

Book Review: Crime and Criminal Justice in Modern Germany, ed. by Richard F. Wetzell, New York and Oxford, Berghahn Books, 2014, 368 pp

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BOOK REVIEW

Crime and Criminal Justice in Modern Germany, ed. by Richard F. Wetzell, New York and Oxford, Berghahn Books, 2014, 368 pp., £60, ISBN 978-1-78238-246-1.

In the last decade, the history of crime and criminal justice in modern Germany has been experiencing a boom. In particular, historians have increasingly begun to explore perspectives beyond legal history, situating crime and the societal reactions to it in broader political, social, and cultural contexts. *Crime and Criminal Justice in Modern Germany*, an edited volume published by Berghahn Books in 2014, promises to provide an overview of the most recent research. To put it briefly: the book succeeds. Its twelve chapters, authored by early and mid-career scholars from the U.S., Great Britain and Germany, attest to the vitality and the diversity of the field, exploring the question of crime and criminal justice from a range of productive and innovative perspectives.

The editor Richard F. Wetzell (GHI Washington D.C.) is well known to those interested in the history of crime in Germany. His monograph *Inventing the Criminal* (2000) is the authoritative study on the emergence of criminology as a discipline in modern Germany; the 2006 book *Criminals and their Scientists*, co-edited with Peter Becker, adopted a more international perspective. With his latest book, Wetzell stays true to his area of expertise, but shifts the focus from the scientific to the legal and penal responses to crime.

In his introduction, Wetzell concisely sketches out the larger lines in the development of the field. As he argues, scholars of modern German history were 'relative latecomers' when it came to researching crime and criminal justice. Following the lead of Michel Foucault and E. P. Thompson, early modernists have produced a plethora of studies on the history of crime in the course of the last quarter of a century, whereas research on crime and criminal justice in the nineteenth and twentieth centuries has been thriving only after the turn of the millennium. Nevertheless, research in the field has moved well beyond the constraints of legal history, and scholars have connected their topics to the larger questions of political, social, and cultural history. As Wetzell writes, the book thus collects some of the pioneering contributions to the field and aims at presenting them to a broader audience. Unfortunately, the introduction does not attempt to develop a broader synthesis of the field. As the individual chapters undoubtedly show, the potential would have been there, and the book could have considerably gained from such an overarching, synthesizing argument.

Instead, the twelve chapters – which, by the way, are all excellently written and present their argument clearly – are organized in four parts of three chapters each, mostly following a chronological rather than a thematic order. Part I contains the chapters dealing with Imperial Germany, exploring the relation between criminal justice and public opinion (Benjamin Carter Hett), the Social Democrats' perspective on crime and criminal justice (Andreas Fleiter), and the debates on the reform of women's prisons (Sandra Leukel). All three contributions touch on the larger topics in the history of Imperial Germany, providing differentiated perspectives beyond the traditional portrayal of Imperial Germany's juridical system as an instrument of authoritarian rule.

In the second and third parts, the focus moves to the short-lived Weimar Republic, which clearly dominates the book. While the chapters in part II examine different aspects of penal reform in the years between 1918 and 1933 (Nikolas Wachsmann, Gabriel N. Finder and Warren Rosenblum, respectively), part III shifts the focus from the juridical system to the public sphere, with all three chapters using prominent murder cases to explore the general public's and

intellectuals' fascination with crime, as well as the role of psychiatric expertise, class and gender in the interpretation of these cases (Sace Elder, Eva Bischoff and Daniel Siemens, Todd Herzog).

Only the last three chapters look at the years after 1933. A single chapter by Robert G. Waite deals exclusively with serious juvenile crime and criminal justice in Nazi Germany, while the two following chapters by Petra Gödecke and Jennifer V. Evans look at the post-war decades in the Federal Republic of Germany and the German Democratic Republic, respectively.

To sum up, all of chapters are excellent. Some of the work presented here draws on research that has already been published in monographs, but nonetheless, each contribution offers new and compelling insights. As a book, however, *Crime and Criminal Justice in Modern Germany* does not fully realize its potential. One problem, already mentioned above, is the lack of an overarching, synthesizing argument that would have allowed it to relate the individual chapters to each other. Moreover, the chronological coverage is somewhat uneven for a book that aims at providing an overview of the modern age. Six of the chapters deal with the Weimar Republic, but only one chapter each with the 'Third Reich' and the two German post-war states. To a certain degree, this imbalance mirrors the preferences of researchers in the field, but nonetheless, the book would have gained from a more balanced representation of the different political systems. I also would have wished for more contributions to move across these chronological caesuras and political borders, and to develop comparative perspectives, which could also shed more light on the larger continuities and discontinuities in the history of crime and criminal justice (In the introduction, Wetzell rightly stresses the need for international comparative perspectives in future research). Finally, as a whole, the book is perhaps too strongly pervaded by a tendency to write the history of crime and criminal justice from a top-down view. When social historians and early modernists discovered the topic some decades ago, they were strongly interested in what the files produced by the judiciary and penal system could tell about the every-day life and the social realities of classes not represented elsewhere. With few exceptions, the focus here is again on lawyers and judges, state officials, intellectuals, and forensic experts, while the experiences and agency of those on the other end of the system are rarely explored in detail.

However, despite these critical remarks, this is a great book. It is an important reference for any scholar interested in the history of crime and criminal justice in the modern era. As the twelve contributions unmistakably show, research in the field is in fact thriving, and will hopefully continue to do so.

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