**From Radzinowicz to Foucault: The Historical Turn in Criminology**

# **Abstract**

While it is widely recognised that Foucault’s *Discipline and Punish* had a significant impact on critical criminology, the fact that Foucault’s popularisation of the history of the present helped instigate a *historical turn* in criminology by adding a new vitality to historical criminology has received little attention by critical criminologists. This article argues that such a turn is best understood as a turn from Whig history to critical history, or a turn *from Radzinowicz to Foucault*. Though the influence exerted by Radzinowicz and Foucault on the historiography of crime and criminal justice has been extensively discussed and acknowledged by crime historians, this article deals with their respective approaches to the historical study of crime from the perspective of a critical and historical criminologist. Using insights from the philosophy of history and relevant debates in historiography, the article challenges the view that Foucault’s history of the present shares with Whig histories of penal progress an unwarranted bias toward the present. Foucault’s major contribution to the historical study of crime and punishment, it will be argued, lies in the fact that he facilitated a shift away from *presentism* and toward *present-centredness.*Understanding the nature of such a shift is key to the development of acritical historical criminologytoday.

*Keywords: Foucault; historical criminology; history of the present; presentism; Radzinowicz; Whig historiography*

## **Introduction**

In the historiography of crime and punishment, Sir Leon Radzinowicz (1906–1999) and Michel Foucault (1926–1984) are widely regarded as both highly influential and highly problematic figures. The reason for this is obvious. On the one hand, both thinkers made significant attempts to contribute to a historical understanding of crime, punishment, law, and justice. On the other hand, neither of them was a trained historian and their historical works undoubtedly contain historiographic errors, politically motivated tones, and dubious arguments. In particular, both Radzinowicz and Foucault have been accused of writing biased histories that distort the historical past for the sake of making certain arguments about the present. Such accusations of *presentism*, it will be argued in this article, can be easily misinterpreted and must be approached with caution.[[1]](#footnote-1) It is true that, despite their palpable differences, both Radzinowicz and Foucault adopted historical approaches that are inimical to conventional historiography – i.e., to *historicism*.[[2]](#footnote-2) It is inaccurate, however, to suggest that Foucault’s history of the present shares with Radzinowicz’s whiggish accounts of penal progress an undisputable presentism. As shown in the following pages, presentism is an unquestionable trait of Radzinowicz’s historiography of crime and justice, whereas Foucault’s history of the present is not presentist but *present-centred*. Understanding the distinction between presentism and present-centredness should be a priority for critical and historical criminologists interested in the development of a critical historical criminology.

To historical criminologists, the appeal of Radzinowicz and Foucault resides in the fact that they wrote historical works without being professional historians, which is exactly what historical criminology demands from criminologists working historically and others participants in the criminological study of the past; to do criminology *extra-criminologically*, to do criminology without thinking exclusively like a criminologist or, more simply, to do it in a historical mode.[[3]](#footnote-3) As Foucault put it in the second volume of *The History of Sexuality*, his writings qualify as ‘studies of history’ but they are not ‘the work of a historian’.[[4]](#footnote-4) Likewise, historical criminology ‘is not the work of history as such, but an historical work of criminology’.[[5]](#footnote-5) Foucault was neither a professional historian nor a criminologist. However, he has been called ‘unmistakably a criminalist’ and, if we agree with Flaatten and Ystehede that historical criminology is not the ‘sole property’ of criminologists and that it is reasonable to class ‘all historical studies relevant to topics and discussions in the field of criminology, criminal law, the criminal sciences and the criminal justice system as Historical Criminology’, it may be possible to think of some of Foucault’s writings – such as *Discipline and Punish* – as being written from the perspective of a critical historical criminologist.[[6]](#footnote-6) Similarly, though Garland dubbed him the ‘leading historian of the age of penal progress’, Radzinowicz was not a trained historian but rather the first Wolfson Professor of Criminology as well as founding director of the Cambridge Institute of Criminology.[[7]](#footnote-7) Thus, rather than a penal historian, Radzinowicz should be considered to be one of the most prolific historical criminologists to date. If there is one thing that Radzinowicz and Foucault have in common, then, is that they both made a significant contribution to the blossoming of a historical criminology.

Far from being complementary, however, Radzinowicz’s and Foucault’s historico-criminological writings are in tension with one another. Radzinowicz espoused a *lawyer’s view of history*. Radzinowicz’s *A History of English Criminal Law*, for instance, is an instantiation of *internal legal history*, that is, the kind of history written *by* lawyers and *for* lawyers.[[8]](#footnote-8) That said, Radzinowicz was no conventional legal historian. Geoffrey Elton – Regius Professor of Modern History at Cambridge from 1983 to 1988 – was so disquieted by Radzinowicz’s approach to legal history that he would not accept the label of ‘penal historian’ while holding a chair in constitutional history at Cambridge.[[9]](#footnote-9) In Elton’s view, lawyers’ history is necessarily Whig history in the sense that, to lawyers who write history, ‘the doings of the past signify only inasmuch as they persist into and have life in the present’.[[10]](#footnote-10) Lawyers are *teleologically* preoccupied with the past and Radzinowicz was unable to do without a teleology of human progress when writing about modern criminal law and criminal justice. As a result, the historical criminology of Radzinowicz was legal and whiggish and its principal aim was to explain, justify, and glorify the present. In this regard, it can be argued that Radzinowicz’s historiography also belongs to and extends the optimistic tradition of Enlightened *universal history*. His histories are histories of progress from savagery and barbarism to Enlightenment and civilisation, narrations of how the victorious forces of Western progress – virtue, reason, wisdom, and so on – progressively defeated the forces of evil, ignorance, and darkness. Radzinowicz’s criminological histories read as chronicles of the ascension of mankind from superstitious and primitive cave dwellers to free thinkers and citizens of modernity.

By contrast, Foucault explicitly stated in *Discipline and Punish* and elsewhere that he wished to move away from a legal analysis of punishment and justice and to replace it with a sort of critical history, that, as Rose would put it, disturbs and fragments the present and ‘enables us to think *against* the present’.[[11]](#footnote-11) Far from being manifestations of a kind of celebratory and *eudaimonistic* universal history, the historical narratives developed by Foucault could be regarded, borrowing from Kant, as *terroristic* – histories that are meant to shock us and force us to pause and reflect about our past and present condition. Unlike Radzinowicz, Foucault did not place the present *at the end* of history but rather *at the beginning* of it. This, it will be argued, is the fundamental distinction between Radzinowicz’s and Foucault’s historiographic approaches. The former places *the present* *at the centre of historical analysis* and is therefore presentist, whereas the latter places *history* *at the centre of analyses of the present* and is, accordingly, present-centred. The flourishing of a critical historical criminology depends on our ability to appreciate the difference between these two ways of connecting past and present in the historiography of crime and punishment. To put it bluntly, critical historical criminologists have to appreciate *how to be historians of the present without being presentist*. In view of this, this article critically scrutinises the turn from Radzinowicz to Foucault in the historical study of crime and punishment, i.e., the transition from Whig history to the history of the present, from legal history to critical history, from presentism to present-centredness, from justification of the present to its problematisation.

As participants in the historical study of crime know well, Foucault was not the only one to have facilitated a methodological shift away from Whig and legal history in the historiography of crime in the 1970s. In most scholarly commentaries on this matter, the shift that is usually discussed is one from Whig and legal history to *Marxist social history*. It was clearly British Marxist historians like E. P. Thompson that provided the decisive impetus for the flourishing of a mature, anti-whiggish historical study of crime in the last quarter of the 20th century. This is not a point that this article aims to dispute. However, the article avoids discussing the rise to popularity of the social history of crime for three main reasons. First, it is a topic that has been exhaustively discussed by crime historians and historical criminologists over the past few decades and there is very little that can be added at this point in time without sounding redundant. Second, I recently pointed out elsewhere that there is a danger inherent in romanticising and essentialising the contribution of Marxist social historians to the historical study of crime – namely, that doing so runs the risk of reducing the study of crime in historical perspective to a *history specialisation*, which inevitably subordinates historical criminology to crime history.[[12]](#footnote-12) And third, there is a sense in which the Foucauldian project of writing the history of the present is more promising for critical historical criminologists today than that of writing the social history of crime by following in the footsteps of British Marxist historians. This has to do with a variety of reasons, such as *i)* Foucault was not a trained historian and yet he had a tremendous impact on the historical study of crime and punishment and he should, therefore, be an inspiration to critical criminologists working historically, *ii)* relatedly, various criminologists and sociologists like David Garland, Mariana Valverde, Alan Hunt, Pat O’Malley, and many others productively expanded on Foucault’s *oeuvre* to inaugurate entirely new trends of academic inquiry that are strongly historical in orientation – like governmentality studies – which goes to show that Foucauldian histories of the present can help forge bonds between history and critical criminology in the 21st century whereas the social history of crime has been unable to contribute much to critical criminology since the turn of the century, and *iii)* arguably, this is a legacy of the fact that British Marxist historians in the 1970s were largely uninterested in seeing critical criminology succeed or in contributing to its success.[[13]](#footnote-13)

Since the writings of Radzinowicz and Foucault have been compared and contrasted in a substantive manner elsewhere, this article opts for a more *sui generis* approach.[[14]](#footnote-14) The article begins by dissecting Foucault’s use of the phrase ‘history of the present’ in *Discipline and Punish* to show that one of his main objectives in that text was precisely to set his own historical approach apart from the Whig historiography that, at the time of his writing, still exerted a major influence in the field of the history of crime and punishment. Then, the article engages with prominent figures in Western historiography and philosophy of history such as Croce, Febvre, Heidegger, and others to emphasise the need to situate Foucault’s methodological novelties within broader historiographic debates about *anachronism* and the relationship between past and present. The article then proceeds to compare Foucault’s history of the present with the Enlightened universal history of Friedrich Schiller (1759-1805) to demonstrate that the presentism of Whig historiography extends such a tradition whereas the history of the present does not, as well as to highlight some salient points about what the history of the present is and is not about. The article ends with a critique of the presentism inherent in Whig history and of the whiggish proclivities of Radzinowicz’s historiography, followed by some considerations about the implications of the following analysis for historical criminology.

## **‘Par un Pur Anachronisme?’**

It is in *Surveiller et Punir* that Foucault mentions, for the very first time in his entire *oeuvre*, the phrase *histoire du présent*, or ‘history of the present’. What exactly Foucault had in mind when using this expression is unclear because, as Garland points out, ‘Foucault does not elaborate further on the meaning of this term, either in this book or elsewhere’.[[15]](#footnote-15) Garland’s guess is that Foucault’s intention in using the term was to be provocative. But there is arguably a longer and more satisfactory answer to Foucault’s oxymoronic choice of words that got lost in the English translation of *Surveiller et Punir.* Foucault used the phrase for the first time at the very end of the first chapter of the book, following a dramatic – and indeed provocative – introduction to the idea that writing the kind of history of the prison Foucault wished to write requires situating the evolution of punitive techniques within the history and political economy of the body and seeing changes in penal practices as chapters of political anatomy. That way, the history of what Foucault designated as a *micro-physics* of the power to punish becomes, at the same time, *a genealogy of the modern soul*. Modern, in this context, most likely means *contemporary*, for Foucault went on to reveal that it is ‘not so much from history as from the present’ that he learnt that incarceration is a political technologyof the body and that prison is an instrument of power.[[16]](#footnote-16) With prison revolts taking place in France and globally around the time Foucault wrote the book, it was the prison of his time, not that of the past, of which Foucault wanted to write the history. ‘I would like to write the history of *this* prison’, Foucault wrote at the end of the ‘The Body of the Condemned’ – the history of the prison understood as a technology of the body implicated in the exercise of power in front of Foucault’s own eyes.[[17]](#footnote-17) The history of the prison as an institutional manifestation of power *in the present*.

The motives that led Foucault to write a history of the prison, given that his real interest lied with the prison’s operation as a mechanism of power in his own day, are not self-evident. The English translation of *Surveiller et Punir* makes it look as though Foucault directly addressed *why* he chose to write a historical account of the prison. ‘I would like to write the history of this prison, with all the political investments of the body that it gathers together in its closed architecture’:

Why? Simply because I am interested in the past? No, if one means by that writing a history of the past in terms of the present. Yes, if one means writing the history of the present.[[18]](#footnote-18)

This is Alan Sheridan’s translation of the closing lines of the first chapter of *Discipline and Punish* and the following comments are not meant to dispute it but rather to offer a critical re-reading of it. As Pearson noted in ‘Misunderstanding Foucault’, ‘[s]omething goes wrong in any translation’.[[19]](#footnote-19) It seems quite relevant, for instance, that of the three sentences cited above Sheridan translated the second and third literally but not the first. ‘Why? Simply because I am interested in the past?’ is Sheridan’s translation of ‘*Par un pur anachronisme?*’ which, if translated in a literal way, would read ‘For a pure anachronism?’, or else ‘Through a pure anachronism?’ or ‘By pure anachronism?’. Such translations do not lend themselves particularly well to ‘why’ questions, and that is the heart of the matter, for Foucault did not ask ‘why’ in the French original. The unstated adverb in *Surveiller et Punir* that Sheridan makes explicit in English as ‘why’ is arguably best understood as a ‘how’: I wish to write a history of today’s prison. How? By way of pure anachronism, i.e., by projecting present viewpoints of the prison upon its past? No, I do not wish to use present terms to write about the past.

That an interest in the past might have been interpreted, in a forward-looking 20th century, as a form of ‘pure anachronism’ is not something that can be doubted. But the absence of the word ‘anachronism’ from the English translation of *Surveiller et Punir* is conspicuous, particularly in view of the content of the sentence that follows. In fact, it is highly likely that writing ‘a history of the past in terms of the present’ is Foucault’s clever way of referring to a well-known historiographic fallacy without openly mentioning it, namely, presentism– a detested kind of historiographic anachronism in the eyes of mainstream historical scholarship. If that is the case, then it is not clear that by ‘*Par un pur anachronisme?*’ Foucault meant ‘Why? Simply because I am interested in the past?’, for the anachronism that Foucault is referring to in the aforementioned passage is that of writing a present-centred history of the prison. More importantly, if it is in fact true that Foucault implied a ‘how’ rather than a ‘why’, it is not *because of* an interest in the present, but *through* or *by* such an interest that he wished to write a history of the prison. It cannot be denied that using a ‘why’ is possible in this context, but it confuses more than it clarifies meaning. The Italian, Spanish, and Portuguese translations of the passage do not use either ‘why’ or ‘how’ and simply opt for a literal ‘Per puro anacronismo?’, ‘¿Por puro anacronismo?’ and ‘Por puro anacronismo?’, which in English should be translated as ‘*For* pure anachronism?’ or ‘*For the sake of* pure anachronism?’ and, as mentioned, this can imply a ‘why’; why writing ‘a history’ of the prison (given that I wish to write about the prison as a manifestation of power ‘in the present’)? For pure anachronism? Arguably, in that passage Foucault was addressing primarily a question of method rather than one of interest, though questions of methods and questions of interest are inextricably linked. How can I write the history of today’s prison (since this is what I am interested in) without being anachronistic? The *history of the present* is Foucault’s answer.

It is quite surprising that Foucault aficionados have not raised the point that it makes little coherent sense for Foucault to answer the question ‘Why? Simply because I am interested in the past?’ with ‘Yes, if one means writing the history of the present’ and that it makes much more sense to say that by ‘Par un pur anachronisme?’ he meant ‘How? By being presentist?’. A possible re-reading of the whole sentence then emerges: ‘I would like to write the history of this prison […] How? By being presentist? No, if one means by that writing a history of the past in terms of the present. Yes, if one means writing the history of the present’. This alternative reading makes it clear that Foucault stating his intention to write ‘the history of the present’ was more than just provocative linguistic play; it was a clear-cut historiographic statement. When Foucault expressed his desire to avoid writing ‘a history of the past in terms of the present’, he was doing something quite specific from a methodological point of view; he was distancing his account of the modern power to punish from whiggish accounts of penal history. In the historiography of crime and punishment, ‘writing a history of the past in terms of the present’ has long been taken to stand as a stereotypical instantiation of *Whiggism*, a well-known form of historiographic presentism. The Whig interpretation of history is a *legal* interpretation of the past often associated with writers like Sir Leon Radzinowicz. Whig history epitomises a lawyer’s view of history in the sense that it denotes a weakness of historians who think *juridically* about the past – for instance, by taking the latest meaning or most recent interpretation of an event to be the only significant one for historical inquiry. Crucially, Foucaultdid not distance himself from the presentism of Whig and legal history by endorsing commonsense, past-oriented historical writing. Instead, he replaced it with a distinctive kind of present-centredness which he referred to – whether provocatively or not – as history of the present.

The problem with assuming that Foucault used the phrase ‘history of the present’ simply to be provocative is that it lends credence to the view that the history of the present is just another one of Foucault’s catachrestic terms. Hayden White is correct in suggesting that Foucauldian discourse derives part of its authority from its style and that the privileging of tropes like catachresis – or inappropriate semantic play for the purpose of rhetorical effect – is central to Foucault’s writing.[[20]](#footnote-20) But it is doubtful that Foucault purposefully combined ‘the history of’ with ‘the present’ to create an erroneous mixed metaphor. Nor does it make sense to say that Foucault was being ironic or sarcastic when stating his intention to write the history ‘of the present’, though it is true that irony ‘pervades the whole of Foucault’s *oeuvre*’.[[21]](#footnote-21) The notions that *i)* the present plays a pivotal role in every historical account – be it about prison, madness, sexuality, and the like – and that *ii)* the past is one of the most precious pedagogic tools to understand the present are not instantiations of linguistic fancy devised by Foucault in the 1970s but foundational truisms in the Western philosophy of history since at least the early-20th century. As Troeltsch put it in *Protestantism and Progress*, ‘the understanding of the present is always the final goal of history’.[[22]](#footnote-22) J. H. Robinson’s *The New History* is a testament to history’s allegiance and even subordination to the present. ‘The present has hitherto been the willing victim of the past’, said Robinson, ‘the time has now come when it should turn on the past and exploit it in the interests of advance’.[[23]](#footnote-23) Dewey claimed in *Democracy and Education* that ‘[t]he segregation which kills the vitality of history is divorce from present modes and concerns of social life’ and that ‘knowledge of the past is the key to understanding the present. History deals with the past, but this past is the history of the present’.[[24]](#footnote-24) Even ancient Greek historians like Thucydides knew that ‘[t]here is, however, no advantage in reflections on the past further than may be of service to the present’ and, while writing for the literary magazine *Athenaeum* at the very end of the 18th century, Schlegel went as far as saying that ‘[t]he historian is a prophet facing backwards’.[[25]](#footnote-25)

Though the figure of the *historian-as-prophet* has lost credibility in the past two centuries, the *historian-as-commentator* on contemporary issues has remained an established figure in the Western tradition despite repeated attempts to turn history into a disinterested and objective science and to transform modern historiography into a *spectator theory of the past*.[[26]](#footnote-26) From Croce’s pragmatic historicism and Gentile’s actualism to Carl Becker’s relativist historiography, Oakeshott’s understanding of history as mode of experience, and Ortega Y Gasset’s interpretation of universal history, the possibility that *all history is contemporary history* was entertained by prominent thinkers several decades prior to Foucault’s articulation of his history of the present. Over a century ago, Croce – who is widely regarded as one of the chief advocates of modern historiographic present-centredness – had already made clear that history ‘is always a history of the present’, that history ‘is not just a product of the present’ but also ‘a creation of the historian’ and that the historian ‘does not discover history; he does not examine it; he *creates* it’.[[27]](#footnote-27) Despite Gutting’s claim that Foucault was neither a philosophical historian nor a historicist philosopher, Foucault’s admission that ‘one has to make one’s own history, fabricate history, as if through fiction’ and his stating to be well aware that he never wrote ‘anything but fictions’ are clearly reminiscent of this Crocean, present-centred insight.[[28]](#footnote-28) Similarly, the idea that the historian fabricates history through fiction echoes Becker’s intuitions on the subjectivity of historical facts. History springs from the historian’s imagination and is thus ‘a convenient blend of truth and fancy, of what we commonly distinguish as fact and interpretation’.[[29]](#footnote-29) In a number of important regards, Foucault’s history of the present extends a long and eclectic historiographic tradition that takes historical inquiry to be present-oriented instead of past-oriented, i.e., an active exercise *of the living* rather than a passive depiction *of the dead*.

In a scenario where an infinite number of histories were available for our satisfaction, Croce argued, we would have no choice but *to forget them* and ‘concentrate upon that particular point alone which corresponds to a problem and constitutes living, active history’.[[30]](#footnote-30) By following Nietzsche’s historiographic proclivities – notably, that ‘history as a costly superfluity and luxury, must […] be seriously hated by us’ and that we need history ‘for the sake of life and action, not so as to turn comfortably away from life and action’ – Foucault was not inaugurating a *duo* but simply joining a *thriving orchestra*.[[31]](#footnote-31) Foucault’s history of the present is a kind of active and contemporary history, and the figure of the historian of the present is not too distant from that of the historian-as-commentator on contemporary issues, that is, the historian that places the past at the centre of analyses of the present. This explains why Tazzioli, Fuggle and Lanci argue that Foucault’s histories of the present may be approached as if they were written by a *journalist* rather than a historian. [[32]](#footnote-32) Foucault’s histories serve as critiques of our present condition, raising concrete problems occurring in the here and now. Foucault engaged with history not as a disinterested spectator of the past would. As Dreyfus and Rabinow noted, Foucault was able to successfully use history to *diagnose* contemporary problems because he shared such problems with the rest of us.[[33]](#footnote-33) Healigned with Nietzsche because he too took history to be a *curative practice* capable of prescribing antidotes to present malaises, and both believed that the historian’s job is set in motion by clinically looking at contemporary symptoms. Foucault understood that this curative, critical, and present-centred approach to history raises a significant historiographic problem. This is the problem of anachronism – a problem that, by the times of Foucault, had already been extensively dealt with in France by Lucien Febvre and Marc Bloch, arguably the most influential social historians of the French tradition and founders of the *Annales d’histoire sociale.*

When Febvre and Bloch founded the *Annales* at the end of the 1920s, European historiographic thought had already come to terms with the reality that there is no firm partition between past and present, that history is a *thinking mode*, a way of thinking about present reality and that doing history is a way of *deciphering the present*. For Bloch and Febvre, the past offered itself ‘to be read as the archaeology of the present’ and, in the last years of his life, Febvre would constantly repeat ‘history, science of the past, science of the present’.[[34]](#footnote-34) To Febvre, the goal of history was not knowledge of the past but understanding of the present and, all throughout his career, Febvre’s motto was ‘there is no history except of the present’. Especially in its early years, the *Annales* was attentive to present issues and present politics, covering the most pressing issues of the time, from Italian fascism and Soviet communism to colonialism, the American New Deal, and the Wall Street Crash of 1929. The task of the journal in its formative years was that of simultaneously studying the present so as to reach a profounder understanding of the past and that of using history to make sense of the contemporary world. This suggests that its editors made a pure commitment to an anachronistic method.[[35]](#footnote-35) It may sound surprising, then, that one of Febvre’s major works – *The Problem of Unbelief in the Sixteenth Century* – is a direct attack against anachronism, ‘the worst of all sins, the sin that cannot be forgiven’.[[36]](#footnote-36) In that work, Febvre hoped not so much to demolish the claim that Rabelais was a covert atheist – or a freethinker ahead of his time – but rather to show that it would be anachronistic to describe Rabelais as a non-believer in disguise, like Abel Lefranc did, because ‘no thought of any kind – however pure and disinterested, is unaffected by the climate of a period’.[[37]](#footnote-37) To claim that Rabelais was an atheist is, in Febvre’s view, to catch hold of him in isolation from his contemporaries and his times, and this is not how the historian proceeds when studying the past.

Lefranc’s error in claiming that Rabelais was an atheist consisted in reading a passage of his work in a way that ‘fits in with the direction of one of our own modes of feeling’ and, on that basis, concluding that Rabelais ‘fits under one of the rubrics we use today for classifying those who do or do not think like us in matters of religion’, or else in bringing to bear on Rabelais’ texts ‘our ideas, our feelings, the fruits of our scientific enquiries, our political experiences, and our social achievements’.[[38]](#footnote-38) In other words, by implying that there existed such a thing as atheism at the times of Rabelais, Lefranc was guilty of presentism. He projected ‘the present, that is our present, into the past’ and thus committed ‘the worst sort of anachronism, and the most insidious and harmful of all’ – or, as Bloch would put it, ‘the most unpardonable of sins in a time-science’.[[39]](#footnote-39) As Rancière suggests, anachronism – ‘the mistake against history par excellence’ – is conventionally understood as constituting a confusion of epochs. Put differently, accusations of anachronism are claims that X could not have existed at a given date.[[40]](#footnote-40) Accordingly, Febvre did not argue that Rabelais was not an atheist, but that it was not possible for him to be a non-believer because his epoch did not allow for unbelief:

To speak of rationalism and free thought when we are dealing with an age when the most intelligent of men, the most learned, and the most daring were truly incapable of finding any support either in philosophy or science against a religion whose dominance was universal is to speak of an illusion. More precisely, it is to perpetrate, under the cover of fine-sounding words and an impressive vocabulary, the most serious and most ridiculous of all anachronisms; in the realm of ideas it is like giving Diogenes an umbrella and Mars a machine gun.[[41]](#footnote-41)

How could Febvre be so passionately opposed to historiographic anachronism, i.e., to presentism, and at the same time espouse the idea that all history is present history? Addressing this question will help us gain insight into what Foucault hoped to achieve by stating his intention to write ‘a history of the present’ but not ‘a history of the past in terms of the present’. In short, Foucault was saying that *we can be historians of the present without being presentists*.

Rancière provides a complex answer to Febvre’s position on anachronism that relates to his understating of scientific history. History is a science when ‘it gains something of eternity’, that is, when its conception of time resembles as close as possible our concept of eternity.[[42]](#footnote-42) Time resembles eternity by being a pure present, ‘a principle of the co-presence of historical subjects’.[[43]](#footnote-43) Historical subjects, such as Rabelais, must resemble their historical time, but their historical time is never anything other than a pure present. Time is not a principle of succession but one of *simultaneity* – as the Arab proverb goes, ‘men resemble their time more than they resemble their parents’ – and historical subjects are defined by their being contemporaneous with their time. In this regard, anachronism is not simply a matter of defective chronology but ‘a sin against the presence of eternity in time, the presence of eternity *as* time’.[[44]](#footnote-44) Rancière goes on to show that there is something perverse about conventional understandings of anachronism, that anachronism as error about time is an idea that requires deconstruction and that, ultimately, there is no such thing as anachronism*.* To say that Diogenes had an umbrella is not an error against time but ‘an error about the accessories available to Athenians in the fourth century BCE’.[[45]](#footnote-45) There is no need for a substantive engagement with the problem of anachronism at this stage. What concerns us here is Foucault’s desire to avoid ‘pur anachronisme’ understood as ‘writing a history of the past in terms of the present’. At a fundamental level, Foucault was saying that he did not want to do what Lefranc did, i.e., using terms, views, and values of the present and projecting them into a past in which they did not exist.

In order to appreciate this point, a distinction between presentism as type of anachronism and present-centredness as historiographic principle must be drawn. Such a distinction is found, if implicitly, in Heidegger’s writings on history. Heidegger asserted that history is an assemblage of contemporary ideas, that historical facts are data provided *by the here and now* in which one thinks about the past and that there is a necessary and unavoidable link between the historical past and the living present:

The situation of the interpretation, of the understanding appropriation of the past, is always the situation of a living present. History itself, the past which is taken on in understanding, grows in its comprehensibility with the primordiality […] of the decisive choice and formation of the hermeneutical situation. The past opens itself only according to the resoluteness […] and force of the ability-to-lay-open […] which a present has available to it.[[46]](#footnote-46)

In his 1924-1925 lectures at the University of Marburg on Plato’s dialogue *The Sophist*, Heidegger went on to claim that the past we seek access to is not separated from us but rather ‘we are this past itself’; understanding history means understanding ourselves today – ‘not in the sense that we might establish various things about ourselves, but that we experience what we *ought* to be’.[[47]](#footnote-47) Heidegger was not suggesting that all historical thinking is anachronistic and presentist, but that all historical thinking *originates in the present*. If presentism is the anachronism we engage in when projecting the terms, viewpoints, and insights of the present into the past we seek access to, present-centredness is the historiographic principle that exposes presentism as a problem in historical writing and historical thinking. Far from being synonyms, presentism and present-centredness are best understood as *nemeses*.

Foucault was neither a social historian *a la* Febvre nor a follower of Heidegger’s hermeneutic ontology, though a productive encounter between Foucault and French historians did take place and though Foucault’s admiration for Heidegger remains a matter of academic interest.[[48]](#footnote-48) Searching for a direct link between Foucault and the philosophers of history and new historians of one hundred years ago mentioned earlier would equally be a mistake. It needs to be acknowledged, however, that Foucault’s history of the present is not a semantic aberration or linguistic anomaly. Rather, it is a common manifestation of a historiographic tendency that has been popular for well over a century and that, as shown in the next section, can even be detected in the philosophical histories of the Enlightenment; that of placing the present at the beginning of history. In fact, this is the key methodological reason why Foucault’s popularisation of the history of the present in *Discipline and Punish* has been regarded by some as the decisive historiographic moment in the development of a historical criminology*.*[[49]](#footnote-49)Historical works of criminology are not concerned with explaining the past. Instead, they aim to assist with forming clear views of contemporary crime-related issues. ‘If criminologists on occasion work from historical sources, and make no attempt to link this work explicitly to the concerns of the present’, Lawrence notes in a thoughtful analysis on the use of the past for criminological purposes, ‘they are effectively acting primarily as historians’.[[50]](#footnote-50) Though historical criminology is a study area in the making, there is a broad consensus among criminologists as to what historical criminology is about; an approach to the study of crime, justice, and punishment that makes use of historical materials to generate informed observations and claims about crime-related matters in the present.[[51]](#footnote-51)

Clearly, such an attitude makes historical criminology an ideal suspect when it comes to accusations of presentism. But historical criminologists can dodge such accusations by endorsing Foucault’s historiographic present-centredness and making clear that there is a difference between being presentists and being historians of the present. We shall return to this point in the concluding remarks.

## **Universal History *contra* the History of the Present: Problematising Present-Centredness**

*Discipline and Punish* was written at a time when the English-speaking world was being introduced for the first time to the English translations not only of Foucault’s works but also of those of Norbert Elias, German sociologist and author of *The Civilizing Process* – a work that has, for half a century now, informed research on the history of crime and the historical development of criminal justice systems.[[52]](#footnote-52) It was a time when ‘the history of crime, criminal justice, penal policy and penal institutions […] was a subject scarcely explored by academics’.[[53]](#footnote-53) But it was also a time when the historiography of crime and criminal justice was starting to gain its current methodological rigor thanks to the efforts of British Marxists historians like E. P. Thompson, Eric Hobsbawm, George Rudé, Douglas Hay, and others who took the historical study of criminal law and criminal justice in new directions. It was a time, moreover, when criminologists themselves were starting to systematically ask historical questions, as with Thorsten Sellin’s testing of Radbruch’s hypothesis on the origins of criminal law in *Slavery and the Penal System* andMelossi and Pavarini’s *Carcere e Fabbrica* – a book on the relationship between the rise of capitalism and the origins of the modern prison system which, as Clarke and colleagues rightly observe, signaled ‘a major expansion of interest in historical criminology’.[[54]](#footnote-54) In short, Foucault’s book came at a time of growing interest in the historical study of crime-related phenomena and gave significant impetus to such an academic endeavor. Though some would argue that Foucault’s interest in the present is shared by most crime historians and that ‘a concern to explain the present can be found (overtly or covertly) in most histories which can be distinguished from mere antiquarianism’, it has been claimed that Foucault popularised *a new way* of understanding the present via historical means.[[55]](#footnote-55) Indeed, it could be argued that what was particularly new in Foucault’s approach to the history of the prison is that *i)* it explicitly and unapologetically placed the present at the beginning but not at the end of history, and that *ii)* it was critical and regressive (genealogical) rather than optimistic and progressive (whiggish).

Whether Foucault was in fact the first to actuate such a shift from presentism and Whiggism to present-centredness and genealogy in the historiography of crime and punishment is mostly irrelevant. What matters is that he emerged as the most successful among a group of scholars who, at the time of the publication of *Discipline and Punish*, were engaging in a significant exercise of *historical revisionism*. To say that the present is the beginning of all history is another way of saying that *history is constantly rewritten*, and present-centredness – and not presentism – is the primary source of all revisionism in history. Though within the limited context of penal history and the historical study of crime Foucault’s approach can be said to have brought about some valuable innovation, we need to exercise caution when attributing historiographic or conceptual novelty to him. In fact,the much-heated debate in the historiography of crime and criminal justice between *penal progressivism* (Whiggism) and *penal regressivism* (revisionism) is, in many ways, a mid- to late-20th century re-adaptation and re-enactment of a debate that Kant had with himself in ‘An Old Question Raised Again: Is the Human Race Constantly Progressing?’.[[56]](#footnote-56) In that essay, Kant spoke of an antagonism between an ‘*eudaemonistic manner of representing human history*’ that depicts the human race as existing ‘in perpetual *progression* toward improvement in its moral destination’ and a ‘*terroristic manner of representing human history*’ that takes the human race to exist ‘in continual *retrogression* toward wickedness’.[[57]](#footnote-57) Many would not hesitate to characterise Foucault’s *Discipline and Punish* as embodying the terroristic manner of narrating the history of the prison and Radzinowicz’s *A History of English Criminal Law* as fitting perfectly the eudaemonistic manner of telling the same history. For what concerns the methodological novelty of Foucault’s genealogy, it is equally important to note that the notion that historical inquiry regresses from the present to the past is not just a peculiarity of Nietzschean genealogy that Foucault appropriated. In fact, such a historiographic practice was already at work in the metaphysical philosophies of history of Enlightenment thinkers. Arguably, this methodological idea was articulated at its best by Schiller in ‘The Nature and Value of Universal History’, who maintained that universal history ‘proceeds upon a principle which directly reverses the world-order itself’.[[58]](#footnote-58)

While the unfolding of historical events descends ‘from the origin of things to their most recent state’, Schiller maintained, the task of the universal historian is to move ‘in the opposite way’, that is, ‘from the most recent state of the world up to the origin of things’.[[59]](#footnote-59) Though genealogy as Foucault understood it ‘opposes itself to the search for origins’, a quick glance at the respective tasks of the historian of the present and the universal historian reveals some noticeable similitudes.[[60]](#footnote-60) That said, understanding why and how the two actually differ from one another is key to understanding the novelty of Foucault’s contribution to modern historiography. In fact, the faithful historiographic henchman of the universal historian in modern times is not the Foucauldian historian of the present but the Whig historian whose work Foucault irreparably undermined. Both the universal historian and the historian of the present start from a question posed *in* the present and *about* the present: ‘What are we now? Let me pause a moment at the age in which we live, the contemporary state of the world we inhabit’ and ‘what are we and what are we today?’.[[61]](#footnote-61)Universal historians study the whole history of the world in order to ‘explain this very moment’; they look at the present and see experiences, skills, artistic instincts, ‘creations of reason’, ‘marvels of invention’, ‘tremendous works of industry’ and ask ‘What brought them to life? What elicited them?’.[[62]](#footnote-62) Historians of the present do not share the same optimism about human progress as universal historians, but they also ‘set out from a problem expressed in the terms current today’ and then ‘try to work out its genealogy’.[[63]](#footnote-63) Historians of the present use a regressive method to make sense of the conditions of possibility of present phenomena,they resort to historical frameworks to explain how the modalities and mentalities of the present came to be constituted and, ultimately, aim to generate historical investigations ‘into the events that have led us to constitute ourselves and to recognise ourselves as subjects of what we are doing, thinking, saying’.[[64]](#footnote-64)

Historians of the present are not interested in the totality of the past. Their interest lies not with the historical past *per se* but, as Heller would put it, with ‘the past of our present’.[[65]](#footnote-65) Similarly, universal historians pick from the total sum of historical events only those ‘which have had on the contemporary state of the world and on the condition of the generation now alive an influence which is essential’ and assemble materials for world history on the basis of ‘the relevance of an historical fact to the contemporary state of the world’.[[66]](#footnote-66) On the surface, the similarities between the task of the universal historian and that of the historian of the present seem striking. Some other apparent affinities could be mentioned. The universal historian thinks that the study of world history is as interesting an occupation ‘as it is useful’.[[67]](#footnote-67) Historians of the present write for *users* and not for *readers* and enjoy seeing their works being used as ‘a kind of tool-box which others can rummage through to find a tool which they can use however they wish in their own area’.[[68]](#footnote-68) Through universal history, ‘[m]an transforms himself and departs from the stage’ and, likewise, the history of the present reveals ‘the indefinite possibilities of transforming the subject, of transforming ourselves’.[[69]](#footnote-69) The ultimate aim of universal history according to Schiller is – in the words of Collingwood – ‘to show how the present, with such things as modern language, modern law, modern social institutions, modern clothing, and so forth, came to be what it is’.[[70]](#footnote-70) The essence of the history of the present as Foucault understood it was best captured by François Ewald and Alessandro Fontana in the Foreword to *The Courage of the Truth*: ‘Michel Foucault’s art consisted in using history to cut diagonally through contemporary reality’.[[71]](#footnote-71) Here, the similarities between Schiller’s universal history and Foucault’s history of the present are emphasised in order to invite readers to think critically about what the history of the present actually is and is not about.

Garland’s application of the history of the present in *The Culture of Control*, for example, suggests that one can write the history of the present by weaponising historical inquiry ‘to understand the historical conditions of existence upon which contemporary practices depend’, by attempting not ‘to understand the past’ but ‘to come to terms with the present’, by avoiding ‘to think historically about the past’ and instead using history ‘to rethink the present’.[[72]](#footnote-72) Yet, as seen in the preceding paragraphs, it would be an error to attribute to Foucault the idea that history shows ‘how the present has come into existence’. Reducing Foucault’s historical approach to such a function is to misunderstand his broader contribution to modern historiographic thought. Such a historiographic contribution is clear from the historical criminologist’s viewpoint. The methodological attractiveness of Foucault resides in his outspoken rejection of both presentism and historicism and simultaneous endorsement of historiographic present-centredness. Foucault maintained that *i)* the present is the starting-point of historical inquiry and not its inevitable destination – i.e., writing a ‘history of the present’ but not a ‘history of the past in terms of the present’ – and that *ii)* history is to be engaged with “*not to hide in the past but to critically interrogate what had made possible the present*”.[[73]](#footnote-73) This is a point that Dreyfus and Rabinow made very clear and which, however, is often overlooked. In his ‘Delphic pronouncement’ about writing a history of the present but not a history of the past in terms of the present, Foucault was rejecting two methodological positions at once: avoid capturing ‘the meaning or significance of a past epoch’ or getting ‘the whole picture of a past age’ as a traditional (historicist) historian would do and, at the same time, do not read ‘present interests, institutions, and politics back into history’ as this would get you accused of the presentist fallacy.[[74]](#footnote-74)

Foucault did not use historical inquiry to ‘hide in the past’ in the sense that his histories go against the historicist precept of the founders of modern empiricist, source-based history like Leopold von Ranke, who insisted that history ‘seeks only to show what actually happened’ in the past.[[75]](#footnote-75) Ranke’s historicism inaugurated ‘the most influential school of traditionalist historiography’.[[76]](#footnote-76) Since the 19th century, such a school has imposed strict restrictions on the use of the past, and its guidelines on the (lack of) usefulness of history were still very much in vogue in the mid-20th century. Historicism professes that the historian’s job is not to teach lessons about the present but to understand the past *in its own terms*. Historicists argue that the past is not to be judged ‘as a precursor of the present’ because historical periods and epochs are governed by their own *historicity*, i.e., they possess a uniquely historical quality and peculiarity.[[77]](#footnote-77) Put differently, historicism teaches that each historical epoch is particular to itself and that *history is the activity of uncovering this particularity*.Despite claims that Foucault’s historical method has a precedent in 19th-century historicism *a la* Ranke, the approach that Foucault employed when engaging with the past is clearly anti-historicist if the above delineation of historicism is accepted.[[78]](#footnote-78) It is an approach that offers ‘a pragmatically oriented, historical interpretation’ allowing for ‘an interpretive analytic of our current situation’.[[79]](#footnote-79) It is an approach that places the past at the centre of analyses of the present rather than an approach that places the present at the centre of historical analyses. It was by refusing to do past-oriented history and by avoiding the presentist trap that Foucault succeeded at adding ‘a new vitality to historical criminology’ and at undermining conventional ways of understanding the development of penal institutions and practices which conceived of such institutions and practices as if they were the unavoidable result of progress and rational change.[[80]](#footnote-80)

Put differently, Foucault exposed the misguidedness of legal and penological histories which tended to place the present at the end of history, to adopt a presentist and optimistic attitude toward the inevitability of penal progress and the infallibility of penal rationality in historical development – i.e., the Whig view of history and penal progress. Foucault’s history of the present offered a different methodological rationale for the examination of present concerns and dilemmas relevant to the study of crime and its popularisation facilitated a historical turn in criminology. Such a turn coincided with an almost complete abandonment of Whig history in the historiography of crime and criminal justice – with only a very small minority of writers persevering with the Whig approach in spite of mounting criticism.[[81]](#footnote-81) This, however, has been overshadowed by an overemphasis on the claim that the regressive narrative at the heart of *Discipline and Punish* shares a presentist overtone with the progressive accounts of whiggish writers like Radzinowicz. While Radzinowicz’s writings present a *liberal* view of historical development that celebrates penological evolution – so the argument goes – those of Foucault offer an *anti-history* or *counter-history* of liberalism that undermines faith in penal progress, or ‘a kind of Whig history in reverse – a history, in spite of itself, of The Rise of Unfreedom’.[[82]](#footnote-82)Since writings in both camps have the present as their common target, however, they are equally presentist. In other words, writing history backwards and seeing a decline of order, justice, and liberty is as presentist as looking at the past and seeing only a civilising process and a steady trajectory of development – or at least this is what Foucault’s critics want us to believe. This logic led Knepper to argue that Foucault offered an alternative approach to the progressivism of Whig and legal history but, in the last analysis, such an approach – i.e., the history of the present – distorted the past just as much as Whig history for the sake of making statements relevant to contemporary issues.[[83]](#footnote-83)

This view overlooks the fact that there is a difference between placing the present at the beginning of history and placing it at the end of it. The difference is neither subtle nor insignificant and can be appreciated by distinguishing between presentism *qua* Whiggism and present-centredness. Presentism understood as Whiggism stands for a kind of triumphalist historiographic approach that selectively narrates past events to glorify the progressively attained superiority of our present condition – as if the present were the *inevitable end of history*. Present-centredness designates a form of *historical consciousness* that recognises the inseparable link between past and present and therefore acknowledges the present as *inevitable beginning of all historical reflection*. Those who appreciate this distinction recognise that Foucault’s history of the present has only one thing in common with Whiggism, and that is not a presentist bias but an anti-historicist disposition, i.e., an unwillingness to do history simply to know what happened in the past. When Habermas accused Foucault of presentism, he clearly had in mind a sort of practical present-centredness, as he spoke of objective knowledge being put into question in Foucault’s works ‘by the *presentism* of a writing of history which remains hermeneutically restricted to its starting situation’ as well as ‘by the *relativism* of a present-connected analysis which can understand itself only as a context-dependent practical enterprise’.[[84]](#footnote-84) Even Garland initially claimed that the Foucault of *Discipline and Punish* shares a presentist bias with writers of Whig histories of punishment:

Foucault uses “genealogy” in the Nietzschean sense to describe his method of writing a “history of the present”. The point of his history is to cast light on a contemporary issue or institution by investigating those historical conditions that brought it about. It shares this orientation towards the present with what are often (disparagingly) called “Whig” histories, but where they seek to celebrate contemporary achievements by depicting them as the “end” of history, Foucault’s genealogy uses history to problematize and destabilize the present.[[85]](#footnote-85)

More recently, however, Garland asserted quite unequivocally that Foucault did not engage in presentism. Rather, Foucault’s writings possess an unequivocal ‘contemporary orientation’ and self-consciously begin with a ‘diagnosis’ of the present.[[86]](#footnote-86)

In other words, Foucault’s writings are present-centred, not presentist. This is an important point because presentism *qua* Whiggism (i.e., placing the present at the end of history) is inappropriate whereas historiographic present-centredness is unavoidable. Though it is possible to construe the problem of presentism as being ultimately a problem of present-centredness, the following analysis is concerned with a limited understanding of presentism as Whiggism, that is, as biased celebration of the present and as historiographic approach that places the present at the end of history.[[87]](#footnote-87) The next section briefly outlines the presentist triumphalism and progressivism of Whig history and discusses the way it was engaged in by the most presentist historical criminologist in the field – Radzinowicz – to show why accusing Foucault of presentism does a disservice to historical criminology. Foucault was part of a trend of historical revisionism and criticism that, particularly since the 1970s, ‘has totally undermined Radzinowicz’s Whig-Progressive approach’ and has replaced its teleology with ‘a convincing demonstration of the essential contingency of the normative order within which crime and the criminal justice system are constructed’.[[88]](#footnote-88) As Godfrey, Lawrence and Williams put it, ‘[t]he Whig view of history was not so much revised as swatted away by the radical historians of the 1970s and 1980s’.[[89]](#footnote-89) Foucault helped deliver a blow that was fatal for presentism in the historical study of crime and that, at the same time, was formative and instrumental for the development of a critical historical criminology, i.e., a historical criminology that is present-centred but not presentist.

## **The Presentism of Whig History: Celebrating the Present**

It was Herbert Butterfield (1900-1979) to first define the *Whig fallacy*. In *The Whig Interpretation of History*, Butterfield critiqued the works of historians who tended to organise their schemes of history from the perspective of their own day – or so-called ‘Whig historians’.[[90]](#footnote-90) Whig historians viewed world history ‘as leading to the ultimate establishment and triumph of the British empire’ and were inclined to conceive of present science in triumphalist terms, that is, without acknowledging that science might be unable ‘to control its own destiny and that of the human race’.[[91]](#footnote-91) Such historians’ interpretations of history were, according to Butterfield, made with a biased reference to the present, and their underlying historiographic proclivity was that of studying the past *for the sake of the present*.[[92]](#footnote-92) The Whig interpretation of history takes side with the Protestants and the Whigs and emphasises the almost inevitable progress of history in order to glorify the present. Whig history treats regicides and reformers of centuries past as contemporary heroes. As Bowler put it, the Whig idea of progress ‘transforms the growth of liberal democracy, or of modern science, from a process to be explained into an explanatory device’.[[93]](#footnote-93) For Butterfield, historical understanding is not achieved ‘by the subordination of the past to the present’ but rather ‘by our making the past our present and attempting to see life with the eyes of another century than our own’.[[94]](#footnote-94) Studying the past *with one eye upon the present* is essentially unhistorical and raises a significant problem of historiographic anachronism; it means that the historical narrative is organised by way of ‘a system of direct reference to the present’.[[95]](#footnote-95) To Butterfield, this was ‘the source of all sins and sophistries in history’.[[96]](#footnote-96) The immediate juxtaposition between past and present or, to put it figuratively, *hunting for the present in the past*, leads to misconceiving historical figures, misattributing political beliefs, and distorting events to fit one’s views. In *The Englishman and His History*, Butterfield further reflected on this presentist tendency in historiography, calling it ‘a sublime and purposeful unhistoricity’ that allows the historian to conveniently *choose a past* that is suited to present purposes.[[97]](#footnote-97)

Since his death in 1979, Butterfield’s take on the Whig interpretation of history has been largely discredited for reasons that do not really concern us here. His conception of the Whig historian came soon to be regarded as an idealised abstraction and, weirdly enough, his later work in the history of science has been accused of Whiggism. Not only did it come to be recognised that the Whig historians were not the only ones twisting history for their own purposes, but Butterfield himself also came to the conclusion, later in his life, that history is intimately tied to the present, as he revealed in *Christianity and History* and other works from the 1950s onwards – though he arguably never came to ‘approve whiggery as a right way to read history’.[[98]](#footnote-98) This has led several writers to investigate the problematic relationship between Butterfield’s enthusiasm for scientific progress and his disapproval of presentism and between his implicating of ethical norms and simultaneous deriding of moral judgments in history – but such investigations are beyond the scope of this article.[[99]](#footnote-99) Clearly, that a kind of British history stressing the growth of liberty, religious freedom, and parliamentary government developed in certain Whig circles of the mid-19th century is not something that can be denied. Nor can it be denied that a century earlier David Hume was accused of *Toryism* – i.e., of a presentist bias toward the Tories – for his work on the history of England. Butterfield pointed out that, ultimately, because studying the past with reference to the present is – in his words – ‘inescapable’, then it is sensible, at least for historians, to try and limit the interplay of past and present, to avoid making it a perpetual exercise to do history by reference to the present and writing it with an eye on the present.[[100]](#footnote-100) In this regard, Butterfield was simply defaulting to a conventional, historicist predisposition in Western historiography which has been in vogue since the times of Ranke – the most influential of modern historians to insist that the correct historiographic posture to maintain when looking at the past is withholding judgment and simply observing it *in its essence*, *as it really was*, *wie es eigentlich gewesen*.

In critiquing the justificationist presentism of Whig historians, Butterfield embraced ‘a position which attempts to eschew all value judgments from historical inquiry’, thus robbing history of ‘its critical function’ and ‘transforming it into an inconsequential, erudite historicism’ that deliberately ignores the present in order to study the past for its own sake *–* which is the essential precept of Ranke’s historiographic approach.[[101]](#footnote-101) This has been interpreted as a call for the adoption of a sort of Baconian inductive method in history, or a method that ‘attempts to investigate phenomena with an observant but empty mind’.[[102]](#footnote-102) But such a method can be justifiably accused of turning historiography into ‘a deadly, purely descriptive exercise of reporting facts’.[[103]](#footnote-103) Moreover, investigating historical phenomena with an empty mind is little more than a false hope because studying the past for its own sake and even doing so in the most rigorous past-oriented way remains an act carried out *in* the present and *for* the present. As Winsor suggests, the idea that history can be studied for its own sake is ‘fantastic’ because it overlooks the epistemological reality that ‘writing history is an action that can only be undertaken by a living person’ and therefore that ‘some degree of presentism [is] impossible to avoid’.[[104]](#footnote-104) Here, Winsor obviously uses the word ‘presentism’ interchangeably with ‘present-centredness’. As she provocatively asks: ‘What would we think of a paleontologist who said she studies fossils for the sake of the dinosaurs?’.[[105]](#footnote-105) As Croce would put it, ‘[the] collecting of dead documents and writing down of empty histories is an act of life which serves life’ and, ultimately, contemporaneity is not ‘the characteristic of a class of histories’ but rather ‘an intrinsic character of every history’.[[106]](#footnote-106) Studying the past purely *under the aspect of its pastness* is still a contemporary act and doing history is unavoidably a *mode of experience* in the present or, as Oakeshott would put it, a *modification* rather than an *extension* of present experience. [[107]](#footnote-107) The past is always *present* before it can ever be *historical* and this makes history synonym not for what happened in the past but for *what the present obliges us to believe*.

The idea that historical inquiry can be understood as a form of *escapism* engaged in by historians in order to become *time-travelers* who venture further and further back in distant times to the point of becoming *strangers* to their own days – an idea that Butterfield seemed to passionately espouse – was already conceivable at the times of Descartes and was addressed by Collingwood in *The Idea of History*.[[108]](#footnote-108) There, Collingwood claimed – in an openly critical and present-centred fashion – that ‘the historian can genuinely see into the past only so far as he stands firmly rooted in the present’ and that the historian’s business ‘is not to leap clean out of his own period of history’ but rather ‘to be in every respect a man of his age and to see the past as it appears from the standpoint of that age’.[[109]](#footnote-109) This is because historical facts are not ready-made facts, as the commonsense theory of historical knowledge assumes. Facts cannot be copied and pasted from historical sources through what Collingwood dubbed a *scissors-and-paste* approach to history. Rather, they require critical examination and interpretation, i.e., they demand a thinking mind to constantly revise them. This is why Croce – and Collingwood following him – asserted that the only *real* history is *critical* history, that is, history in the act of thinking critically about the past: ‘Whenever Croce used the terms history and historical narrative, he meant judgmental states of consciousness that live in the historian’s mind’.[[110]](#footnote-110) Among crime historians, this critical attitude was best embodied by E. P. Thompson, for he understood that historiography has historical knowledge reconstructed from evidence and facts as its object, yet *facts are liars* that always conceal vulgar ideological intrusions. The historian’s task, then, is not that of letting historical facts and evidence disclose their own meaning or essence – i.e., letting facts *speak for themselves* – but to have them interrogated by ‘minds trained in a discipline of attentive disbelief’.[[111]](#footnote-111) In other words, the historian is always-already a value-formed being that cannot operate in value-free ways and, at the same time, a political actor who constantly needs to neutralise value judgements through adequate methodological techniques.

The fact that Butterfield was aware that the present is the inescapable point of reference of all historical writing suggests – as Moro-Abadía pointed out – that his criticisms of presentism concern both Whiggism and present-centredness.[[112]](#footnote-112) In the historiography of crime and criminal justice, however, the distinction between presentism and present-centredness gets often confused or underestimated and the label ‘presentism’ is often derogatorily used to single out as fallacious all approaches that are aimed at the *updating of the past* from present-day standpoints. From such a crude historiographic reductionism then emerges the view that revisionism in the historical study of crime is as presentist as Whiggism, and that the writings of Foucault and other revisionists such as Rothman and Ignatieff are as anachronistic as those of Whig writers like Radzinowicz, Reith, Grünhut, and Critchley – the only difference being *their politics*, i.e., what present they take to be at the end of history. Lightbody, for instance, argues that Foucauldian genealogy shares with ‘Whig historianism’ an emphasis on the present and that Foucault is guilty of committing the fallacy of presentism.[[113]](#footnote-113) But such a claim is disingenuous and, arguably, it is more accurate to say that Foucault took a self-consciously present-centred position rather than a presentist one.On the other hand, Radzinowicz’s historical writings are unquestionably presentist in the Whig sense. Radzinowicz’s historical narrative accords with the Whig interpretation of the past in that it ‘saturates history with value judgments’ and ‘discards from the past what contributes nothing to the present’.[[114]](#footnote-114) In doing so, it offers *a myopic view of the past* or, as Lightbody would put it, it curtails its historical investigation ‘prematurely’, it does not tell the whole story, it adopts a ‘Cyclopean’ view of history.[[115]](#footnote-115)

Because of his habit of equating the history of penal justice with the history of penal progress, Radzinowicz is regarded as ‘the king of Whig history’ in the historiography of crime and criminal justice.[[116]](#footnote-116) His explorations of 18th-century criminal law read as chapters in the advent of English civilisation and his goal in writing about English criminal law was to present a history of penal advances and successes. Radzinowicz’s criminological and penal histories have been accused by crime historians of being indifferent to the past and sympathetic to the present – and rightly so. His commitment to the present is manifested in an overt engagement with the phenomena under description that renders his historical works suited not for the bookshelves but for the offices of present-day policymakers. As Knepper puts it, Radzinowicz ‘found the motivation for his labour in the belief that it was essential for the future’.[[117]](#footnote-117) Radzinowicz did not shy away from his faith in criminal science and his belief in penal progress, but rather placed them at the forefront of his works: ‘Lord Macaulay’s generalization that the history of England is the history of progress’, said Radzinowicz in the opening remarks of his history of English criminal law, ‘is as true of the criminal law of this country as of the other social institutions of which it is part’.[[118]](#footnote-118) This statement summarises Radzinowicz’s Whiggism and has made him vulnerable to numerous denunciations of presentism. Boast, for instance, called Radzinowicz’s *A History of English Criminal Law* ‘a grand narrative in ultra-Whig style’ and Griffiths asserted that ‘Radzinowicz’s argument over several thousand pages boils down to a single sentence of Whig wisdom’.[[119]](#footnote-119) As Landau pointed out while commenting on Radzinowicz’s choice in *A History* to delineate the progress of criminal law starting in the mid-18th century – or the century that ‘featured as a hiatus in the story of English progress’ – such a choice combines with Radzinowicz’s ‘Whiggish proclivity’ to brand 18th-century criminal law as ‘interesting chiefly for the scope it provided for reform’.[[120]](#footnote-120) In short, Radzinowicz’s writings on criminal science, criminal justice, and criminal law are presentist and celebratory,and offer a justificationist rationale for their existence.

Foucault totally rejected Radzinowicz’s progressive view of criminal justice precisely because of its optimistic prematurity – because in praising the present it hid something important about the past, i.e., *it subjugated knowledge*. As Yeomans put it, Foucault’s *Discipline and Punish* ‘utterly rejected the notion that progress and the exercise of reason typify the history of criminal justice processes’.[[121]](#footnote-121) Far from constantly and inevitably heading toward rational progress, Foucault argued, Western people in countries like France today find themselves in increasingly disciplinary societies, more punitive and not more humanitarian societies – *carceral societies*. Foucault made this clear when he stated that the enlightened penal reforms of the 18th century had as their ultimate goal ‘not to punish less, but to punish better’.[[122]](#footnote-122) Statements such as this make Foucault prone to criticisms that he was writing – in Kant’s terminology – a terroristic history of the modern prison. What we might be dealing with, however, is one of those peculiar instances where the terrorists happen to be – for lack of a better term – the good guys. Ultimately, Foucault’s goal was *to tell the truth* about punishment and criminal justice and to show that we have been fooled by scholars with a subconscious penal agenda to believe that the development of modern criminal law and justice was a function of rational developments and the humanitarian force of benevolence. In Radzinowicz’s historical writings, the history of modern criminal law and justice appears as ‘the field for a dramatic struggle between children of light and children of darkness’.[[123]](#footnote-123) Foucault’s goal was precisely to free history from such childish fantasies, to free history from triumphalist and progressivist perspectives:

I adopt the methodical precaution and the radical but unaggressive scepticism which makes it a principle not to regard the point in time where we are now standing as the outcome of a teleological progression which it would be one’s business to reconstruct historically: that scepticism regarding ourselves and what we are, our here and now, which prevents one from assuming that what we have is better than – or more than – in the past.[[124]](#footnote-124)

As this passage makes clear, Foucault was clearly aware of the fact that Whig historians tend to establish a teleological connection between past and present and to see the present as the end of history. Knepper’s claim that Foucault’s histories of the present share with Whig histories an interest in contemporary issues at the expense of a fully dispassionate understanding of the past is accurate. As I put it earlier, they share an anti-historicist disposition. But the claim that they ‘both distort the past through too much enthusiasm for making a statement in the present’ ignores the fact that there is a difference between presentism and present-centredness.[[125]](#footnote-125) Hopefully this article has helped clarify the distinction between the two.

## **From the History of the Present to Critical Historical Criminology**

If on the surface this article may appear to have filed a defence of Foucauldian methods or to have proposed a peculiar methodological approach in the historical study of crime, it may be useful to note that I am personally less interested in methodological questions than I am in conceptualising *the politics* of the encounter between criminology and history. In my view, methodological criticisms of the uses and abuses of history in criminology often conceal politically and ideologically motivated attacks. For this and other reasons, I argued elsewhere that critical criminologists with an interest in history should not obsess about methods. Instead, we should focus on building strong political alliances in academia that will help us garner support for the kind of work that is currently developing at the intersection of critical and historical criminology.[[126]](#footnote-126) Moreover, I argued in a previous article that a number of critical criminologists who have been experimenting with historical approaches since the last quarter of the 20th century – especially early critical criminologists in the United States at the Berkeley School of Criminology in the 1970s – have been inclined to use history as a *weapon* and not purely or exclusively as a method, and I believe this is an appropriate attitude to take towards the role of history in criminology. As I put it in ‘History as Activism’: ‘Works of historical criminology […] can represent practical attempts to intervene in the politics of crime and justice in the present’ and ‘historical research in criminology can function as a weapon in contemporary political struggles and a way of injecting radical politics into criminological studies’.[[127]](#footnote-127) Insights of this kind convinced me of the importance of discussing Foucault’s history of the present and its relation to historical criminology.

Foucault’s history of the present can guide critical historical criminologists in assuming an effective political and intellectual posture when writing about crime historically and when thinking about history criminologically. The preceding analysis gives us an indication of what such a posture looks like. In the first place, to be a historian of the present means resisting the historicist tendencies that have turned much modern historiography into a spectator theory of the past and the writing of history into a sterile process of meticulously describing the dead past as it actually happened. By assuming an anti-historicist attitude, historians of the present avoid studying the past for its own sake; they do not treat history as a luxury that trained historians alone can enjoy by turning the study of the past into a history specialisation and into a narcotic – a sort of professional escapism that allows them to disengage from the present, travel back in time, and become strangers to their own epoch. Instead, they learn about the past for the sake of life and action in the present and view history not as an academic specialty but as a thinking style, a mode of experiencing the present, and a tool to decipher the contemporary world. Historians of the present are not interested in establishing an infinity of irrelevant and insubstantial facts about our past but in understanding ourselves today. They take history to be relevant only insofar as it constitutes contemporary history. The countless historical avenues for investigation that the past offers to us is regarded by them as distractions that ought to be forgotten so that we can concentrate upon those aspects of the past that shape the living present – i.e., active history. In short, the historian of the present resembles the figure of thehistorian-as-commentator on contemporary issues and approximates the professional positionality of the journalist.

Far from leaping clean out of their own historical period, historians of the present, just like journalists, are firmly rooted in their present. Their chief task is not to rewrite history from their present viewpoints but to enrich our understanding of the present with the help of historical knowledge and perspectives. In the style of historically savvy journalists, the job of the historian of the present is that of placing history at the centre of analyses of the present, and not that of placing the present at the centre of analyses of the past. As shown earlier, however, these features and qualities do not necessarily set apart the history of the present from the universal histories of the Enlightenment. The next step for historians of the present to take, then, is to ensure that the present is placed at the beginning but not at the end of history – to take a present-centred position but not a presentist one. Instead of explaining and glorifying the present, the point is to problematise it. Instead of seeing the past as the inferior teleological precursor of a better present, the historian of the present recognises that the value of historical research lies precisely in its qualities as a diagnostic tool capable of detecting in our present condition those processes gone wrong, societal retrogressions, and epochal blunders that demand inspection, introspection, and critique. Rather than historically reconstructing a series of teleological progressions, historians of the present take the study of the past to be a clinical and curative practice that looks at contemporary symptoms and present malaises. This is precisely what Foucault did in *Discipline and Punish*, and a similar skepticism towards the alleged superiority of our present condition equally animates historical revisionism in general and penal regressivism in particular.

Unlike eudaimonistic historical accounts that would have us celebrate for all of the different ways in which our present is better than our past, histories of the present are terroristic in the sense that they are meant to shock us, force us to interrogate our own habits and practices, and oblige us to reconsider our values and beliefs. Take Foucault’s terroristic claim that modern penal systems punish better and not less, i.e., that they ‘punish with an attenuated severity perhaps, but in order to punish with more universality and necessity’.[[128]](#footnote-128) Some may find it surprising that a very similar statement was made by Radzinowicz himself, though in a prototypically eudaimonistic, presentist, and whiggish fashion. While commenting on the passage of the *Criminal Justice Act* of 1948 – which, among other things, abolished penal servitude, hard labour, and corporal punishment in the English criminal justice system – Radzinowicz said the following:

[The Act] is a product of the penal experience of more than half a century; of the increased knowledge of the nature of crime and its prevention promoted by advances in the psychological and social sciences; of the continued influence of philanthropic and humanitarian forces; and of the new social attitude of which the Welfare State itself is both a manifestation and a cause. The Act did not weaken the authority of criminal law, nor did it question the necessity of maintaining public order by the threat and imposition of effective penal sanctions. It is true that corporal punishment was done away with […] but corporal punishment had virtually fallen into disuse before the Bill was drawn up […] Nor should it be ignored that under the statute much more drastic measures were provided to deal with persistent and habitual offenders […] and that valuable new provisions were added to counteract the delinquency of young offenders. *It was not intended to make our penal system softer and more lenient, but to increase its effectiveness by rendering it more diversified and elastic*. “Penal reform” is often taken to mean something soft, sentimental, idealistic to the point of becoming unrealistic. It may imply this, but alternatively it may imply a concerted, well-thought-out effort to overcome the limitations of a particular penal system and thus render it more effective in the prevention of crime.[[129]](#footnote-129)

Passages like this highlight the need for critical history in the historical study of crime and encapsulate the importance of the turn from Radzinowicz to Foucault. If questioning the benevolence and humanism of the modern penal system constitutes an act of academic terrorism, then perhaps fighting asymmetrical intellectual battles through radical (historiographic) means is not a senseless strategy after all.

What must be resisted is the temptation to moralise instead of analyse. The fact that critical historical accounts of the prison, for instance, expose the institution of criminal punishment for what it is – a failed and unjust institution that obeys the particularistic commands of political economy and not the universalistic ones of reason and justice and which historically has primarily served the interests of the powerful rather than society as a whole – should not lead us to moral indignation. The promise of a critical historical criminology, I would argue, lies in its potential to enhance and remedy the shortcomings of what Taylor, Walton, and Young called *exposé criminology*, i.e., the kind of critical criminology that exposes the double standards inherent in the criminal justice and penal system, points to ‘inequalities in apprehension, definition, and punishment’, ‘puncture[s] the legitimacy of the powerful’ and unmasks ‘the crime-free façade of the ruling class’ and the moral bankruptcy of our modern societies.[[130]](#footnote-130) While useful for ‘de-mask[ing] the moral face of the powerful controllers of [the existing] order’, Taylor, Walton, and Young argued, exposé criminology’s tendency to moralise instead of anlayse makes it unable to produce ‘an analysis that is adequate to the understanding of the past contours of crime and law, as well as to the present situation and future possibilities’.[[131]](#footnote-131) This is a productive area of intervention for critical historical criminologists who wish to experiment with the history of the present and act like investigative journalists who can give life to a historically-informed exposé criminology that is not caught in a moral dimension but is, instead, grounded in sound analytical frameworks.

As critical criminologists like Taylor, Walton, and Young have long argued, ‘the nature and content of crime and law cannot be grasped without a thorough analysis of its evolution historically’.[[132]](#footnote-132) *Studying the criminal question and the penal question with an eye upon the past*: this is the task of the criminological history of the present.

## **Conclusion**

Critical criminologists have been heavily influenced by the works of revisionists in the historical study of crime – works such as Foucault’s *Discipline and Punish*, Melossi and Pavarini’s *The Prison and the Factory*, Rothman’s *The Discovery of the Asylum*, Ignatieff’s *A Just Measure of Pain*, just to name a few. The authors of such works make explicit references to the influence exerted on them by their present contexts. In particular, they unanimously admit that their motivations for writing historically about crime, punishment, and justice were linked not to a detached interest to know about past crime-related phenomena or events but rather to present concerns like the European penal crisis of the late-1960s. Instead of accusing such authors of presentism because they found inspiration for writing historical works in the penal crises of their own day, scholars working at the intersection of history and criminology should aim to develop a more nuanced understanding of what it means to write histories of the present within the historical study of crime. Authors like Foucault greatly accelerated the historical turn in criminology, forcing scholars of crime and justice to think critically about the role of historical research in the study of crime. As shown in this article, one of Foucault’s greatest achievement was to demonstrate that it is possible – and indeed necessary – to place history at the centre of our investigations of crime, punishment, law, and justice in the present. Placing history at the centre of analyses of the present is an endeavor that is fundamentally different from placing the present at the centre of analyses of the past. As argued in this article, this is the core of the distinction between presentism and present-centredness. Presentism distorts the past for the sake of some present aim or objective and should be resisted, whereas present-centredness refers to a historically-informed way of relating to present realities and experiences and should be nurtured – in the historical study of crime and beyond.

This article drew a distinction between presentism and present-centredness through a juxtaposition between Whig history and the history of the present. Starting from an analysis of Foucault’s use of the phrase ‘history of the present’ in *Discipline and Punish*, the article suggested that Foucault was keen to draw a line between his own historiographic approach and that of Whig historians and that such a line was, in fact, a line of demarcation between presentism and present-centredness. The article then went on to discuss the notion of historiographic present-centredness in relation to the problem of anachronism to show that it is possible to be historians of the present without being presentist. Next, the article scrutinised the historiographic distinctiveness of the history of the present by way of a comparison with the sort of universal history that was typical in the days of the Enlightenment. Such a comparison revealed that the distinctive trait of the history of the present cannot be solely that of illuminating the conditions of possibility of the present – such a task must be explicitly carried out without placing the present at the end of history in order for a historical narrative to constitute a history of the present and to avoid the pitfalls of presentism. The fact that most criminologists who make use of historical data do so in order to *problematise* rather than to *explain* the present suggests that this is an increasingly recognised aspect of the criminological study of the past.[[133]](#footnote-133) Next, the article highlighted some of the deficiencies of Whig historiography and some of the limits of historicism to emphasise that present-centredness is the unavoidable starting position of all historical reflection. Lastly, the article offered some final thoughts on the practical implications of the foregoing analysis for a historical criminology that wishes to take Foucault’s history of the present seriously.

1. As I show elsewhere, presentism can take different forms within a criminological context. Here, I am concerned with presentism as a ‘technical’ (i.e., historiographic) problem rather than a ‘general’ (i.e., philosophical) one. See Roberto Catello, ‘Critiques of Presentism in Criminology: Challenges and Paradoxes’, *Law, Crime and History*, 11(1) (2023) pp.1-29. [↑](#footnote-ref-1)
2. On historical criminology’s uneasy relationship with conventional historiography and historicism see Roberto Catello, ‘The Historicist Objection to Historical Criminology’, *Law, Crime and History*, 10(1) (2022) pp.25-56. [↑](#footnote-ref-2)
3. David Churchill, ‘Towards Historical Criminology’, *Crime, History & Societies*, 21(2) (2017) pp.379-386. [↑](#footnote-ref-3)
4. Michel Foucault, *The History of Sexuality. Volume 2: The Use of Pleasure*, trans. R. Hurley, (Vintage Books, 1990) p.9. [↑](#footnote-ref-4)
5. Churchill, ‘Towards Historical Criminology’, p.380. [↑](#footnote-ref-5)
6. Duncan Kennedy, ‘The Stakes of Law, or Hale and Foucault!’, *Legal Studies Forum* 15(4) (1991) pp.327-365, p.357; Sverre Flaatten and Per J. Ystehede, ‘What’s Past is Prologue’, *European Journal of Criminology*, 11(2) (2014) pp.135-141, p.136. [↑](#footnote-ref-6)
7. David Garland, ‘Penal Modernism and Postmodernism’, in Thomas G. Blomberg and Stanley Cohen (eds.), *Punishment and Social Control* (Aldine de Gruyter, 1995) pp.181-209, p.194. [↑](#footnote-ref-7)
8. Paul Knepper, *Writing the History of Crime* (Bloomsbury, 2016) pp.10-12. [↑](#footnote-ref-8)
9. Clive Holmes, ‘G. R. Elton as a Legal Historian’, *Transactions of the Royal Historical Society*, 7 (1997) pp.267-279. [↑](#footnote-ref-9)
10. Geoffrey R. Elton, ‘Herbert Butterfield and the Study of History’, *The Historical Journal*, 27(3) (1984) pp.729-743, p.735. [↑](#footnote-ref-10)
11. Nikolas Rose, ‘Power and Subjectivity: Critical History and Psychology’, in Carl F. Graumann and Kenenth J. Gergen (eds.), *Historical Dimensions of Psychological Discourse* (Cambridge University Press, 1996) pp.103-124, p.122, italics in original. [↑](#footnote-ref-11)
12. Roberto Catello, ‘From Historical Social Science to the Historical Study of Crime’, *Crime, History & Societies*, 27(1) (2023) pp.33-58. [↑](#footnote-ref-12)
13. The most conclusive evidence of this was presented by Paul Rock in 2019 at the inaugural meeting of the BSC History Groups at the University of Leeds: when Rock and Mary McIntosh issued invitations to E. P. Thompson, George Rudé, Raphael Samuel, Eric Hobsbawm, and other social historians to present at the 1971 BSA conference on deviance and control, not a single one of them accepted the invitation. [↑](#footnote-ref-13)
14. Daniel Maier-Katkin, ‘On Sir Leon Radzinowicz Reading Michel Foucault: Authority, Morality and the History of Criminal Law at the Juncture of the Modern and the Postmodern’, *Punishment & Society*, 5(2) (2003) pp.155-177; Roberto Catello, ‘A Practical Critique of Social-scientific Reason in the Historical Study of Crime: The Politics of Historical Criminology and its Place in the Historiography of Crime and Criminal Justice’, Unpublished PhD thesis, University of Melbourne, 2019, pp.174-208. [↑](#footnote-ref-14)
15. David Garland, ‘What is a “History of the Present”? On Foucault’s Genealogies and their Critical Preconditions’, *Punishment and Society*, 16(4) (2014) pp.365-384, p.368. [↑](#footnote-ref-15)
16. Michel Foucault, *Discipline and Punish: The Birth of the Prison* 2nd edn, trans. A. Sheridan, (Vintage Books, 1995) p.30. [↑](#footnote-ref-16)
17. Foucault, *Discipline and Punish*, pp.30-31, emphasis mine. [↑](#footnote-ref-17)
18. Foucault, *Discipline and Punish*, pp.30-31. [↑](#footnote-ref-18)
19. Geoffrey Pearson, ‘Misunderstanding Foucault’, *History of the Human Sciences*, 3(3) (1990) pp.363-371, p.365. [↑](#footnote-ref-19)
20. Hayden V. White, *The Content and the Form: Narrative Discourse and Historical Representation* (The John Hopkins University Press, 1987). [↑](#footnote-ref-20)
21. Hayden V. White, ‘Foucault Decoded: Notes from Underground’, *History and Theory*, 12(1) (1973) pp.23-54, p.25, italics in original. [↑](#footnote-ref-21)
22. Ernst Troeltsch, *Protestantism and Progress: A Historical Study of the Relation of Protestantism to the Modern World* (Williams & Norgate, 1912) p.3. [↑](#footnote-ref-22)
23. James H. Robinson, *The New History: Essays Illustrating the Modern Historical Outlook* (The Macmillan Company, 1912) p.24. [↑](#footnote-ref-23)
24. John Dewey, *Democracy and Education: An Introduction to the Philosophy of Education* (The Macmillan Company, 1916) pp.250-251. [↑](#footnote-ref-24)
25. Thucydides, *The History of the Peloponnesian War* (E. P. Dutton and Company, [1876] 1950), p.80; Friedrich Schlegel, *Philosophical Fragments*, trans. P. Firchow, (University of Minnesota Press, 1991) p.27. [↑](#footnote-ref-25)
26. Robert Crowcroft, ‘A Tiger in the Grass, the Case for Applied History: Can the Study of the Past Really Help Us Understand the Present?’, *History Today*, 68(9) (2018) pp.36-41. [↑](#footnote-ref-26)
27. Adam Schaff, ‘Why History is Constantly Rewritten’, *Diogenes*, 8(30) (1960) pp.62-74, p.65, italics in original. [↑](#footnote-ref-27)
28. Gary Gutting, ‘Michel Foucault: A User’s Manual’, in Gary Gutting (ed.), *The Cambridge Companion to Foucault* (Cambridge University Press, 1994) pp.1-27, p.2; Michel Foucault, ‘What is Critique?’, in Sylvère Lotringer (ed.), *The Politics of Truth*, trans. L. Hochroth and C. Porter (Semiotext(e), 2007) pp.41-81, p.56; Michel Foucault, ‘History of Sexuality’, in Colin Gordon (ed.), *POWER/KNOWLEDGE Selected Interviews and Other Writings 1972-1977*, trans. C. Gordon, L. Marshall, J. Mepham, and K. Soper, (Pantheon Books, 1980) pp.183-193, p.193. [↑](#footnote-ref-28)
29. Carl L. Becker, ‘Everyman His Own Historian’, *The American Historical Review*, 37(2) (1932) pp.221-236, p.231. [↑](#footnote-ref-29)
30. Benedetto Croce, *Theory & History of Historiography*, trans. D. Ainslie, (G. G. Harrap & Co., 1921) p.54. [↑](#footnote-ref-30)
31. Friedrich Nietzsche, *Untimely Meditations*, trans. R. J. Hollingdale, (Cambridge University Press [1873] 2007) p.59. [↑](#footnote-ref-31)
32. Martina Tazzioli, Sophie Fuggle, and Yari Lanci, ‘Introduction’, in Sophie Fuggle, Yari Lanci, and Martina Tazzioli (eds.), *Foucault and the History of Our Present* (Palgrave Macmillan, 2015) pp.1-10. [↑](#footnote-ref-32)
33. Hubert L. Dreyfus and Paul Rabinow, *Michel Foucault: Beyond Structuralism and Hermeneutics* 2nd edn (The University of Chicago Press, 1983) p.125. [↑](#footnote-ref-33)
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