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Quantification and Criminal Justice History in the Nineties: Some Introductory Remarks

*Eric A. Johnson**

Only a couple of decades ago both criminal justice history and quantitative history were only fledgling children in the professional historical household and quantitative criminal justice history was barely a baby. The decade of the seventies witnessed a dramatic growth spurt in both quantitative and criminal-justice history and the merger of the two seemed to be only natural. With reams of judicial statistics to add to mounds of census figures, the evidence was there (at least for modernists). With warfare and the threat of war amongst the major world powers fairly well tucked away behind the Berlin Wall or subjugated to distant third world places, the questions of the day were largely internal ones; and, since crime probably comes only second to warfare in animating political discussion and derivatively historical interest, the motive was there. And with the advent of affordable access to main-frame computers, the means was there. Proof of scholar's intent to make the study of crime and criminal justice a full grown subfield of the historical profession, and often with a significant quantitative component, came with the nearly simultaneous establishment in the mid to late seventies of two parallel organizations to promote such study - the criminal justice workshop of the American Social Science History Association and the European-based International Association for the History of Crime and Criminal Justice.

By 1980 enough solid work had been published to allow Eric Monkkonen, himself a leader in both quantitative and criminal justice history, to attempt a critical survey of the field.(1) From his text and from his notes, one can make the following observations. At the time of his writing most of the quantitative historical work on crime and justice had been written by American and British scholars,(2) and most of the work had been published in article format, usually in either sociological journals like the American Sociological Review, the American Journal of Sociology, and the Journal of Criminal Law and Sociology, or in rather newly established historical journals with a special emphasis on social-scientific approaches like Social Science History, the Journal of Interdisciplinary History, the Journal of Social History or Historical Methods. In Monkkonen's view

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most of the work had been informed by what he termed »five grand models,« which were all quite closely related to one another - »the evolutionary perfectability scheme, the modernization hypothesis, the urbanization thesis, the industrialization thesis, and the community to society thesis«- and by two »somewhat less grand models,« which he called the »social control model« and the »constancy of punishment (rather than crime) thesis.«(3) Finally, the future outlook for the quantitative approach looked very bright.

Though one might argue that, as an Americanist, he overlooked some important non English-language books and authors,(4) his article still stands as a useful overview for what had been accomplished by the time of his writing. But what has happened in the last decade? What is the outlook for quantitative historical studies of crime and justice as we enter the nineties? And what appears to be most prominent on the research agenda?

The nine essays in this volume and their authors' other published work help to answer these questions. In that the essays are written by scholars residing in and working on the history of seven different countries - Germany, Holland, New Zealand, Poland, Sweden, the United Kingdom and the United States - and in that they were presented in August 1990 at the Madrid International Congress of Historical Sciences, it is clear that the field has expanded considerably in the last decade, especially in an international sense. In that all of the authors have published extensively on the subject in the past, both in articles in some of the most traditional historical journals in their respective countries and in books by leading university and commercial presses, it is clear that the field has become firmly established and more genuinely accepted.(5) In that women, as historical actors, are integrally involved in nearly every one of the essays, and in that three of the contributing authors to this volume are women (n.b. none of the prime authors cited in Monkkonen's 1980 article were female), there is some indication that the field has become more concerned with women's roles and more open to and attractive to women themselves. And, finally, in that all of the authors recognize the need to combine both qualitative and quantitative evidence and that their focus is on a wide variety of topics - from sentencing practices in two American states before the civil war (Bodenhamer) to the treatment of Poles in the Russian Empire (Gruszczynska and Kaczynska)- and time periods - with an equal concentration on the early modern period (Diederiks, Sharpe, Spierenburg, and Sundin) and the modern period (Bodenhamer, Gruszczynska and Kaczynska, Haslett and Fairburn, and Weinberger) - it appears that the entire enterprise is moving toward a much more truly historical as opposed to a more narrow historical-sociological approach.

All of this is, of course, to the positive side of things. Are there, however, any warnings which we might want to caution against as we look at the research agenda of the nineties?

One concern has to do with the use of statistics - always a very sensitive issue in criminal justice studies. Here, however, the problem is not that one need fear that historians will not recognize the pitfalls surrounding the always present »dark figure« in criminal statistics, and, thus, that historians will use them indiscriminantly. Several of the essays in this volume, in fact, spend as much time warning against the misuses of statistics as they spend in using them (see especially Jim Sharpe's intelligent discussion here). Rather the problem is that they may not use them enough; or, more specifically, they may shy away from using certain statistical procedures which would provide a more thorough and revealing analysis of their data than simple counting and percentaging procedures can often hope to provide. Thus, even though historians have had considerable success in establishing the field of criminal justice history and in using statistical evidence judiciously in their studies, it is unclear as to whether the serious use of quantitative methods as opposed to the mere use of quantitative evidence has made much greater inroads in the field over the past decade.

Whereas all of the essays in this volume concern themselves at least somewhat with statistical evidence and most of them use the computer in some capacity, only one of the essays uses more sophisticated statistical techniques than simple percentaging and it should be noted that one of the coauthors of that paper is himself a specialist in statistics and operations research (Haslett). Furthermore, only two of the other authors (Sundin and myself) have made frequent use of more sophisticated quantitative methods in their past work. As many other authors might presumably have contributed to this volume, however, the outlook for the use of formal quantitative methods might be brighter than it appears. But I rather doubt it for the near future at least. Though I know of no empirical survey of the publishing trends in criminal justice history, other recent surveys of social scientific and quantitative history in general have had somewhat pessimistic findings and I would guess that such a survey of criminal justice history, especially now that it is more fully integrated into the historical discipline than it was in the seventies, would show similar trends.(6)

Perhaps this need not greatly concern us as simple statistical techniques can go a long way toward answering most of the questions of interest to historians of crime and justice, and many of these questions, with a few prominent exceptions, now seem to be less directly theoretical in a scientific sense than they were a decade ago. But the role that explicit theory has to play may also be seen as a question mark for the next decade. A reason for this might be that many of the important questions involved in the »five grand models« which Monkkonen alluded to in 1980 have perhaps been, by now, well enough answered. Certainly the »evolutionary perfectability scheme« and simple »Gemeinschaft to Gesellschaft« change no-

tions have been fairly convincingly smashed into the ground as explanatory models for criminal behavior and for social behavior in general.(7) But the modernization, and the closely related urbanization, and industrialization models still need to be more fully addressed in a rigorous theoretical manner (note that many of the essays here, including all of the early modern ones, directly confront the modernization theory in one form or another), and much more theoretical and analytical work needs to be done to sort out the often fuzzy implications of the »social control model« (see Barbara Weinberger's essay) and the even murkier promises of the »constancy of punishment thesis,« especially given the recent popularity in some circles of Foucault and deconstructionism (Pieter Spierenburg rises to the occasion here).

Despite what one thinks about the deconstructionist movement, however, it and its newly forged allies in the popular everyday-life history movement and the feminist history movement will likely have a serious impact on criminal justice historical studies in the new decade just like they are now having on the historical discipline in general.(8) Though, in their general antagonism to formal theory and quantitative methodology, these new »post-structural« movements might be unsettling to some, they can be enlisted to breathe added new life into the discipline. As alluded to above, the role of women and gender certainly needs to be considered in greater detail than it has in the past especially as the changes in female status and work roles are main components of the modernization process. Furthermore, a greater attention to the everyday-life experiences of criminals and deviants and criminal justice authorities alike can add needed flesh and blood and excitement and hence more tangible meaning to criminal justice history in general, especially when it is combined with a theoretically relevant approach.(9).

Hence while the discipline of criminal justice history can expect in the nineties to be invigorated by a variety of newcomers, which can be seen as welcome new members, it still has some old business to finish. As so much progress has been made already, it can be expected that the newcomers will help pave the way for more intelligent and communicable syntheses. This is especially the case as the statistical and theoretical approach has helped enormously to put some bounds around the broad trends of criminal and criminal justice behavior and it appears that we are on the verge of some general, if still not very highly formalized consensus about the broad outlines of criminal and criminal justice behavior over the past several hundred years.(10) As Jim Sharpe argues in his essay and as Jan Sundin points out in his conclusion to this volume, the careful compilation of various local studies in Sweden, England and elsewhere by these scholars and others (e.g. most notably of late the Swedish historian Eva Ósterberg and the British-American historian Lawrence Stone)(11), demonstrate that

whereas there does seem to be some serious evidence for a downturn in personal violence from the late medieval to the modern industrial period (interestingly enough, though as yet not explained why, being most noticeable in several societies in the sixteenth through eighteenth centuries), it is highly debatable that there was any distinct increase in property offenses over the long haul, or any particular link between urbanization, industrialization and crime in the modern period, as many theorists have argued in the past.⁽¹²⁾ Using this quite exciting and important issue as just one example, we can see where both traditional historical work and some new conscious theorizing still need to be conducted if we are to understand our past with an eye to developing intelligent policies for our future.

And whereas statistics and the computer will still be necessary to help sort out what appear to be the major questions on the research horizon of criminal justice history of the nineties, a big question mark remains about what their specific role will be. There can be no question, however, that criminal justice history as central to both the understanding of popular values and mentalities and of institutions and grand processes will continue to thrive in the next decade as it has in the past two.

The first four essays in this volume all concern the early modern period, which now is one of the most exciting areas for criminal justice history. Each of the authors is a leading figure in this enterprise and has published widely before. While the essays by Diederiks, Sharpe, and Sundin concentrate primarily on crime trends, Spierenburg's focusses on the early development of the prison. What unites these essays, however, is their attempt to come to terms with the modernization thesis, which seems to be of great concern to a great many scholars of this period even if all of the authors are keen to argue against it in one way or another. Though none of the essays relies on complicated or highly sophisticated counting and quantitative procedures, all of them are quite sophisticated in deciding what should be counted and how it should be counted. Perhaps, because statistics themselves are less available for the pre-modern period than for the modern period, early modern historians tend to be more skeptical about their data and more cautious in their calculations. Perhaps one of the major contributions these essays make is indeed their sensible statements about method, statements which modernists could learn much from.

Jim Sharpe's essay on »Quantification and the History of Crime in Early Modern England: Problems and Results« can be read as a kind of second introduction to this volume. Sharpe provides an excellent overview to the extensive work that has been published by historians of crime and justice in early modern Britain, including his own exemplary work, and a cautious warning about the possible uses and misuses of criminal justice statistics which can well serve as a warning and a guide to early modern historians

in all countries. Starting with the basic premise that the »usefulness of quantification for historians of crime is largely dependent on what they count and their reasons for doing so,« which he demonstrates in a wide variety of ways throughout his essay, he proceeds to delineate in a balanced, critical, and illuminating fashion »the main lines in crime and punishment between 1550 and 1800« in England.

In guiding us through the many community studies written of late by British historians, he warns how the pre 1800 statistics are often biased by considerations of wealth, and thus the statistics tend to greatly undercount the actual amount of crime that took place. Furthermore, he cautions that the scattered and fragmented evidence available to historians of the period might not be representative of the broader picture. But doing his best to piece together the broad pattern of criminal trends which the best of the British work delineates, he argues that there was indeed a great drop in crime from the 1500s to the 1700s, but that this may have been much a result of a pronounced »shift away from high levels of prosecution for property offenses.« Still, he concludes that »any notion of a transition from a 'feudal' criminality based on violence to a 'modern' one based on property crimes cannot be sustained from sixteenth and seventeenth century criminal statistics.«

While criminal justice history might be more highly developed in Britain than in any other country, the Dutch historians Pieter Spierenburg and Herman Diederiks and the Swedish historian Jan Sundin demonstrate in their essays that Holland and Sweden do not lag far behind in this field. Diederiks' and Sundin's essays are similar to Sharpe's in that they both focus primarily on crime trends in their respective countries and both confront the modernization argument with skepticism. Diederiks bases his study, entitled »Quantity and Quality in Historical Research in Criminality and Criminal Justice: The Case of Leiden in the 17th and 18th Centuries^ on the analysis of circa 5,200 criminal cases in a medium-sized Dutch city known today for its university, but in the period he studies dominated by the textile trade.

Above all Diederiks is concerned with testing several different theories which have often been used to explain ups and downs in crime trends over long periods, particularly the modernization theory, the state building theory and the theory that crime is largely attributable to economic development. Though he might be guilty of assuming too much familiarity on the part of the reader with these theories, his essay makes an impressive case against the modernization argument by sorting out and charting time-series trends in violent and property offenses in Leiden with special attention to considerations of gender, occupation, ups and downs in the business cycle and the local textile industry, and immigration and emigration.

Sundin's essay »Current Trends in the History of Crime and Criminal Justice: Some Conclusions, with Special Reference to the Swedish Experience^ though placed at the end of the volume because it helps serve the purpose of a concluding essay, informs us of the exciting work that is now going on in Sweden. Also it elaborates on Sharpe's warnings about the dangers in using criminal statistics by using some illuminating Swedish examples of local crime studies in the early modern period. Like both Sharpe and Diederiks, Sundin pays special attention to the modernization thesis. Though he and Eva Osterberg and others find that Swedish local studies in the early modern period show a distinct downturn in criminal violence between the 16th and 18th centuries, he too distrusts the modernization thesis of Norbert Elias and others particularly because there was no measurable increase in property offenses until well after the Second World War (much later than the theory calls for). With this in mind, Sundin calls for more interdisciplinary work and, above all, more contact between people studying different time periods and different countries to avoid overlapping and redundant studies and to sort out the modernization thesis once and for all. Finally he suggests that scholars may be guilty of late of trying to be too subtle in their approaches and theories and have thereby erred recently in overlooking the old standby that crime is primarily a function of social and economic conditions, especially poverty and ethnicity.

Pieter Spierenburg's essay, »Prisoners and Beggars: Quantitative Data on Imprisonment in Holland and Hamburg, 1597-1752,« while also making a contribution to the modernization argument, takes us in a different direction by focussing on the development of incarceration. Meticulously assembling and analyzing data from Dutch and German rasphouses, spin-houses, prison registers and log books from the late 16th to the mid 18th century, he provides straightforward quantitative evidence to disprove Foucault's now popular argument about »the birth of the prison.« Whereas Foucault is wont to demonstrate sudden transformations in penal practice and in history in general, Spierenburg sees the growth of imprisonment as a slow and gradual, developmental process beginning well before Foucault and others have argued. Spierenburg's evidence also is used to argue that the *raison d'etre* for imprisonment was to act as a surrogate family and thus to reform the moral character of the prisoners, more than it was to contribute to the economic welfare of the state, as argued by George Rusche and others. While not directly stated perhaps, Spierenburg's essay also calls the modernization argument into question by suggesting implicitly that there was no great perceptible change in prison populations and derivately in criminal activity as society moved from the pre-industrial to the industrial period.

Whereas Sharpe's, Diederiks', Sundin's and Spierenburg's essays all have a great deal in common, this is somewhat less true of the four essays

written by the modern historians in this volume. For one thing they have much more data at their disposal - trial records, government and police statistics, newspaper accounts, and plentiful social and economic census information. This surfeit of information brings both opportunities and problems in its wake. While they appear to have the data available to treat a wider variety of theoretical and historical concerns than perhaps do the early modernists, they also have greater problems involved in developing meaningful sampling strategies and employing the proper quantitative techniques. Perhaps for these reasons, they often work in harmony with statisticians. It should be noted here that because of strict demands on space, much of the most elaborate technical discussion and evidence in the Polish and New Zealand contributions had to be cut out.

This said, the differences between the concerns of modernists and early modernists are not so great as it might seem from the particular essays in this volume. If the modernists' essays do not focus, for instance, as much on modernization theory, that is not because modernization is not a concern to historians working on the industrial and post-industrial period for it has been indeed a central concern of much of the work in the field to date.⁽¹³⁾ Though it is a central concern, however, it is a concern which obviously is in competition with many other important concerns as the essays of Bodenhamer, Gruszczynska and Kaczynska, Weinberger, and Haslett and Fairburn demonstrate. But, whatever the focus of their work, the modernists are usually just as concerned as the early modernists to couch their quantitative arguments in a solid qualitative framework and to be cautious about the use of crime statistics.

Modernization concerns are not entirely absent in the four modernists' essays here, however, as the American historian David Bodenhamer demonstrates in his essay, »Criminal Sentencing in Antebellum America: A North-South Comparison.« In his contribution, he focusses his discussion on comparing sentencing practices in two American states in the pre-civil war period - the comparatively urban and industrial, non-slave-holding, northern state of Indiana with the more rural and agricultural, slave-holding, southern state of Georgia. The modernization argument, as he sees it, would lead one to expect that the more »modern« state of Indiana would have been more concerned to prosecute property offenses more vigorously than the less »modern« state of Georgia. But Bodenhamer finds that this did not happen. Despite the marked dissimilarity in the economic organization of the two states and the fact that the two states invested different bodies with the power to sentence (juries of peers in Indiana, the judge in Georgia), Bodenhamer concludes that »the character of justice in the early republic was more alike than different.« It should also be noted that in finding plea bargaining to be a fairly wide-spread practice in both states »well in advance of the time most scholars assign for its emergences

Bodenhamer believes that his evidence further calls the modernization argument into question.

The modernization theory again comes into play in the Polish scholars' Beata Gruszczynska and Elzbieta Kaczynska's essay »Poles in the Russian Penal System and Siberia as a Penal Colony (1815-1914),« even if they do not mention it explicitly in their text. In this pioneering attempt to make some sense out of the fragmentary and highly questionable Russian criminal justice statistics (it is perhaps the first quantitatively based criminal justice history essay on nineteenth century Poland written by Poles themselves), they find that theft and other property offenses actually declined in the nineteenth century while personal offenses increased. This, of course, runs contrary to the modernization hypothesis, but it is something that has been noted for several other western societies in the same period. The real importance of their essay, however, is in their quantitative documentation of the severity of the Russian penal system, particularly for the Polish population. One expects that their work will significantly help chart the path for future objective investigations of criminal justice history in Eastern Europe under tsarist and communist rule.

Quantitative evidence, though plentiful, is used in the English historian Barbara Weinberger's essay, »The Ecology of Crime: Birmingham in the Third Quarter of the Nineteenth Century,« more to document the existence of a marginalized proletariat which was then known as »the criminal class« and to shed light on the labor and general social and economic history of England in the period she studies than to prove or disprove a particular hypothesis. Probably the strength of her paper, in fact, is her demonstration, through the combination of quantitative and qualitative evidence, how a marginalized »criminal class« was in a very real way created by the actions of the national government and the local authorities, especially as it fit in with their own ideological preconceptions and political goals and, strangely enough perhaps, furthered social cohesion.

The final essay in this volume was written by two New Zealand scholars, Stephen Haslett and Miles Fairburn. Entitled »Interprovincial Differences in the Rates of Minor Crimes of Violence and Related Disorders in New Zealand, 1853-1949,« this essay proves that quantitative methods in criminal justice history are now being used in nearly every corner of the earth. Their essay is not only highly quantitative, it is by far and away the most sophisticated mathematical contribution to the volume, and scholars may find it particularly useful for its methodological contribution. In this essay they continue on the path that they started out on in an essay which appeared in the Journal of Social History in 1986, in which they argued that time-series trends in New Zealand crime rates were highly linked to what they term »social atomism« and »social deficiency.« In this essay they use various factor analytical solutions of »pooled« time-series data

from each of the nine New Zealand provinces to see if the explanatory model they used in their earlier national study applied to the individual histories of each province. Their results showed that it did and it didn't, but that it did more than it didn't. They are to be particularly congratulated for their painstaking efforts to replicate the results of their earlier study, replication being absolutely necessary to the cause of furthering theoretical knowledge in all sciences, natural or social. But one cannot but feel that if they are to have their argument used to help illuminate the history of other »frontier« and »new« societies, as they would like, they probably need to try even harder to clarify both the common-sense and historical underpinnings of their theoretical constructs.

This hopefully gentle admonition should in fairness be extended to nearly all of the authors (myself included) and it should be further extended to all scholars working in the field of quantitative history, particularly those using quantification to address a theoretical issue. »Modernization« is a particularly good case in point especially as it is either at the forefront or in the background of nearly all of the essays in the volume. Nearly all of the authors seem in agreement that »modernization« does not adequately explain either crime or justice trends. But what is »modernization?« Is it a theory, an argument, an issue, or just a hobby horse? Too often scholars assume that readers simply know what it is. But do they? Is it simply to be taken to mean that over time societies are to be expected to have decreasing rates of violence and increasing rates of theft as they become more capitalistic? Or is it to mean that individuals become more greedy but more disciplined and more docile? Or that both societies and individuals become more humane? Or what? The theory/argument/issue/belief has arguably been so dominant in modern western thinking that it likely will take much more solid pounding away to send it to its probably well deserved grave. But maybe criminal justice historians in the nineties might think about leading the way toward the development of a new and far better elaborated theory to explain long-term trends in social and asocial behavior. Or maybe the deconstructionists, radical feminists, and every-day life historians are right that no theory is better than any theory at all.

Notes

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1. Eric Monkkonen, »The Quantitative Historical Study of Crime and Criminal Justice,« in James A. Inciardi and Charles E. Faupel, eds., History and Crime: Implications for Criminal Justice Policy (London, 1980), 53-73.
2. See, for example, Eric H. Monkkonen, The Dangerous Class: Crime and Poverty in Columbus, Ohio, 1860-1885 (Cambridge, MA, 1975); Roger Lane, Violent Death in the City: Suicide, Accident, and Murder in Nineteenth-Century Philadelphia (Cambridge, MA, 1979); V.A.C. Gatrell and T.B. Hadden, »Criminal Statistics and Their Interpretation,« A.E. Wrigley, ed., Nineteenth Century Society (Cambridge, 1972), 336-396. Though the work was written by American or British scholars, some of the important early work was on France, Germany and some other countries. Examples would be Abdul Q. Lodhi and Charles Tilly, »Urbanization, Crime, and Collective Violence in 19th-century France,« American Sociological Review 79 (September 1973), 296-318; Vincent E. McHale and Eric A. Johnson, »Urbanization, Industrialization, and Crime in Imperial Germany, Parts I and II,« Social Science History 1 (Fall 1976 and Winter 1977), 45-78 and 210-247. Ted Robert Gurr, Peter N. Grabosky, and Richard C. Hula, The Politics of Crime and Conflict: A Comparative Study of Four Cities (Beverly Hills, 1977); Howard Zehr, »Modernization of Crime in Germany and France, 1830-1913,« Journal of Social History 8(Summer 1975), 117-141.
3. Monkkonen, »The Quantitative Historical Study of Crime and Criminal Justice,« 68.
4. Important German quantitative work was written in the seventies by Dirk Blasius, Bürgerliche Gesellschaft und Kriminalität: Zur Sozialgeschichte Preussens im Vormärz (Göttingen, 1978); Blasius, Kriminalität und Alltag: Zur Konfliktgeschichte des Alltagslebens im 19. Jahrhundert (Göttingen, 1978). Several French historians had also made significant contributions with a good deal of simple statistics, such as Denis Szabo, Crimes et villes (Paris, 1960); Louis Chevalier, trans. Frank Jellinek, Laboring Classes and Dangerous Classes in Paris During the First Half of the Nineteenth Century (New York, 1973). See, for Sweden, Jan Sundin, »Theft and Penury in Sweden 1830-1920. A comparative study at the country level,« Scandinavian Journal of History 1(1976).
5. It would take too much space to list all of their major publications in a footnote. For some examples, see the footnotes to the essays in this volume written by Sharpe, Spierenburg, Sundin, and Haslett and Fairburn.
6. J. Morgan Kousser, »The Revival of Narrative: A Response to Recent Criticisms of Quantitative History,« Social Science History 8(1984);

- Kousser, »The State of Social Science History in the Late 1980s,« Historical Methods 22 (1989), 13-20; Eric A. Johnson, »Quantitative German History in the United States and the United Kingdom,« Central European History 21(December, 1988), 396-420; Johnson, »Counting 'How It Really Was': Quantitative History in West Germany,« Historical Methods, 61-79; Konrad H. Jarausch, »International Styles of Quantitative History,« Historical Methods 18(1985), 13-19; Jarausch, »The International Dimension of Quantitative History: Some Introductory Reflections,« Social Science History 8(1984), 123-132.
7. Charles Tilly, As Sociology Meets History (New York, 1981).
 8. See, for example, Louise A. Tilly, »Gender, Women's History, and Social History,« Social Science History 13(1989), 439-462; Gay L. Gullickson, »Comment on Tilly: Women's History, Social History, and Deconstruction,« in same volume as above, 471-478. See, also, the forthcoming volume of Central European History on »postmodern historiography,« with essays on the impact of deconstructionism, feminist and women's history, and everyday-life history. My contribution to the volume tries to discuss how quantitative social science history can react to these new approaches.
 9. Some German historians have been leaders in this. See, for example, Dirk Blasius, Kriminalität und Alltag; and Reinhard Mann, Protest und Kontrolle im Dritten Reich: Nationalsozialistische Herrschaft im Alltag einer rheinischen Großstadt (Frankfurt, 1987). See, also, several of the essays in Richard J. Evans, ed., The German Underworld: Deviants and Outcasts in German History (London, 1988).
 10. A recent IAHCCJ conference on »Town and Countryside,« in Vaxholm, Sweden (July 1990) confirmed this. Several of the papers are listed in Sundin's bibliography.
 11. Eva Österberg, »Criminality, Social Control and the Early Modern State: Evidence and Interpretations in Scandinavian Historiography,« paper presented to the IAHCCJ Conference on »Town and Countryside,« Vaxholm, Sweden, 1990; and Österberg and Dag Lindström, Crime and Social Control in Medieval and Early Modern Swedish Towns (Uppsala, 1988). Lawrence Stone, »Homicide and Violence,« in Stone, ed., The Past and the Present Revisited (London, 1987), 295-310.
 12. The theorist most known for this argument perhaps is Norbert Elias, State Formation and Civilization, Vol.2 (Oxford 1982). For some discussion of the studies arguing this position, see the discussions in Sharpe's and Sundin's essays; and Eric A. Johnson, The Rechtsstaat: Crime, Justice and Popular Opinion in Imperial Germany (forthcoming).
 13. For just a couple examples, see Howard Zehr, Crime and the Development of Modern Society: Patterns of Criminality in Nineteenth

Century Germany and France (London, 1976); Louise I. Shelley, Crime and Modernization: The Impact of Urbanization and Industrialization on Crime (Carbondale, 1981).