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## Criminological Discourse and Practice

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Michel Foucault's seminal works on deviance and normality, recounting the birth of modern regimes of discipline, continue to cast a towering shadow over contemporary historians's and social scientists' understandings of these topics. While a preponderance of current academic research on the history of crime and punishment bears the imprint of Foucault's rich philosophical insights, historians at the same time refine and complicate the paradigm he laid out. Peter Becker's *Verderbnis und Entartung* is an excellent example. It is a sophisticated account of nineteenth-century German criminological discourse and practice that draws on a Foucauldian methodological perspective, while also offering a distinct conceptualization of the subject. Becker argues that interpretations of criminality in the era from the late-eighteenth century into the early-twentieth century presented a binary opposition between the respectable, bourgeois self and the criminal Other. Therefore, understanding the criminal type became a crucial means for defining "normal" bourgeois identity for the police and prison officials, social and moral reformers, theologians,

philosophers, fiction writers, moral statisticians, juridical experts, anthropologists, psychiatrists, and medical practitioners who contributed to the construction of nineteenth-century criminological discourses.

All of these experts, Becker observes, defined the criminal not in the juridical sense—as someone who has broken the law—but as a moral or medico-anthropological Other with a susceptibility to criminality, understood as behavior which threatened the social order and progress. This expansive conception of criminality (which did not even necessitate the commission of criminal acts) meant that the category encompassed not just thieves, murderers, and sexual predators, but also alcoholics, gamblers, vagabonds, prostitutes, and young men who associated with prostitutes—in short, all those regarded as not integrated into bourgeois civil society. The dream shared by these diverse criminologists was to create the "utopia of a society free of asociality and deviance" (p. 16). The unexpected difficulties in realizing this ambition, according to Becker, help explain the major shift in criminological thinking that took place toward the end of the nineteenth century.

As Becker notes, Foucault focused his attention primarily on the shift in criminological thinking that occurred in the eighteenth century as the Enlightenment generated new ideas about deviance and new disciplinary practices. Becker's account examines a later transformation in both discourse and practice, which he points out Foucault largely ignored. Becker argues that the early-nineteenth-century criminological discourse envisioning the criminal as morally depraved gave way by the end of the century to a perspective emphasizing the criminal as biologically degenerate. In place of the corrupt criminal who consciously flouted bourgeois norms appeared the criminal whose sickness was rooted in body rather than mind. While Becker does not claim to be the first to describe this medicalization of deviance, he does offer his own conceptualization of this shift in criminological discourse. He presents two "narrative models" [*Erzählmuster*] that he claims governed the image of the criminal in the two eras he covers. Becker argues in a chapter on the "moral history of evil" that in the early part of the century criminalists saw criminality as the story of "fallen men" [*gefallene Menschen*]. At the end of the century they turned to a "natural history of evil" that was a story of "disabled men" [*verhinderte Menschen*]. Becker asserts that these narrative models organized the diverse moral and philosophical ideas about the criminal as well as the practical experiences of those engaged in policing.

Along with the shift from one narrative model of the criminal to the other came a transformation in the profile of the criminal investigator. In the early part of the century the *criminalist* interacted closely with the criminal in the practical realms of policing and the judicial process, while the later period gave rise to the scientific *criminologist* (a term coined in this era), who was characterized by a distant and theoretical approach to criminality. Whereas the criminalist tended to privilege the practical aspects of policing, especially the protection of property and the moral order, the criminologist saw crime as a medical and anthropological problem more than a moral one, to be solved through the application of science.

In Becker's account, the paradigmatic criminal of the early-nineteenth century was the "crook" [*Gauner*], someone who violated liberal expectations for citizenship and resisted integration into bourgeois social values. Becker connects this discourse on criminality to the Enlightenment concern with free will. For Enlightenment thinkers such as Kant, virtuous social behavior flowed naturally from a proper education in the exercise of reason. Social stability and progress depended on citizens' voluntary integration of rational moral imperatives into

their behavior (pp. 45-46). The crook challenged the ideal of civil society by refusing to respect private property, deal honestly with others, and obey the moral precepts reason demanded. The crook, in opposition to the respectable citizen, "abused the freedoms and institutions of civil society and engendered distrust in social and economic exchange" (p. 21), imperiling the norms that allowed civil society to function. The idea of civil society rested on the notion that individuals possessed free will, and since rational and law-abiding behavior were seen to be identical, criminality implied a deliberate abdication of reason on the criminal's part. This idea of criminal deviance, Becker comments, bore clear traces of Christian moral thinking. In a chapter on the "moral history of evil," Becker argues that the criminal was represented as a "fallen man," whose chosen abandonment of reason and morality (through pride, greed, or temptation) led directly to a criminal life. Even doctors who argued for a medical view of a condition like alcoholism claimed that its physical aspects resulted from a lifestyle choice for which the alcoholic was ultimately to blame.

Becker elaborates on those aspects of the criminal problem of most concern to early-nineteenth-century criminal investigators: alcohol misuse and prostitution. The alcoholic typified the criminalists' idea of the fall from grace, from bourgeois respectability to criminal deviance. Alcohol acted as the trigger for a descent into bestial depravity, but was not itself the cause of this fall. Rather, it was simply the sign that a man had acted against the reason that should have guided him. Prostitution likewise represented an abrogation of duty, namely the woman's responsibility for restraining male egoism and sexuality, and channeling them into useful purposes. Instead, the prostitute gave free rein to her unregulated desires, like a man did, while also failing to check men's vices. Criminalists saw the prostitute as a danger to public security because she threatened to corrupt the morality of innocent young men who came into contact with her. Faced with a practical inability to eliminate prostitution entirely, criminalists found themselves in a quandary: as they sought to close bordellos, which they believed to produce an especially corrupting moral environment, they forced prostitution onto the public streets, where it threatened to contaminate respectable bourgeois society. Criminalists had to decide whether to destroy the institutions of the criminal world and disperse criminality, or to regulate crime and isolate it from the public sphere.

The dilemma of how to confront prostitution typified the broader concern among criminalists about how

to address the criminal “counter-world” that socialized its inhabitants into an inversion of bourgeois normality. On the one hand, moral reformers saw it as necessary to eradicate the criminal “counter-world” by bringing its inhabitants under the sway of prevailing social norms, or at least redeeming its children; on the other hand, practical policing focused on measures that maintained the boundaries between bourgeois civil society and the world of deviant criminality by isolating the latter.

Becker argues that the results of criminalist measures to cope with criminality in practice helped foster the narrative model of criminals as “disabled men.” As criminalists investigated the criminal world more and more closely, they discovered two things: the persistent difficulty of telling the criminal apart from the upstanding citizen by external appearance, and the intractability of apparently unreformable criminals. New technologies, including photography, fingerprinting, and improved communication between local police authorities allowed better tracking of the careers of individual criminals, making the problem of recidivism increasingly visible. These changes, along with a broader “scientification of the social,” helped transform the archetype of the criminal away from the asocial crook, who was usually a property criminal, to the degenerate criminal, who committed violent (often sexual) crimes.

Both the desire to discover elusive external markers of criminality and the growing belief that some criminals were irredeemable helped drive the shift from the narrative of the “fallen man” to that of the “disabled man” whose biological degeneracy led to criminality. New scientific criminologists sought in physical characteristics signs of degeneracy and atavism that would reveal a predilection to criminality even among those who had not committed criminal acts. The influential Italian criminal anthropologist Cesare Lombroso promoted these “visions of the localizability of evil” (p. 291) most fervently. At the same time as criminologists sought to discover such physical signs of criminality, they also increasingly accepted the idea that criminality, because of its physiological origins, was impossible to eliminate through reform and education. The criminological discourse of the “disabled man” suggested a new understanding of how criminality could be eradicated.

Social reformers and criminal investigators working before the late-nineteenth century studied the criminal with the goal of eradicating the criminal life-world. Becker asserts that the “radical language of extermination and exclusion” (p. 12) that they used was not di-

rected at the criminals themselves, but at their lifestyle and behavior. The criminalist examined the crook’s biography to locate the point at which he had violated the norms of bourgeois respectability, with the view of reforming him or his children. The criminologist, on the other hand, focused not on biography but on genealogy to locate the criminal’s hereditary physical defects. Unlike the criminal archetype of the crook, the degenerate was unreformable due to an actual physical inferiority. In addition, the degenerate threatened not only the present social order through criminal acts, but society’s future as well, by passing along these hereditary deficiencies. Scientific criminologists, armed with this theoretical knowledge about criminality, turned the language of extermination from the criminal “counter-world” to the criminals themselves, producing visions of a healthy society expunged of inferior bodies through eugenic projects.

Though Becker’s picture of the changes in criminological discourse in the nineteenth century is not entirely new, he adds to the current scholarship in crucial ways. His book adeptly synthesizes much theoretical research that has been focused on other national contexts and brings it to bear on the study of a largely neglected body of German criminological texts. Perhaps more importantly, Becker effectively shows the dialectical interplay between criminological discourse and practice, and especially the influence of the latter on the former. For instance, he argues that Hanover’s bureaucratic reorganization of criminal records in 1846 (which introduced a system of personal files for each criminal instead of files organized only by crime) promoted a biographical understanding of criminality by allowing the easy reconstruction of an individual criminal’s career from the fall into criminality onward.

A related virtue of Becker’s book is his subtle and complex reading of a variety of different texts, including visual ones such as Ferdinand Naumann’s “The Bottle,” a cautionary tale told in eight pictures with commentary, which illustrates the narrative model of the “fallen men.” Becker is equally adept discussing the Kantian idea of free will and the narrative style of police reports, and connects his disparate sources to each other in a compelling fashion.

This is an extraordinary book that succeeds on all levels. Becker’s text is at once theoretically informed and jargon-free. It is clearly written, extremely well organized, and nicely illustrated with the images Becker analyzes as well as explanatory tables and graphs. Becker draws on an impressive base of primary and secondary

sources. As a reading assignment, it would certainly work well in a course concerned with criminology or deviance more generally, as no similar text currently exists. The book is an excellent candidate for translation into English, as it would find readers not only in undergraduate and graduate classrooms, but among scholarly specialists as well as those looking for an overview of nineteenth-century criminology.

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