware of its contents?’

“‘Certainly not.’

“‘Nor of paragraph 3 of that decree?’

“‘Even less!’

“‘Ignorance of the law is no excuse,’ said the official and sent me home.

“But third time lucky! I received yet another summons to the office of the *hejtman*.

“‘Now you’re here for the third time,’ the stern official said to me. ‘The City of Prague firmly insists that after a thorough investigation of your case we should furnish them with an expert opinion on how far the Prague City Council has been injured by your action. Do you perhaps still remember how many square decimetres of the pavement were watered by you?’

“‘That could be investigated,’ I said. ‘Have me hanged and then conduct a post-mortem on my corpse. Cut out the bladder

and measure its volume. I must warn you that you will also have to take into account whether the pavement slopes and how many holes there are in it. The climatic conditions are also important....'

"'You can go home,' he said. So I did.

"A month later I received an official letter from the City Council of the Royal Capital City of Prague, in which it was stated that I was guilty of an offence under paragraph 3 of the decree of March 7, 1888, no. 165538, and for this offence they had considered it proper to sentence me to a fine of two crowns and, in the case of non-recoverability, to six hours' imprisonment. I was at liberty to appeal against this sentence to the office of the Governor within eight days.

"And so I appealed:

To the Most Honourable Office of the Governor,

The City Council of the Royal Capital City of Prague have sentenced me to a fine of two crowns or six hours' imprisonment for an offence against paragraph 3 of the decree of the City Council of March 7, 1888. The undersigned begs that this sentence should be quashed on the following grounds:

a) I performed my lesser bodily needs in the interests of safeguarding my health. The Honourable Office of the Governor will certainly be aware of cases where bladders have burst.

b) I did not offend against public morals, because no one but the policeman saw me and it was at night.

c) Finally I did not injure the City of Prague because I performed my lesser bodily needs on a heap of planks stacked near the police headquarters.

"A year later I received an order from the office of the Deputy-Governor, in which I was informed that my objections were not upheld and my act of performing my lesser bodily needs was consequently reinstated as an offence.

“After that they wanted to levy distraint on my property so as to collect that fine of two crowns. Three years later, because I had no money, I received a summons to start my six hours of imprisonment. Please, write a thesis on this case. I’m going to make them collect me forcibly.”

I promised I would but, in the end, instead of writing a thesis, I wrote a story about the case of Mr. Josef Konvelský, who will never stop swearing at the laws. . . .