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0521560705 - Institutions of Confinement: Hospitals, Asylums, and Prisons in Western Europe and North America, 1500-1950

Edited by Norbert Finzsch and Robert Jutte

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Introduction

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*Elias, Foucault, Oestreich**On a Historical Theory of Confinement*

NORBERT FINZSCH

A philosopher produces ideas, a poet makes poems, a pastor sermons, a professor summaries and so on. A criminal produces crimes.... The criminal not only produces crimes, but also the criminal law and with it the professor, who gives lectures on criminal law, and above that [the criminal produces] the indispensable summary, through which the same professor infuses his lectures as “commodity” into the general market.... The criminal furthermore produces the whole police and criminal justice, the catchpoles, judges, hangmen, jurors etc.; and all these different trades... develop different abilities of human imagination, create new demands and new ways of satisfying those [demands].... The criminal produces... art, literature, novels, and even tragedies...¹

Few quotations from Karl Marx’s writings demonstrate more clearly how low one can sink into a theoretical pit in order to explain the existence of crimes, criminality, and a penal system from the perspective of the state. Taken literally and transferred onto the field of the history of confinement in general, Marx’s aperçu would mean not only that the criminal produced the prison, but that the patient created the hospital and the mentally ill invented the insane asylum. Being a trained jurist, Marx of course had a theory on crime and criminality, but it tended to be explicit only in areas such as property law, whereas the lower classes – *les gens sans feu et sans aveu*, the *classes dangereuses*, or the *Lumpenproletariat* – were nothing more than aberrant proletarians who had sunk into what Marx called the *bohème*.² He even speaks of “this passive rot of the lowest strata of the old society” and predicts that, at best, this part of society has a tendency to form an alliance with reactionaries.³ Truly, with a picture of the lower classes like this one, it is hard to expect a specific theory on the development of institutions

1 Karl Marx and Friedrich Engels, *Marx-Engels-Werke*, vol. 26, pt. 1: *Theorien über den Mehrwert (Das Kapital: vol. 4: Abschweifung [Über produktive Arbeit])* (East Berlin, 1976), 363–4. All translations in this chapter are by the author unless otherwise cited.

2 *Ibid.*, 8:160–1, 7:26, and 4:472.

3 *Ibid.*, 4:472.

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of confinement, since these contained mostly the individuals about whom Marx speaks with such contempt.

But neither the hospital, nor the insane asylum, nor the penitentiary was invented by those who had to live in them, as this book will show. There are innumerable ways to approach the topic of a history of confinement. Although the amount of literature on legal theory from a Marxist perspective is vast, the Marxist approach to confinement obviously is not the most fruitful one, if we judge Marxist thinking by the positions its founder took.⁴

Another theoretician who comes to mind, if one works in areas such as social history, historical sociology, or a history of confinement, is Max Weber.⁵ If his reception by German historians has been somewhat lukewarm, as Detlev J. K. Peukert has pointed out, Weber was, after all, influential for American historians as the scholar who invented the concept of the “iron cage” as a metaphor to express the emergence of a society in which “the self was placed in confinement, its emotions controlled, and its spirit subdued.”⁶ But, as anybody familiar with Weber’s writing will testify, he was much more concerned with how a specific civilization or culture oppressed spontaneity in order to achieve ascetic self-control, a necessary way station on the road to a modern age of victorious capitalism, as Weber had expressed it in *The Protestant Ethic*.⁷ Although Weber represents the type of a sociologist who was at the same time a historical thinker and a philosopher of history (*Universalhistoriker*),⁸ he never bothered to develop a grand theory in which confinement as punishment or as a means of social control played a major role.⁹ Discipline became the key category that explained

4 A summary of neo-Marxist research on the problems of deviance and the law is presented by Colin Sumner, who, in a critique of orthodox concepts of crime and deviance as well as in a critical analysis of liberal labeling perspectives, develops a concept of social censure. This concept, as Sumner claims, is equally far removed from the pitfalls of behaviorism and of relativism. Colin Sumner, ed., *Censure, Politics, and Criminal Justice* (Philadelphia, 1990), 15–40. See also Colin Sumner, “Das Konzept der Devianz neu überdacht: Zu einer Soziologie der ‘censures,’” *Kriminologisches Journal* 23, no. 4 (1991): 242–71.

5 The research on Weber is prolific. I will not even try to give a bibliographic resumé of the titles that cover his theory of civilization or his relationship to historiography. It may suffice to hint at Mommsen’s and Kocka’s writings, which are quoted in the course of my introduction. For Weber’s theory of civilization, see Artur Bogner, *Zivilisation und Rationalisierung: Die Zivilisationstheorie Max Webers, Norbert Elias’ und der Frankfurter Schule im Vergleich* (Opladen, 1989).

6 Detlev J. K. Peukert, “Die Rezeption Max Webers in der Geschichtswissenschaft der Bundesrepublik Deutschland,” in Jürgen Kocka, ed., *Max Weber, der Historiker* (Göttingen, 1986), 264–77. Ronald T. Takaki, *Iron Cages: Race and Culture in Nineteenth-Century America* (Seattle, 1979), xvii, with explicit reference to Weber; Stephen A. Kent, “Weber, Goethe, and the Nietzschean Allusion: Capturing the Source of the ‘Iron Cage’ Metaphor,” *Sociological Analysis* 44, no. 4 (1983): 297–320; Lawrence A. Scaff, *Fleeing the Iron Cage: Culture, Politics, and Modernity in the Thought of Max Weber* (Berkeley, Calif., 1989).

7 Max Weber, *The Protestant Ethic and the Spirit of Capitalism* (New York, 1958). I shall refrain from discussing Weber’s thesis on the development of a capitalist culture and refer the reader to Hartmut Lehmann and Guenter Roth, eds., *Weber’s Protestant Ethic: Origins, Evidence, Contexts* (New York, 1993).

8 Wolfgang J. Mommsen, “Max Webers Begriff der Universalgeschichte,” in Kocka, ed., *Max Weber, der Historiker*, 51–89.

9 Wolfgang J. Mommsen, *Max Weber: Gesellschaft, Politik und Geschichte* (Frankfurt/Main, 1982), esp. 182–207. On page 182 Mommsen claims that Weber was a *Universalhistoriker*.

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modern society for Weber. Discipline in a mass army guaranteed its victory over the noble knights, discipline in a mass political party like the Social Democratic Party of Germany assured its success over older political parties, and discipline in the workplace was the key factor in capitalism's triumph over older forms of production. The dissemination of discipline in all areas of social phenomena was part of a larger and irreversible process of the rationalization of society—according to Weber. Contrary to power as something that is sociologically amorphous and unstable, government/rule (*Herrschaft*) is something that results in discipline, if it succeeds. Such success partly depends on the ability of the individuals in power to depersonalize government, so that obedience is brought forward to a more rational and stable order that includes both rulers and the ruled. Therefore, government actually precedes discipline historically.¹⁰ But only in modern societies is there an “objectivation” (*Versachlichung*) of government that achieves the aim of disassociating itself from the people in power. If the rationalization and objectivation of government reaches a general level, only then is social discipline (*Sozialdisziplinierung*) achieved.¹¹

If one is to name scholars apart from Weber who had a measurable impact on the history of total institutions, such as prisons, mental asylums, and clinics, most historians can probably easily agree on two, Michel Foucault and Norbert Elias.¹² Neither man was a historian, although each thought historically in his own way—as might also be said about Weber. Both Foucault and Elias were scholars of a process that cannot aptly be expressed in English, namely, *Sozialdisziplinierung*. This term is usually translated as “social discipline,” but the German counterpart more clearly embodies the notion that this is a process that is actively initiated by someone and that submits individuals to a development at the end of which is Weber's iron cage.¹³ Both Elias and Foucault share a concept of discursive practices as thoroughly “embodied” ones, in contrast to

10 Stefan Breuer, “Sozialdisziplinierung: Probleme und Problemverlagerungen eines Konzepts bei Max Weber, Gerhard Oestreich, und Michel Foucault,” in Christoph Sachsse and Florian Tennstedt, eds., *Soziale Sicherheit und soziale Disziplinierung* (Frankfurt/Main, 1986), 45–7.

11 Breuer, “Sozialdisziplinierung,” 49–50.

12 The relationship between Elias and Weber has been discussed by various authors in the past. For the latest, see the essay by Michael Wehrspaun, “Kommunikation und (soziale) Wirklichkeit: Weber, Elias, Goffman,” in Gebhard Rusch and Siegfried J. Schmidt, eds., *Konstruktivismus und Sozialtheorie* (Frankfurt/Main, 1994), 11–46, in which the author tries to lay the groundwork for a social constructionist epistemology of both sociology and social theory. In addition, the use of “total” in this chapter and throughout the book indicates the comprehensive and complete control of individuals implied by the development of these new types of institutions.

13 Elias would have objected to this interpretation of “social discipline.” He explicitly states that the social drive toward self-control and self-restraint (“der gesellschaftliche Zwang zum Selbstzwang”) was not rationally induced and conscientiously initiated but was, rather, the result of something that was unplanned, albeit not without order. See the extensive chapter entitled “Entwurf zu einer Theorie der Zivilisation” in the second volume of *Über den Prozess der Zivilisation: Soziogenetische und psychogenetische Untersuchungen*, vol. 1: *Wandlungen des Verhaltens in den weltlichen Oberschichten des Abendlandes*, vol. 2: *Wandlungen der Gesellschaft: Entwurf zu einer Theorie der Zivilisation* (Bern, 1969; reprinted: Frankfurt/Main, 1980–82).

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Jürgen Habermas's language-based theory of moral evolution that is based on the rather formalistic interpretation of Western civilization as coined by "universal pragmatics" and "communicative competence."¹⁴ But what these authors have in common stops here.

Elias's *Über den Prozess der Zivilisation*, first published in 1939, was a genial blueprint for a historical sociology. This field had been neglected since Weber in favor of a sociology that mostly reflected situations in contemporary societies. Elias called these situations *Zustandsreduktionen*, that is, reductionism to stages, whereas long-term developments of societies and of the collective psychology of populations had been obscured.¹⁵ The book was less a history of an "evolution" in the nineteenth-century sense of the word than a description of "social change" (*sozialer Wandel*) in the meaning given to this concept by twentieth-century sociology, but an attempt to animate a historically and empirically founded, undogmatic theory of social processes.¹⁶

Elias states among other things that the development of self-restraint was organically connected to the process of state formation in early modern Europe. It was Elias's conviction that with the development of a modern society came a long-term change of structures of individual affects and social controls, continuing over generations in the same direction, leading eventually to a society that was less prone to violence and more differentiated and integrated than preceding ones. One of the prime means of social integration and differentiation was increasing – to use Elias's term – *Staatskontrollen*, that is, effective means of control by the nation-state.¹⁷ Although Elias emphasized that he was not interested in a moral evaluation of this process of integration and differentiation, he also made it clear that his aim was more than just a description of more or less contingent social change because "a mere change can be of the nature that one is able to observe with clouds or rings of smoke: Now they look this way, then they look differently."¹⁸ Instead, it was his conviction that out of the interdependence of individuals there resulted an order of a specific kind, an order that is more

14 Brian J. Whitton, "Universal Pragmatics and the Formation of Western Civilization: A Critique of Habermas's Theory of Human Evolution," *History and Theory* 31, no. 3 (1992): 299–313.

15 Elias went out of his way to explain why the concept of development or evolution had been ostracized by sociologists. He made clear that the criticism of the idea of evolution in social processes was largely the result of an overreaction against philosophical systems of the nineteenth century. Elias, *Über den Prozess der Zivilisation*, 1:xxiv–xxviii.

16 Norbert Elias, *Über den Prozess der Zivilisation*. The importance of Elias's method for historians has been stressed by Lutz Vordermayer, *Geschichte und Gesetzmässigkeiten: Hypothesenbildung und Abstraktion in der Geschichtswissenschaft unter besonderer Berücksichtigung von Vilfredo Pareto und Norbert Elias* (Frankfurt/Main and New York, 1986). For a discussion on the validity of Elias in comparison with Foucault, see Pieter Spierenburg's essay in this book (Chapter 2).

17 Elias, *Über den Prozess der Zivilisation*, 1:ix–xi. This concept has drawn fire from all sides, from historians of crime and criminal justice, among others. See Jan Sundin, "Current Trends in the History of Crime and Criminal Justice: Some Conclusions with Special Reference to the Swedish Experience," *Historical Social Research* 15, no. 4 (1990): 184–96.

18 *Ibid.*, xii.

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forceful and binding than the will power and common sense of the individuals who form a society. Since human society has a tendency to develop greater complexity over time, its interdependence is increasing as well, which brings about a stronger regulation of individual behavior.¹⁹ One result of this twofold process of integration/differentiation is the monopoly of violence that is consequently concentrated in the hands of the court, the person of the king, and later the bourgeois nation-state. The monopolization of physical violence results in an increase of areas that are more or less “pacified” (*befriedete Räume*),²⁰ a process that Elias termed “thrusts of civilization” (*Zivilisationsschübe*).²¹ These dynamic changes in the degree of the collective internalization of rules also affects the “lower classes,” according to Elias, albeit in a slightly altered chronology compared to the social elites. First, the differences between members of different social classes in respect to the way self-restraint is exercised decrease over time (decrease of social contrasts).²² Second, external societies – the so-called third world – are affected because they are integrated into a network of international cooperation and interdependence.²³ One area in which a strong “thrust of civilization” was visible was the realm of the body and sexuality. The specific reaction to processes of increasing social integration was the development of a sense of shame (*Scham und Peinlichkeit*). Elias established an advance of this “shame and embarrassment threshold” since the sixteenth century, made possible through the change of external compulsion into internalized rules of behavior. Shame therefore is a direct result of social integration/differentiation and comes about at a certain stage in the development of Western civilization.²⁴

These positions have by no means been embraced by a majority of sociologists and historians.²⁵ Among the most recent and bitter critics of Elias is Hans Peter Duerr, who published a three-volume broadside against Elias’s “myth of the process of civilization,” based on pictorial and other evidence derived from cultural anthropology.²⁶ Among the many things that Duerr criticizes in Elias’s research and that of his epigones is the lack of familiarity with the

19 Norbert Elias, *Über den Prozess der Zivilisation*, 2:316–17.

20 *Ibid.*, 327–8.

21 *Ibid.*, 336.

22 *Ibid.*, 344–5.

23 *Ibid.*, 345.

24 *Ibid.*, 398–9.

25 Among criticism of Elias’s paradigm, see Robert VanKrieken, “Violence, Self-Discipline and Modernity: Beyond the ‘Civilizing Process,’” *Sociological Review* 37 (1989): 193–218. A critique of the state formation theory by Elias is offered by R. J. Robinson, “‘The Civilizing Process’: Some Remarks on Elias’s Social History,” *Sociology* 21 (1987): 1–17.

26 Hans Peter Duerr, *Der Mythos vom Zivilisationsprozess*, vol. 1: *Nacktheit und Scham*; vol. 2: *Intimität*; vol. 3: *Obszönität und Gewalt* (Frankfurt/Main, 1988, 1990, 1993); Michael Maurer, “Der Prozess der Zivilisation: Bemerkungen eines Historikers zur Kritik des Ethnologen Hans Peter Duerr an der Theorie des Soziologen Norbert Elias,” *Geschichte in Wissenschaft und Unterricht* 40, no. 4 (1989): 225–38.

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findings of modern ethnology, and he proceeds by doubting the validity of Elias's thesis on the growing interdependence of modern societies. Duerr writes:

I will challenge this thesis by showing that human beings in small, easy to survey, "traditional" societies were much more interconnected with their peers than is the case today. This means that the immediate social control, to which one was subjected, was much more unavoidable and complete. Accordingly, it becomes clear how questionable Elias's assumption is that today we live in a much tighter ring of prescriptions and rules, since the "censure and the pressure of social life" have increased tremendously.²⁷

He continues with a critique of Elias's inherent value judgment on "non-civilized" or "less civilized" societies, which in Duerr's eyes contributes to the excusing of colonial subordination of non-European cultures by the more "civilized" ones of the West. Although Elias apparently never made a statement in this direction, it is evident, according to Duerr, that Elias had concluded that the process of civilization, as he described it, guaranteed the colonizing Europeans their superiority over other societies which they were about to subdue.²⁸

Where does this lead in connection to a history of confinement? Institutions like hospitals, clinics, insane asylums and penitentiaries are not universalist. They existed first in Western societies. Whether they were actually "born" in the sixteenth century or during the eighteenth century is a question taken up by many of the contributors to this book. If one assumes a long-lasting process of civilization starting in the late Middle Ages, according to Elias, and if one assumes that these institutions were part or a result of the process of civilization, then it seems reasonable to look for the emergence of the prison and the hospital in that very century. If one questions Elias's paradigm, a different chronology might make more sense. Since it is also reasonable not to exclude one paradigm a priori, the historical timespan that this book deals with stretches back to the early sixteenth century.

In fact, a totally different chronology and explanation of institutions of confinement is conceivable if one follows the thinking of Foucault. He was not a trained historian, and his writing never pretended to compete with academic historical research because at the center of his inquiry stood the explanation of the self.²⁹ So, when *Surveiller et punir* appeared in 1975, Foucault made it clear why he wrote about the "naissance de la prison" and not a history of the prison. The outward change of penal practices from the gallows to the peniten-

27 Duerr, *Der Mythos vom Zivilisationsprozess*, 1:9–10.

28 Duerr, *Der Mythos vom Zivilisationsprozess*, 3:11–12. Duerr quotes Elias's *Über den Prozess der Zivilisation*, 2:346.

29 Some critics deny the existence of a self in Foucault's universe. Enrico Cooradi, *Filosofia della "morte dell'uomo": Saggio sul pensiero di Michel Foucault* (Milan, 1977).

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tiary was not at the center of his interest. Rather, the topic of Foucault's book was the history of correlation between the modern soul/mind, on the one hand, and a new power of judgment, on the other.³⁰ According to Foucault, around the end of the eighteenth century a new relationship of the self to the law and to "human sciences" emerges, although the chronological borders of this process seem to be fluid. It is not my aim to discuss the contents of Foucault's writing on prisons or his equally complex work on the history of psychology, madness, and sexuality, or his contributions to a history of the clinic. These topics are discussed in other chapters in this book. It is also not my intention to quote the extensive literature related to Foucault's writing.³¹ Let me just mention a few things that may clarify why Foucault is as important as Elias for students of the history of confinement: Foucault's approach focuses around discursive practices that may or may not have had a correlation in social, political, or cultural practices. Whereas Elias was anxious to describe a "real" social change taking place after circa 1500, Foucault was striving to analyze the discourses that were unfolding around the end of early modern times, something he called the archeology of knowledge.³²

This is a different perspective that we must keep in mind. Like Elias, Foucault has developed a theory that incorporates "total institutions" into a larger framework that one might call a theory of social control. And like Elias's approach, it is not a distinctive group or a set of individuals who control, but rather, with the advent of modern times, an anonymous process that is established: the institutionalization of a ubiquitous discipline as one of several "dispositives" of power. In contrast to Elias, though, there is no doubt that Foucault does not perceive this change as "civilization" or "evolution"; rather, for him, it is the point of departure of a comprehensive reorganization of society employing new stratagems of power. With the invention of insanity came the invention of sexuality, the birth of the clinic and the prison. But these developments are not expressions of a mere increase of the repressive potential of society, they are emanations of a changed approach to different discourses, because power is presented in discourses different from those that existed before the "age of reason." For a history of total institutions this means that one might very well describe the discourses that led to the establishment of those institutions without demanding a teleological interpretation of the history of confinement. This seems to be an epistemological advantage over positions that supposed an

30 Michel Foucault, *Surveiller et punir: La naissance de la prison* (Paris, 1975). In this chapter, I quote from the German edition, *Überwachen und Strafen: Die Geburt des Gefängnisses* (Frankfurt/Main, 1977).

31 Michel Foucault, *Madness and Civilization: A History of Insanity in the Age of Reason* (New York, 1965); see also Foucault, *Die Geburt der Klinik: Eine Archäologie des ärztlichen Blicks* (Munich, 1973). For an overview on the literature, I recommend Joan Nordquist, *Michel Foucault: A Bibliography* (Santa Cruz, Calif., 1986).

32 In contrast to a "history of ideas," see Michel Foucault, *Archäologie des Wissens* (Frankfurt/Main, 1981); or the French original edition, *L'archéologie du savoir* (Paris, 1969), 195–6.

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increase in humanitarian impulses or zeal. But this is not the place to decide on the explanatory power of different paradigms.

One final remark on methodology. Whereas both Elias and Foucault are well known even among historians, the late Gerhard Oestreich, an eminent historian of early modern Germany, has only slowly been resurrected from the dusty shelves of historical libraries. Over the past two decades social historians of early modern Europe have wrestled with several general theories regarding modernization and progress in European society, and Elias's and Foucault's are only two of them. The most recent theory is that of Oestreich.³³

Although Oestreich's work has had somewhat of an influence on historians of the early modern period, its impact on a wider audience has been less than it has deserved. Drawing on his background in the history of ideas and intellectual history, Oestreich developed a concept of social discipline that was articulated for the first time in an essay published in 1968.³⁴ Amazingly enough this essay first received the attention of scholars in German literature of the Baroque epoch, but was slowly integrated into the mainstream of constitutional and social history of early modern times. Its impact was such that it displaced the older paradigm of absolutism, which had been most influential in the 1950s and 1960s. It was Oestreich's deliberate intention to develop a concept for the study of early modern history that relied neither on Weber's theory of "rationalization" nor on Elias's "process of civilization."³⁵ His point of departure was the observation that the late feudal system of the fifteenth and sixteenth centuries was in disarray. Populations were growing rapidly and shortages of provisions led to crises, especially in cities. This situation was aggravated by the failure of clerical institutions to order and regulate the realm of propriety and morals. Therefore, secularized authority had to replace the church in this area, forcing mostly municipal functionaries to take over the whole area of "policing," that is, expanding the bureaucracy into something that aimed at restoring the "old order" by means of interventions of city government.³⁶ This "production of norms" (*Normenproduzierung*) was not undertaken systematically and was instituted only as a reaction to changes that were superimposed on the cities. Accordingly, Oestreich called them social regulation and not social discipline.³⁷

33 Robert Jütte is to be commended for rescuing Oestreich's work from oblivion. See Robert Jütte, "Disziplin zu predigen ist eine Sache, sich ihr zu unterwerfen eine andere' (Cervantes): Prolegomena zu einer Sozialgeschichte der Armenfürsorge diesseits und jenseits des Fortschritts," *Geschichte und Gesellschaft* 17, no. 1 (1991): 92f101, and Robert Jütte, "Poor Relief and Social Discipline in Sixteenth-Century Europe," *European Studies Review* 11 (1981): 25–52.

34 Gerhard Oestreich, "Strukturprobleme des europäischen Absolutismus," *Viertes Jahresschrift-für Wirtschafts- und Sozialgeschichte* 55 (1968): 329–347, reprinted in Gerhard Oestreich, *Geist und Gestalt des frühmodernen Staates: Ausgewählte Aufsätze* (Berlin, 1969), 179–97.

35 Breuer, "Sozialdisziplinierung," 52–65.

36 Robert Jütte, *Obrigkeitsliche Armenfürsorge in deutschen Reichsstädten der frühen Neuzeit: städtisches Armenwesen in Frankfurt am Main und Köln* (Cologne, 1984).

37 Gerhard Oestreich, "Policey and Prudentia civilis in der barocken Gesellschaft von Stadt und Staat," in Albrecht Schöne, ed., *Barock-Symposium 1974* (Munich, 1976), 11; Breuer, "Sozialdisziplinierung," 53n.

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Social regulation became social discipline in the moment when the territorial prince took over the authority of the cities and combined the new practice with a new theory: the late humanism or Neostoicism of Justus Lipsius,³⁸ which, on the one hand, aimed at the restoration of an aristocratic state and, on the other, tried to erect a new order that centered around a well-disciplined army as a model for the regulation of society as a whole. This army was no longer a *soldateska* but was disciplined by the stoic principles of *exercitium*, *ordo*, *coertio*, and *exempla*. Outside pressure no longer coerced this military body; rather, the army became an institution that developed the increasing ability to exert self-control.³⁹ This ability was perceived by Oestreich as the military and bureaucratic correlation of Weber's "spirit of capitalism," created by the ascetic mind of puritanism. Thus, after a phase of social regulation there was a transition to a first phase of social discipline, which one might call the disciplining of the staff (*Stabsdisziplinierung*). Social discipline was fully implemented, however, only in the eighteenth century in the reforms of the enlightened absolutism because now "the state" reached out to new areas that were regulated, such as economics, science, and education. All these processes of disciplining add up, according to Oestreich, to a gigantic process of empowerment (*Vermachtungsprozess*), restructuring the very foundations of the political, intellectual, and social realms by reorienting them toward the central power of the state. This does not imply that such statist tendencies are absolute or that they are equally successful in every area. One of its results is nevertheless a devaluation and destruction of traditions that pull the individual into a more direct relationship with the state. It was only on the basis of this fundamental social discipline that the "fundamental democratization" of 1789 (or, as Americans would add, 1776) could have happened.⁴⁰

Elias, Foucault, Oestreich, Weber, Marx—different theories create different outlooks on the process of social discipline. It is obvious that social discipline means something different for historians of hospitals, asylums, and prisons (and one might add monasteries, factories, and armies) than for sociologists, who instead use the concept of social control in a contemporary context. "Social control" denotes much more the dissonance of acts defined as "deviant" from predefined behavior, whereas "social discipline" refers to a historical development that tries to minimize exactly this dissonance. Another common denominator of the theories discussed in this brief introduction is that historians of these processes need to look at their subject matter starting in the sixteenth century. Despite their differences in detail, historians may agree that with the onrush of an increasingly capitalistic society—what Marx called the "primitive

38 Karl Beuth, *Weisheit und Geistesstärke: Eine philosophiegeschichtliche Untersuchung zur "Constantia" des Justus Lipsius* (Frankfurt/Main, 1990); see also Robert C. Evans, *Jonson, Lipsius, and the Politics of Renaissance Neostoicism* (Wakefield, N.H., 1992).

39 Gerhard Oestreich, *Geist und Gestalt des frühmodernen Staates* (Berlin, 1969) 77; Breuer, "Sozialdisziplinierung," 54.

40 Breuer, "Sozialdisziplinierung," 55–6.