**FROM HISTORICAL SOCIAL SCIENCE**

**TO THE HISTORICAL STUDY OF CRIME**

# ***ABSTRACT***

In this paper, I develop an innovative account of the genesis of the historical study of crime that resists the temptation to attribute the beginning of the social history of crime to the emergence of the ‘History from Below’ movement of the 1970s. Written from the point of view of a historical criminologist, such an account forces us to consider the possibility that studying crime historically requires giving equal weight to the ‘historical study of crime’ and to the ‘criminological study of the past’. By arguing that the study of crime in historical perspective is best understood as a particular instantiation of what Immanuel Wallerstein called ‘historical social science’, the paper develops a characterization of the historical study of crime that moves beyond its conventional representation as a history specialization.

**KEYWORDS:** crime history, historical criminology, historical social science, historical study of crime, historiography of crime and criminal justice, social history

# ***INTRODUCTION***

In the last quarter the 20th century, the historical study of crime developed into a crowded intellectual site for the production of knowledge in academia. ‘Crime history’, an unknown label in historical scholarship before World War II, is today an increasingly recognized professional and academic specialization within university settings and research institutes. Since the opening of the postgraduate Centre for Social History at the University of Warwick in 1968, writing the history of crime has become a transcontinental activity. Conventionally said to have been sparked by the working-class perspectives of British Marxist historians like E. P. Thompson, the historical study of crime has comfortably found its ways into university curricula, international conferences and intellectual fora. A remarkable contribution to our knowledge of the past, writing crime histories has become, to a rising number of historians, a familiar way of performing the present. The history behind the emergence of this field of knowledge at the intersection of the study of the past and the study of crime has been extensively researched. Most take for granted that we owe the consolidation of a research interest around the historical study of crime to the ‘history from below’ of British Marxist historians and to the revisionist histories of the prison of Foucault and others. AsGodfreyput it, the historical study of crime “grew from the ‘History from Below’ movement of the 1970s, which sought to rescue the voices of the poor from the ‘massive condescension of posterity’” and, from the 1980s onward, from the operationalization of Foucauldian insights used to develop “a number of new theoretical directions” in the study of crime in historical perspective.[[1]](#footnote-1)

When looking into the emergence of historical criminology, a similar narrative normally takes precedence over others. Cohen, for instance, equated ‘Western historical criminology’ with Marxist readings of crime-related phenomena in historical perspective and claimed that criminology ‘discovered history’ through the work of Thompson, Hobsbawm and Rudé.[[2]](#footnote-2) Pratt similarly acknowledged the primary influence of British Marxist historians on historical criminology but ultimately attributed its vitality to the adoption of the Foucauldian ‘history of the present’ as dominant approach of criminologists working historically[[3]](#footnote-3) – a point substantiated by Lawrence’s finding that historical criminologists are primarily interested in ‘problematizing’ the present.[[4]](#footnote-4) As both a critical and historical criminologist, I am sympathetic to such critical interpretations of the origins of my craft, because they make it possible to conceive of both crime history and historical criminology as erudite forms of political activism that take the shape of voice-raising activities – i.e., rescuing the voices of the masses from the ‘massive condescension of posterity’ – and because they permit us to think of participants in the historical study of crime as a sort of ‘justice delegation’ rather than a mere academic specialization. That said, there is a danger in attributing the emergence of entire structures of knowledge to single scholars or groups of scholars, as doing so can obscure more fundamental epistemological transformations that underpin the opening up of new research fields and the development of innovative lines of inquiry in the social sciences.

In light of the above, this paper aims to offer an explanation for the genesis of the historical study of crime that takes into account the *long durée* and broader historical trends in academia and that avoids reducing the historical study of crime to either a Thompsonian or Foucauldian endeavour. The key purpose of such an explanation is that of providing a more innovative way of thinking about the interaction of history and criminology and to make better sense of current collaborations between crime historians and historical criminologists. While it may be factually accurate to claim that crime history and historical criminology have a common origin, or at least common ancestors, such an observation needs careful scrutiny. For instance, there is a tendency to speak of historical criminology as if the term had just entered academic jargon – referring to ‘the arrival’ of the term historical criminology.[[5]](#footnote-5) In actuality, however, the term has been around for at least a century, having been used to describe some of Harry Elmer Barnes’ writings on the history of criminology.[[6]](#footnote-6) This fact alone prompted me to recognize that the *raison d'etre* of the historical study of crime could not be located exclusively in the shaping of a historiography of crime and criminal justice in the 1970s – and that some antecedent developments have been overlooked. This is why the next section begins by elaborating some considerations about pioneering works in the historical study of crime from the second half of 19th century; to problematize the idea that the historical study of crime and the shaping of a historiography of crime and criminal justice in the last three decades of the 20th century should be taken to be synonyms. The problem with equating ‘the historical study of crime’ and ‘the historiography of crime’ is that doing so tends to subordinate criminology to history and historical criminology to crime history. Instead, following Godfrey, this paper shows why the future development of crime history is intimately liked to its capacity “to interact with modern criminological theory in order to theorise from the particular and empirical”.[[7]](#footnote-7) As shown in the next section, what the historical study of crime needs in order to further develop in an effective and collaborative way is an appreciation that the historical study of crime is as much about ‘studying crime historically’ as it is about ‘studying the past in a criminological way’.

To show why this is so, the paper goes on to demonstrate that crime history and historical criminology are best understood as two conjoining pieces of the same puzzle, ‘the historical study of crime’, which itself is, in turn, only a part of a broader trend of academic inquiry that, borrowing from Immanuel Wallerstein, can be referred to as ‘historical social science’. The point of invoking the Wallerstenian notion of a historical social science is to emphasize that a defining quality of the historical study of crime is – and perhaps ought to be – a systematic appreciation of social-scientific modalities of research. Though many crime historians have been justifiably inclined to place the ethical commitment toward the oppressed and the forgotten men and women of history – found in the work of Thompson and others – at the heart of their own explorations in the social history of crime, this has arguably come at the expense of a committed embracement of social-scientific theories, analytic frameworks, and concepts. In the final section of the paper, it is therefore argued that a reconceptualization of social history as positivity of historical social science is needed in order to understand the history of interaction between history and criminology that, from the mid-20th century onward, has furnished the necessary methodological and conceptual underpinnings for the creation of a field of academic inquiry concerned with the study of crime in historical perspective.

It should be borne in mind that the paper is primarily about the genesis and emergence of the historical study of crime and that, for that reason, the works and events mentioned in the text almost exclusively predate the late 20th century. This needs to be stressed because of a conspicuous absence, namely, the ‘cultural turn’ in crime history. Such a turn will not be discussed here as later developments in the historical study of crime and historiography of crime and criminal justice are beyond the scope of the paper. It also needs to be pointed out that the paper has an exclusive focus on the Anglo-Saxon historical study of crime and leaves aside other non-English-language fields related to the history of crime where important cross-disciplinary collaborations between criminologists and historians have been taking place, such as the *French Histoire du crime et de la justice*, the German *Kriminalitätsgeschichte* and the Low Countries’ *Historische criminology.*

# ***THINKING HISTORICALLY ABOUT CRIME***

To what extent is studying crime historically a history specialization of the late-20th century and not an early criminological development – a practice as old as the modern study of crime itself? About half a century ago, one the most important figures of 20th-century British criminology, Hermann Mannheim, lamented that the ‘history of crime’ had been utterly neglected when compared to the ‘history of criminal law’ and the ‘history of punishment’.[[8]](#footnote-8) Mannheim cited Mayhew’s *London Labour and the London Poor* and Avé-Lallemant’s *Das Deutsche Gaunertum* amongst the earliest works in the history of crime to have been written in Europe, yet virtually no crime historian of today would label such works as ‘histories of crime’.[[9]](#footnote-9) Granted, Mayhew’s monumental analysis of crime in London was characterized by its author as a history of “a class of people whose misery, ignorance, and vice are [are] a national disgrace”, but such a ‘history’ is a history told “from the lips of the people themselves”.[[10]](#footnote-10) Mayhew directly observed the conditions of the working people in London to meticulously document their lives and interviewed such people so as to give them a chance to show ‘the rich’ and people ‘in high places’ the truth about life among the lower classes. History proper allows neither direct observation nor interviewing. As F. M. Fling put it in his *Outline of Historical Method*, the characteristic feature of the historian’s method is that of ‘indirect observation’, and the only people who get to be ‘interviewed’ by historians – with the exception of oral historians – are the dead of distant pasts.[[11]](#footnote-11) It may be feasible to classify Mayhew’s analysis of the London poor as 19th-century oral history, but not as sensible to call it 19th-century history of crime.

Classifying Avé-Lallemant’s *Das Deutsche Gaunertum* is a slightly more arduous task, this being in fact a comprehensive study of crime and its history, its place in literature, its theoretical explanations, and its relation to language. Avé-Lallemant did conduct historical research, though he too combined it with other methods and approaches such as fieldwork techniques and linguistic analysis. He traced, for instance, the historical development of the professionalization of criminal careers through an analysis of persistent criminal jargon. Like many detectives and moral reformers of the time, he entertained the idea that a proper understanding of the hidden structures of criminal life could only be reached ethnographically, i.e., by descending into the dark caverns and ‘cozy hideouts’ of the criminal underworld.[[12]](#footnote-12) Though Avé-Lallemant did not approach the study of the criminal underworld and the question of professional criminality from an exclusively historical perspective, he did elaborate historical arguments about crime-related phenomena, such as that professional crime emerged from the breakup of the feudal order and slave societies. To be more precise, Avé-Lallemant formulated a quintessentially historical argument about the changing composition of the criminal class, suggesting that the bandits and outlaws of the past had been replaced, in his own day, by “a modern *Gaunertum* – a less visible but equally dangerous class of criminals who came from every walk of life”.[[13]](#footnote-13) Lindesmith and Levin’s summary of Avé-Lallemant’s work reveals the historical texture of his approach:

In a society of serfs attached to the soil there was no room or possibility for the growth of a vast mobile pauper and vagabond population out of which professional crime is born and wherein it conceals itself. As the old social order broke up and as the growth of towns and the practice of almsgiving encouraged and made possible a vagrant life on a large scale, those who were disinherited by the vicissitudes of economic fortune took to the road. In this setting the traditions of thieves, brigands, burglars, receivers of stolen goods, and of swindlers began to develop […] The preoccupation of the Lombrosians with anatomy and with Darwinian concepts and their assumption that the causes of crime were to be found in the nature of the criminal taken ‘individually’ rather than in his relations to others led them to fail entirely to appreciate *the importance of the type of historical research done by Ave-Lallemant* and others.[[14]](#footnote-14)

Avé-Lallemant openly engaged in historical research while studying crime in his capacity as 19th-century criminalist, but it is not immediately clear whether his work can legitimately be approached as a work in the ‘historical study of crime’.

This has primarily to do with an understandable proclivity that currently characterizes the historical study of crime; that of associating the totality of historical studies of crime with one particular approach within them – namely, crime history, a relatively recent history specialization. To put it bluntly, studying crime historically is broadly understood to be a matter of thinking historically about crime and not a matter of thinking criminologically about the past. As Lawrence claims, popular interest in notorious criminals and noteworthy crimes is perennial, debates about crime rates have constituted part of public debate since the early-19th century, but a crime and criminal justice historiography properly so called only developed in the 1970s.[[15]](#footnote-15) The academic study of crime in historical perspective is, therefore, quite justifiably taken to be a late-20th century phenomenon initiated through the efforts of historians. The first known, comprehensive English work to carry the self-assigned label of ‘history of crime’, however, was not written in the last quarter of the 20th century by a trained historian but in the last quarter of the 19th century by a barrister-at-law and researcher in official records, Luke Owen Pike (1835-1915). In *A History of Crime in England*, Pike made some of the earliest steps into what, at his time, was an unexplored field: “In the attempt to write a History of Crime, a field is entered which has never previously been explored”.[[16]](#footnote-16) Writing around the time of the publication of Lombroso’s *L’Uomo Delinquente*,[[17]](#footnote-17) Pike advanced a critical, historico-relativist definition of crime – that crime is whatever the authorities of a given historical epoch want it and make it to be – and left a number of marks on the historical analysis of crime-related phenomena.

Like several historical works on crime up to the last quarter of the 20th century, Pike’s history of crime overemphasized the workings of ‘progress’ and the teleological passage from ‘savage’ to ‘civilized’, the gradual decay of barbarism and the power of the modern sentiment. In short, Pike’s historical narrative approximates what historians would normally refer to as ‘Whig history’. Nonetheless, Pike was possibly the first to argue for the creation of a substantive field of research on the history of crime by emphasizing the need to separate historical studies of crime from historical studies of civilization. As he put it, “it is surely a paradox that there have long been many ‘Histories of Civilisation’, and not one ‘History of Crime’”.[[18]](#footnote-18) Since Pike was able to systematically think and write about crime historically and to even name the history of crime as an autonomous field of study independent from the history of punishment, the history of criminal law, and the history of civilization, can we conclude that the advent of the history of crime as an academic field dates from the late-19th century and predates, therefore, the late-20th century shaping of a historiography of crime and criminal justice? Can we safely assert that an emergent interest in the historical study of crime in the late-19th century was not, or at least not chiefly or not solely, the product of historiographical advances? It would be an error to believe that historiographical advances alone led to the formation of a field of historical study about crime but, at the same time, it would be equally perverse to suggest that the professionalization of historical scholarship that occurred in the second half and especially in the final decades of the 19th century had nothing to do with the emergence of sub-fields of historical inquiry concerned with crime, punishment and criminal justice.

What could reasonably be entertained, however, is the possibility that only when the criminalists and jurists of the second half of the 19th century started to coherently define crime as a ‘social phenomenon’ and as an object of scientific investigation – and no longer exclusively as a legal entity – did the history of crime become an intellectual reality separated from the history of criminal law and the history of civilization. By entertaining such a possibility, it becomes possible to argue that the historical study of crime started to morph into a serious intellectual enterprise when we began to complement our historical understandings of crime by endeavouring to also think criminologically about the past. Such a possibility forcefully presents itself in the opening remarks of Pike’s *History of Crime*, for Pike starts by asking not a historical question but rather the ‘ultimate’ criminological question: “What is Crime? Whence come the Criminals?”.[[19]](#footnote-19) Hence, the role played by the rise of a 19th-century criminological conscience in instigating the growth of a historical dimension to the study of crime should not be underestimated. As a matter of fact, this is an often-overlooked datum about the historical study of crime. The reason the beginnings of the historical study of crime are generally located in the late 20th century is because that was the moment when historians – first among them British Marxists like Thompson, Hobsbawm and Rudé – started to write openly ‘social’rather than legal histories of crime. The crime historian’s reluctance to call Pike’s *History of Crime* a ‘history of crime’ is arguably driven by the fact that such a work remains, largely, a legal history – in fact, Whig history. Histories written by lawyers and judicial authorities – like Pike – are Whiggish almost by necessity because such people are ‘teleologically’ preoccupied with history and, to them, “the doings of the past signify only inasmuch as they persist into and have life in the present”.[[20]](#footnote-20) In other words, Whig history is precisely lawyers’ history in the sense that it denotes a weakness of historians to think ‘juridically’ about the past.

What the birth of modern criminology *qua* social science and scientific study of criminality made possible was precisely the examination of the ‘extra-jurisprudential’ nature of crime, the study of its social as opposed to its judicial essence. It enabled us to think criminologically, rather than juridically, about past crime-related phenomena. If the historiography of crime and criminal justice replaced the framework of law and jurisprudence in the historical study of crime-related phenomena by putting social analysis at the very center of this academic field – thus striking a fatal blow to the Whig history of crime in the late-20th century – such a process had already begun in the late-19th century thanks to the birth of modern criminology. Underscoring the role of criminological developments in the emergence of the historical study of crime is important because such a study area is as much about ‘history’ as it is about ‘crime’. This statement in no way detracts from the invaluable achievements of the historiography of crime and criminal justice in the latter part of the 20th century. On the contrary, there is no doubt that the historical study of crime rose in popularity thanks to the efforts of historians in the last five decades or so. Mine is rather a critique of criminology, for we as criminologists have had at least 150 years to develop a historical criminology and yet we are only now embarking on such a project. A scenario in which the historical study of crime is monopolized by crime historians – simply by virtue of a lack of adequate ‘competition’ – and substantially unaffected by a criminological counterpart would be a disservice to academia and broader society. As unreasonable as it may sound, the historical study of crime is a hybrid area of study and a fundamentally cooperative and collaborative space of research in which criminological contributions have historically been, by and large, underestimated.

In the late-1970s, for instance, Robert A. Nye claimed that “historians interested in the study of crime have been hamstrung in their work by the relative poverty of theoretical vision provided them by the criminological sciences” and that “it ought not to be surprising that historical investigations of crime have been neither numerous nor, until recently, especially fruitful”.[[21]](#footnote-21) Similarly, at the start of the 1980s, Douglas Hay asserted that “[r]ecent histories of crime and criminal law make little use of criminology, partly because it is notably indifferent to what interests historians most: cultural, political, and economic change”.[[22]](#footnote-22) Though there is nothing new about historical research in criminology, it needs to be acknowledged that only in recent years that concerted efforts by an international community of scholars have started to crystallize around the criminological study of the past.[[23]](#footnote-23) This section showed that not only is the future of crime history dependant – at least in part – on its ability to cooperate with criminology, as Godfrey correctly asserts, but also that its past is inextricably linked to late-19th century advances in the criminological study of the past.[[24]](#footnote-24) To further demonstrate the intimate link between the historical study of crime and the criminological study of the past, the next section weaponizes Wallerstein’s notion of a historical social science, with a historical focus on the US context, to show that the historical study of crime and the criminological study of the past – and, ultimately, crime history and historical criminology – are two sides of the same coin. Historical social science is not at all an exclusively US phenomenon but I here follow Wallerstein’s characterization of it which is based on observations and events that concern mostly the US.

# ***HISTORICAL SOCIAL SCIENCE***

For at least 150 years, we have been able, at least in principle, to think historically about crime and to think criminologically about the past. But it would be ludicrous to suggest that the historical study of crime took a concrete and coherent form at some point before the second half of the 20th century. Up to the middle of the 20th century, very few historical works about crime had been produced. In his 1965 textbook on comparative criminology, for instance, Mannheim was able to identify only a handful of works published between the late 1920s and the mid-1950s, such as Exner and Lelewer’s *Krieg und Kriminalität in Österreich*, Liepmann’s *Krieg und Kriminalität in Deutschland*, Clinard’s *The Black Market*, Kefauver’s *Crime in America*, and Jerome Hall’s *Theft, Law and Society*, as well as his own *Social Aspects of Crime in England between the Wars*, *War and Crime*, and ‘Three Contributions to the History of Crime in the Second World War and After’.[[25]](#footnote-25) The single, most important reason for the relative absence of historical works on crime, from the times of the birth of modern criminology down to the present, relates to the fact that criminology is, for the most, a positivistic discipline concerned with contemporary manifestations of crime. Contemporary criminologists have inherited from the criminalists of the late-19th century a conception of criminology as fundamentally ‘applied’ science. The widespread acceptance of criminology as empirical and applied science centered on present-day crime-related problems and issues, quite prevalent up to the 1960s and 1970s in Europe and the US, disqualified historical considerations from entering criminological reflections and analyses.

It is from such a realization concerning the applied nature of criminological analysis that Pratt derived the idea that criminology came to acquire a sense of historical awareness only following the publication of Foucault’s *Discipline and Punish*.[[26]](#footnote-26) In Pratt’s view, it was Foucault’s history of the present that provided a historiographical foundation for historical criminology. In this section, I offer an alternative explanation for the ‘historical turn’ in criminology. Sure enough, Foucault inspired critical criminologists to assume a historical posture and orientation in their works. But studying crime historically is not a Foucauldian sub-discipline in criminology, but an academic practice that calls into question the very notion of academic discipline. This is because the growing fascination within criminology with questions and analytic frameworks that are historical in nature and the proliferation of academic works exploring the importance of history for criminology in the past five decades or so are part of a broader trend of academic development that, following Wallerstein, can be referred to as ‘historical social science’.[[27]](#footnote-27) Historical social science designates both a tendency in social science to think of research as historiographical practice and a tendency in historiography to think of research as social-scientific practice. In other words, historical social science refers to the co-occurrence of a movement towards history ‘in’ social science (or the historization of the social sciences) and a movement towards history ‘as’ social science (or the scientification of history). Far from being marginal developments, these represent two defining moments in the restructuring of knowledge in the 20th century, with Hobsbawm calling the historization of the social sciences “the most important development” within the social sciences in the 1950s and 1960s.[[28]](#footnote-28) Historical social science constitutes an exercise in ‘unthinking social science’ and an attempt at transcending the arbitrary borders of 19th-century social-scientific paradigms.[[29]](#footnote-29) The historical study of crime is simply one component of this process of ‘disciplinary unthinking’ and ‘disciplinary transcendence’; crime history and historical criminology are two conjoining pieces of the same puzzle (the historical study of crime), and such a puzzle is itself only a tile in the larger mosaic of historical social science.

Historical social science embodies the intellectual refusal to passively operate within the traditional disciplinary boundaries of the social sciences established between the late-19th century and World War II; it contends that it is limiting for scholars to work from within the rigid confines of ‘history’, ‘sociology’, ‘anthropology’, ‘criminology’, and so on, and advocates ‘unidisciplinarity’ instead, that is, a will to dispute existing structures of knowledge.[[30]](#footnote-30) Advocating for unidisciplinarity means accepting that the intellectual definitions developed between the 1880s and the mid-20th century to delimit social-scientific domains like ‘history’ and ‘criminology’ are “no longer defensible as relevant to or useful for the understanding of social reality”.[[31]](#footnote-31) The centrality of historical social science to a proper understanding of the development of a historical dimension to the study of crime lies precisely in its ‘unidisciplinary’ *ethos*; the notion of a historical social science helps us to bridge the gap between disciplines and academic fields – like history and criminology – and to imagine them as constituting a single endeavour – i.e., the historical study of crime. From the perspective of historical social science, there is no crime history that is not always-already a work of historical criminology. According to Wallerstein, historical social science is today the ‘singular task’ that all social scientists share – a task that we were not prepared to execute before the mid-20th century because we “were not [yet] ready to ‘unthink’ the nineteenth century”.[[32]](#footnote-32) At the heart of historical social science lies the appreciation that historical understanding is foundational to social-scientific thinking and, vice versa, that social-scientific thinking is fundamental for historical understanding. The ‘historical social scientist’ is not a concrete form of subjectivity but an archetypal one, and the ‘historical sociologist’, the ‘historical criminologist’, the ‘historical anthropologist’, and so on, are its actual manifestations as found within localized fields of professional interactions and operations. Put simply, being a historical social scientist is not a ‘career’, but a way of standing in a particular relation with knowledge.

Wallerstein claimed that some of the tasks of historical social science were part of the *modus operandi* of some prominent schools of thought already in the late-19th and early-20th centuries.[[33]](#footnote-33) Marxism, the German *Staatswissenschaften* that goes back to Friedrich List, and the tradition of the French *Annales* linked to Lucien Febvre, for instance, shared a willingness to pose an alternative historical and social-scientific way of interpreting the world and rejected “the universalizing-sectorializing tendencies” of social science in its early days.[[34]](#footnote-34) Nonetheless, Wallerstein proposed to make sense of historical social science predominantly as a post-World War II development. The concept came to be extrapolated from the confusing and intermingled terminology used to describe the developing social sciences from the 1880s down to the mid-20th century. In the same way in which the term ‘economics’ replaced ‘political economy’ with William Stanley Jevons’ publication of the second edition of *The Theory of Political Economy* in 1879, starting in the late-19th century the language used to describe the nature and structure of social-scientific knowledge – which in the middle of the 19th century amounted to hundreds of labels and definitions – was reduced to a handful of names and terms. Wallerstein et al. showed that, from 1880s down to 1945, social-scientific terminology was structured around six defining ‘disciplines’: sociology, economics, history, political science, anthropology, and Oriental studies.[[35]](#footnote-35) Within this new classification, historical social science came to designate not much a study area in its own right but rather a convergence between historical and social-scientific research, with terms such as ‘new economic history’, ‘new institutionalism’, ‘historical anthropology’ and ‘historical geography’ gaining prominence in the 1960s. Such developments would at times go under the name of ‘social science history’, at times under that of ‘historical social science’. The notion of a ‘historical sociology’ was virtually unheard of before the 1970s,[[36]](#footnote-36) but it rose in popularity in the 1980s following a recognition that sociological problems ought to be solved historically and that history and sociology try “to do the same thing” and employ “the same logic of explanation to do so”.[[37]](#footnote-37) More recently, the term ‘historical criminology’ has also risen to prominence to designate a particular disposition in criminology; that of taking seriously historical time.[[38]](#footnote-38)

A major condition for the consolidation of a historical social science in the mid-20th century was the growth of university education since the 1950s, which made possible the institutionalization and organization of social-scientific practice within new settings. In the US, the work of the Social Science Research Council (SSRC) in the aftermath of World War II helped transform historical practice and galvanize a cooperative use of historiographical methods and social-scientific tools. In particular, in the three decades after World War II, “SSRC fellowships supported historians’ application of social scientific and statistical methods to historical research”.[[39]](#footnote-39) Equally relevant, the Social Science History Association(SSHA)was founded in 1974 and it has since coordinated interdisciplinary and cross-disciplinary research in historical social science. The SSHA has been publishing the journal *Social Science History* since 1976 and to this day continues to provide an interdisciplinary space for scholars and researchers with a common interest in social history and social theory and in the overlapping of historical research and social-scientific methodologies. At a broader conceptual level, Wallerstein suggested that what brought both history and social science to life in their modern form in the 19th century was the ideological acceptance of ‘the normality of change’.[[40]](#footnote-40) The idea that change was ‘normal’ sprang from the political world instigated by the French Revolution and was consolidated in the 19th century thanks to scientific breakthroughs such as Darwin’s theory of evolution. The social sciences can be thought of as institutionalized responses to the normality of change, as attempts at institutionalizing an empirical mode of studying the social world and understanding the normality of social change.

The acceptance of the normality of change is what led to the necessity of understanding social phenomena in their historical relations and, after World War II, historical social science came to designate a way of understanding social reality by analysing historical change and, at the same time, a way of doing history by social-scientific means. Because of this, it would be rather fruitless to try and assess the extent to which the notion of historical social science signals a historiographical development in the social sciences or a social-scientific one in historiography. The workings of the SSRC in the decades following World War II had a significant impact on American historians of the time, leading many of them to transform their discipline through the demolition of the ‘old’ scientific approach to history and its replacement with a ‘new’ one. This new scientific approach to history was similar to Robert K. Merton’s approach to the social sciences and it advocated appropriating social-scientific theory for the purposes of historical research. This was made particularly evident in the 1954 report of the SSRC’s historiography committee.[[41]](#footnote-41) On the surface, it appears that post-World War II historical scholarship came to espouse the vision that Karl Popper first discussed in 1936 in Brussels and then laid out in 1957 in *The Poverty of Historicism*; that the possibility of a theoretical history must be rejected, that is, that the possibility “of a historical social science that would correspond to *theoretical physics*” must be resisted.[[42]](#footnote-42) From this perspective, the ‘adoption’ of social-scientific theory by historians was driven by the fact that history could never have a theory of its own. This may be a suboptimal way of thinking about the scientification of history, however, as it is possible that historians were eqaully interested in addressing a deficit relating to ‘content’ rather than ‘theory’. A theory of history is in fact possible but, since history has no substantive content of its own, substantive themes like ‘crime’ and ‘society’ became new analytic targets for historians.

Moreover, a more attentive analysis also seems to suggest that, for quite some time now, the social sciences have been ‘moving towards history’ – that is to say, that the social sciences themselves have also been attempting to address an inherent deficit, namely, their ‘unhistoricity’. As McDonald put it in his introduction to *The Historic Turn in the Human Sciences*:

One of the most distinctive aspects of the current intellectual epoch is a turn toward “history” that is in progress across the humanities and social sciences in America today. The signs of a significant transformation of the intellectual agendas of the human sciences are apparent in the appearance of, among other things, the “new historicism” in literary and legal theory, a revived interest in “history of philosophy”, a historically oriented “new institutionalism” and other historical approaches in political sciences and economics, “ethnohistory” in anthropology, “historical sociology” in sociology, and even a more self-consciously reflexive and historicist methodological discussion in history itself.[[43]](#footnote-43)

Throughout the second half of the 20th century, the humanities and social sciences assumed a profoundly historical orientation. Just to mention one noticeable piece of evidence, half a century ago Kenneth Gergen admitted that social psychology ‘is’ history, or that, though the methods of research in social psychology are scientific in character, “theories of social behavior are primarily reflections of contemporary history” and “social psychology is primarily an historical inquiry”.[[44]](#footnote-44) This is the historico-social scientific logic that reveals how tautological it is to speak of ‘historical sociology’ or ‘historical criminology’ and why we should have never expected them to become fully independent fields of inquiry and social-scientific specializations; sociology ‘is’ history, criminology ‘is’ history.

Hence, it can be argued that, at a fundamental level, the emergence of the historical study of crime as a distinctive structure of knowledge in the last quarter of the 20th century is a function of two major trends at the juncture between history and the social sciences; the historization of the social sciences and the scientification of history. The conjoining of such trends laid the foundations on which historical social science was built starting in the second half of the 20th century. These two trends need now to be more clearly connected to the emergence of a historical dimension to the study of crime. Such a connection can be made evident by exploring the relationship between social history and historical social science. As argued in the next session, a propensity to confuse social history and history from below obscures the possibility that social history may be aptly conceptualized as the positivity of historical social science, or that which makes it possible in actual academic practice – in the historical study of crime as well as other domains of knowledge production.

# ***HISTORICAL SOCIAL SCIENCE AND SOCIAL HISTORY***

We have conventionally been led to believe that the criminologist and the historian should look at each other with a rather suspicious eye. The previous section showed that, today, such a logic is fallacious, for the development of historical social science in the second half of the 20th century made possible and desirable – and, to an extent, inevitable – a complex cooperation between the study of the past and the study of crime. As Sharpe indicated in the opening sentence of *Crime in Early Modern England 1550-1750*, “crime is now accepted as a serious subject of historical study”.[[45]](#footnote-45) This is not just because a historiography of crime and criminal justice started to take shape in the last quarter of the 20th century, but also and more fundamentally because of the development of historical social science, because of the scientification of history and the historization of the social sciences. In other words, crime is now accepted as a serious subject of historical study because history and criminology have become indissoluble. Various participants in the historical study of crime have made this claim in their own ways, without resorting to the notion of historical social science. Godfrey, Williams and Lawrence, for instance, claim that history and criminology have, for some time now, been creating their own “history of interaction”, to the point that classifying certain works as either works of history or works of criminology is no longer a possibility.[[46]](#footnote-46) This is quite unequivocally another way of saying that the historical study of crime is a province of historical social science. As Emsley correctly pointed out, in the 1970s “the history of crime, criminal justice, penal policy and penal institutions […] was a subject scarcely explored by academics”.[[47]](#footnote-47) But it was around this time that the phrase ‘historical study of crime and criminal justice’ started to refer to “an interdisciplinary field of research into the past that engages a variety of topics, methods, and theories”.[[48]](#footnote-48) Such an interdisciplinary field ‘borrows’ its ideas and analytic targets from a variety of disciplines and study areas – legal and institutional history, social and cultural history, colonial history and gender studies, as well as criminology and socio-legal studies, cultural studies, philosophy and other social sciences.

Understanding this ‘borrowing process’ is central to appreciating the extent to which criminological definitions and frameworks of inquiry have assisted crime history and criminal justice history in becoming the “mature and vibrant academic community” that they constitute today.[[49]](#footnote-49) Hughes argued that because “history has no generalizations of its own, it must necessarily borrow its intellectual rationale from elsewhere” but, as mentioned, history borrows contents just as much as it borrows methods and intellectual rationales.[[50]](#footnote-50) Historians know well that the historical record does not define or classify crimes for them, and this is what compels historians of crime to borrow their analytic frameworks and terms from elsewhere. This is so evident in the historical study of crime that, at times, it can be hard to meaningfully describe works in this field as conventional studies of history:

Given the exchange between historians and social scientists during the past four decades, it is difficult to meaningfully describe research on crime and criminal justice in the past within the study of “history”. There are statistical models of crime trends, micro-histories of murder, and genealogies of punishment in society; police history, historical criminology, and postcolonial studies of law. This interdisciplinarity presents newcomers with a bewildering array of concepts and methods, discussions and debates that range across the social sciences and humanities.[[51]](#footnote-51)

Such a conceptual and methodological eclecticism that characterizes the historical study of crime and that makes it almost impossible to describe historical studies of crime as works of history proper is a derivation of its ‘historico-social-scientific’ form; the historical study of crime is another name for ‘criminological history’ or ‘socio-historical criminology’. Studying crime historically is, at one and the same time, a form of historical inquiry that carries a social-scientific commitment to understandingcrime as social phenomenon and a mode of social-scientific inquiry that invariably and unconditionally approaches crime in historical perspective. In other words, the historical study of crime approximates what French social historians like Febvre and Bloch called ‘total history’.

For Febvre and Bloch – founders of the *Annales* and pioneers in French social history – there was no such thing as ‘medieval history’, ‘the history of ideas’ or even ‘social history’ but only History with the capital letter, or else, total history. This alone demonstrates a close relationship between social history and historical social science; Wallerstein once wrote a piece entitled ‘There is No Such Thing as Sociology’ and, elsewhere, wrote that he would be willing “to do the same for all the other social science disciplines”.[[52]](#footnote-52) The name *Annales d’histoire sociale* used the purposefully vague term ‘social’ so that the journal’s object of study could engulf the whole of life – which reinforces an understanding of social history as total history and not as history specialization.[[53]](#footnote-53) The anthem of the *Annales* is that there is no firm partition between past and present, which does not mean that past and present are interchangeable but that the past must be of help in understanding the present as the present has to be helpful in making sense of the past. As Bloch would put it, “history requires us to join the study of the dead and the living”.[[54]](#footnote-54) Once again, the similarity with historical social science is striking, for the historical social scientist’s primary professional value is precisely that of acting upon the belief that our conceptions of the social world around us ought to be based, at one and the same time, on knowledge that is both historical and social-scientific. The historiographic approach that Febvre and Bloch devised for the *Annales* was premised on the idea that history is a ‘thinking mode’, a way of thinking about present reality – a form of ‘presentism’ which borrowed from Febvre its motto, ‘there is no history except of the present’.[[55]](#footnote-55) In other words, ‘history’ was, for Febvre and Bloch, the social science of the past; ‘Histoire, science de l’homme. Histoire, oeuvre de l’homme’ – history is the science of man and the work of man.[[56]](#footnote-56)

Just as historical criminology could not have possibly come to life but for the development of historical social science, so the development of a historiography of crime and criminal justice would not have occurred without the popularization of social history in the decades following World War II. In fact, while a failure to think about crime as historical phenomenon can be predominantly attributed to the historical insistence of criminology to conceive of itself as applied science, it can be argued that the same failure is equally a variation of another tendency, that is, that of treating social history as “the Cinderella of the historical sciences”.[[57]](#footnote-57) Social history is a lucid manifestation of how historical social science makes criminology historical and history social-scientific, undermining the distinction between present-centered social science and past-oriented history and pointing to a collapse of the disciplinary division between social science and social history: “In the face of bewildering changes, social scientists and social historians look into the past for precedents, parallels, contrasts, causal insights and origins of today’s processes”.[[58]](#footnote-58) Social history is not just a history specialization but the ‘organizing principle’ of historical studies. It is the intermediary of the two defining moments in the development of historical social science, i.e., the scientification of history and the historization of the social sciences. More than half a century ago, when Keith Thomas imagined social history to be the subject around which all other branches of history would be organized, Harold J. Perkin had already called it “the historical counterpart of sociology”.[[59]](#footnote-59) Far from simply being a history specialization, social history represents the ‘positivity’ of historical social science – the principle which asserts that ‘history’ is a synonym for ‘the science of human societies’.

Wallerstein’s way of expressing this concept is that “all useful descriptions of social reality are necessarily simultaneously ‘historical’ […] and ‘social scientific’”, whereas Koselleck put it as follows: since every theory of history presupposes the existence of the social, social history relates “to all merely possible regions of the science of history”.[[60]](#footnote-60) Hobsbawm stated the same principle even more explicitly when asserting that, already 50 years ago, it had become impossible “to pursue many activities of the social scientist in any but a trivial manner without coming to terms with social structure and its transformations: without the history of societies”.[[61]](#footnote-61) As Hobsbawm went on to claim, social history “can never be another specialization like economic or other hyphenated histories because its subject matter cannot be isolated”.[[62]](#footnote-62) Although social history may be uncritically understood as a historiographical specialty concerned with social life as opposed to political life or economic life, it might be worth noting that, in the same way in which the history of criminal law is a ‘legal’ history of crime, so the social history of crime is a ‘criminological’ history.[[63]](#footnote-63) The history of criminal law is a history of crime as legal construct or concept, while a criminological history of crime understands it as a social construct or concept. In other words, social history is a conceptual precondition and methodological requirement for writing the history of crime and criminal justice rather than a thematic choice within it, hence social history is as relevant to understanding the scope of crime history as it is useful to making sense of historical criminology.

According to Gareth Stedman Jones, the term ‘social history’ started to be invoked in the 1950s to refer to “a totalizing ambition”, namely, that of displacing “the narrow concerns of traditional practitioners and make history central to the understanding of modern society and politics”.[[64]](#footnote-64) In the decades following World War II, suspicion started to grow among historians with regards to conventional understandings of history as past-oriented discipline meant to disclose the distant past ‘as it actually happened’. In fact, it was in the mid-20th century that “the most influential school of traditionalist historiography” – Leopold von Ranke’s historicism – started to lose popularity and to be flanked by alternative historiographical approaches, first among them social history.[[65]](#footnote-65) At the time, what social history revealed was a collective desire “for an approach to history systematically different from the classical Rankean one”.[[66]](#footnote-66) The mid-20th century promise of social history consisted in offering precisely what historicism could not; asking questions of relevance for social science and social change and deliberately welcoming the search for generalizations which typifies social-scientific investigation.[[67]](#footnote-67) The promise of social history was its ability to furnish an alternative to conventional history, to give life to a ‘new’ form of history – to make possible a new relationship between history and social science, to make it possible to inaugurate historical social science.

In short, new and social history is the methodological and gravitational center of historical studies – i.e., historically-oriented works produced by scholars other than historians – and of historical ‘specializations’ in the social sciences like historical sociology, historical anthropology, and historical criminology. What makes history distinctively ‘new’ and ‘social’ is the process of borrowing from the new perspectives created by the social sciences since the 19th century. History is especially ‘new’ and ‘social’ when it takes all such ‘new’ social perspectives and combines them in a ‘total’ way, like Fernand Braudel did when combining geography, sociology, economics, and collective psychology to write a history of civilizations.[[68]](#footnote-68) Social history at its best is, thus, total history, a new kind of history that allows for a total appropriation of history by social science and of social science by history – and, in the historian’s ideal world, this would lead to the ascendance of history above all others social sciences, or else to a scenario where history is “the queen of the social sciences by virtue of its ability to assimilate everyone else’s methods and topics”.[[69]](#footnote-69) This means appropriation of a stable field of research operations, a stable set of objects for the study of history, society and social change. It means turning ‘all’ history into social history, and therefore social history into “all history from the social point of view”.[[70]](#footnote-70) New and social history is history that allows the social sciences to penetrate the historical dimension of all human experiences – including that of crime. This should make it abundantly clear why the historical study of crime is indistinguishable from the social history of crime and from the social-scientific study of crime as historical phenomenon. Moreover, such a reading of social history also forces a reconsideration of Knepper’s suggestion that, though the historical study of crime could not have been conceived without the contribution of social history, its future development requires the affirmation of the value of ‘conventional’ methods of historical research.[[71]](#footnote-71)

The characterization and conceptualization of social history outlined above makes it clear that the central problem with the hegemonic view concerning the Thompsanian and Foucauldian origins of the historical study of crime is that it trivializes the existence of a much stronger methodological and conceptual rationale for studying crime historically. Studying crime historically cannot be reduced to either a normative commitment by crime historians to ‘speak for’ the criminals of the past or to an appropriation by criminologists of Foucault’s history of the present. Instead, the historical study of crime is the result of a much more fundamental transformation at the level of historical and social-scientific knowledge-production. Stanley Cohen is guilty of a similar error concerning the origins of historical criminology. He claims that the historical turn in criminology is an event of relevance for ‘critical criminology’ only. The mid-1960s – so the argument goes – saw an “onslaught on conventional criminology” at the hands of the ‘new criminology’, Marxist, radical and critical criminology, the interactionist sociology of deviance, labelling theory, and so on.[[72]](#footnote-72) The ‘new criminologies’ were unified in their willingness to “reverse the positivist separation of crime from the state, that is, to introduce politics into criminology” and it is for this very reason that they made a turn towards history and ‘discovered’ or ‘adopted’ historians like Thompson, Hobsbawm and Rudé:

For surely the enterprise of rescuing today’s deviants from the wastebin of social pathology was exactly parallel to these historians’ attempts to rescue machine breakers, food rioters, poachers and smugglers from – in E. P. Thompson’s ringing phrase – ‘the enormous condescension of posterity’ […] The message from Thompson on the Black Act, from Captain Swing, from *Albion’s Fatal Tree* and, of course, from Hobsbawm’s primitive rebels and social bandits seemed clear enough: to listen to experience in its own terms, from below, is to find its hidden significance.[[73]](#footnote-73)

Though it cannot be disputed that social history has chiefly been understood as being about “attending to the voices of the inarticulate, or in other words, uncovering the agency and activities of various marginalized groups”,[[74]](#footnote-74) it needs to be emphasized that only critical criminologists hailed Thompson and other British Marxist historians from the 1970s because they placed what were once taken to be the powerless victims of historical processes – i.e., poor and uneducated working man and woman – at the center of their conscious ‘historical making’*.* Most mainstream criminologists are only tangentially interested in this, and what interests criminologists working historically the most is arguably the fact that such historians used social theory and analysis to understand crime-related phenomena from the past.

This claim finds at least partial validation in the work of one of the most revered British Marxist historians of crime – George Rudé. Rudé was no doubt a historian from below, and he popularized the historical study of pre-industrial popular movements, crowds, revolutions, protests, popular ideologies, criminality, and more.[[75]](#footnote-75) In works like *Criminal and Victim: Crime and Society in Early Nineteenth-Century England*, Rudé pioneered the integration of figures on the victims of crime in the historiography of crime and criminal justice and offered important insights into the nature of economic crime, the existence of a criminal class and the clashes, and interactions between the rich and the poor.[[76]](#footnote-76) The concern with the ‘below’ in Rudé’s historical works clearly came from a strong human commitment. ‘Popular’, in his own vocabulary, meant ‘pertaining to the common people’. In his first published work, *The Crowd in the French Revolution*, Rudé refused to look at the French masses from above, trying instead to capture the distinctive identity of the crowd from below, thus portraying the revolution not just as an important political event but as a significantly social one.[[77]](#footnote-77) He was a Marxist open to the social sciences, ‘a historian’s historian’ who combined “scrupulous archival research with detailed, almost *pointilliste*, quantitative analysis, and unfailingly clear exposition and writing with comparative perspectives and historiographical mastery”.[[78]](#footnote-78) It would be senseless to downplay Rudé’s contribution to the study of history from below, but what is being emphasized here is that one of his key achievements was that of successfully applying Marxist theory to such a domain of historical research, which is exactly what he did, for instance, in *Ideology and Popular Protest*. There, Rudé tried to uncover the ideology of protest with the theoretical help of Marx, Engels Lukács and Gramsci.[[79]](#footnote-79) Beginning from a Marxist theory of the ideology of working-class protest, he went on to develop a model for the analysis of various modern popular movements, including the English, American and French revolutions.

Rudé was ultimately able to transcend loyalties of background, class and political conviction in life and in his work. Indeed, he admitted that he did not consider himself as “politically involved” with the rioters, wage earners and craftsmen under study but rather as sympathetically bonded with them.[[80]](#footnote-80) This is the kind of statement that forced me to reconsider the allegedly necessary connection between the history of crime and history from below. The two unquestionably go hand in hand well, but whether it is, strictly speaking, necessary to be a historian from below in order to write the history of crime is something that may need to be reconsidered. Instead, what I have tried to show in this paper is that it may be more accurate to say that crime historians, just like historical criminologists, have a choice to write the social history of crime ‘from below’, but they have no choice but to write the social history of crime – to operate as historical social scientists and accept that, as Wallerstein would put it, all descriptions of social reality elaborated by participants in the historical study of crime are necessarily simultaneously historical and social-scientific.

# ***CONCLUSION***

The conceptual underpinnings of the historical study of crime were laid out in the second half of the 19th century thanks to the professionalization of historical scholarship and the birth of modern criminology. Studying crime historically, however, remained an underdeveloped practice for most of the 20th century, partly due to an inclination to regard criminology as an applied science, partly because of an uncritical acceptance of social history as history specialization instead of positivity of historical social science. The historical study of crime is an inner component of a developing historical social science. As historical criminologists attempt to distinguish their craft from that of crime historians, historical sociologists, and other participants in the historical study of crime, the historiography of crime and criminal justice risks becoming further compartmentalized into specialisms and sub-disciplines. As a way of resisting such a trend toward specialization, I showed that the historical study of crime actually helps us ‘unthink’ the social sciences – it in no way obliges us to further specialize and compartmentalize them. Just like the coming together of historians and philosophers around the analysis of power constituted, according to Foucault, a common labour of individuals seeking to ‘de-discipline’ themselves and not an interdisciplinary encounter,[[81]](#footnote-81) so collaborative endeavours at the intersection of criminology and history do not necessarily lead to either interdisciplinary syntheses or further division of labour.

In this paper, I offered a historico-criminological perspective on the genesis of the historical study of crime that placed crime history and historical criminology on an equal footing by conceiving of them as two necessary components of a historical social science of crime. By elaborating on Wallerstein’s notion of historical social science and by applying it to the historical study of crime, I provided an innovative explanation for the ‘history of interaction’ between history and criminology without defaulting back to the conventional view that the historical study of crime is a province of the history from below that gained prominence in the 1970s. Instead, I stressed that in order to claim that the defining feature of the historical study of crime is its ‘social’ character, a reconceptualization of social history is needed. Such a reconceptualization sees social history as positivity of historical social science and not necessarily as a twin of history from below.

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