Modernity and the Monstrous:
the Making of the Modern Psychopath

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In 1910 Winston Churchill, then British Home Secretary, read a small pamphlet about recent treatments for juvenile delinquents in Indiana. H. C. Sharp's tract trumpeted the success he had had in curing juvenile degeneracy while Superintendent of the State's 'Home for Boys'. Churchill dictated a memorandum to his Department suggesting that the Home Office establish a committee to investigate the feasibility of instituting this new treatment in Britain's prisons, juvenile reformatories and institutions for the feeble-minded. 'For my part', he claimed, 'I think it is cruel to shut up numbers of people in institutions ... if by a simple surgical operation they could be permitted to live freely in the world without causing much inconvenience to others'. Later he added, 'I certainly do not look forward to that millennium for which some scientists appear to hanker when the majority of the human race will be permanently confined ... attended by numerous doctors and guarded by legions of warders'. Churchill's demand instigated a response worthy of *Yes Minister*. A flurry of file notes testify to the agitation this proposal caused in Whitehall—it wouldn't gain Parliamentary support, it wouldn't carry public opinion, it wouldn't even command, as they discovered, unanimous scientific support. As one file note commented 'I feel inclined to suggest minuting this "Bring up again on January 1, 1950"'.[1]

There are a number of interesting dimensions to this episode, although limitations of space prevent me from pursuing. Churchill's preferred surgical solution, however, does point to

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some of the complexities involved in deciphering the nature of eugenics and other new modes of social regulation in the early twentieth century. With hindsight we might also appreciate the irony of inventing a simple procedure, the vasectomy, to control the fertility of the 'unfit', becoming an important means by which the middle classes have controlled their own number ever since. But here we need to step back and see Churchill's statement within the context of a larger emergent political technology. The idea that threats to the public good could be diagnosed before they became social acts begins to engage lines of enquiry from the 1860s. From this period a range of theories, methods and practices begin to evolve, particularly in the area of crime and punishment, which shift the focus away from punishing illegal acts and towards treating the perpetrators of those acts. As Martin Wiener has argued, criminals changed from being purposive moral agents to being figures trapped by their nature.[2] Moreover there was a growing confidence that these perpetrators could be singled out and treated long before they realised their criminal potential. Criminal anthropology, anthropometrics, eugenics, criminal psychology, forensic criminology, branches of sociology, psychiatry and psychoanalysis all offered related but differing interpretations, practices and remedies to the 'social ills' that afflicted modern societies.[3] We might see these in turn as part of a larger transformation away from juridical modes of power, as Foucault would see them, to disciplinary and classificatory forms—although there is never a clear historicist rupture here, the different modalities mixing, conflicting and intersecting in complex ways throughout the nineteenth and twentieth centuries.[4] Perhaps, over the last two decades, with the rise of discourses about victim's rights, the revival in America of capital punishment, and the popularity of policies such as 'truth in sentencing', mandatory sentencing, and 'three strikes and you're out' laws, might signify the re-emergence of older juridical forms and the decline of the classifying, social interventionist and psychological strategies of the last century. Alternatively we may be entering a definably new configuration of the power to punish.

Whether we are at the end of a era of penality or not is difficult

to tell (putting aside the problems inherent in such an historicist question). Regardless of any answer, the legacy of the disciplinary and classificatory regimes of the late nineteenth and twentieth centuries have been profound; not just the vasectomy but the IQ test, the personality test, vocational guidance, fingerprinting, Bertillon measurements, profiling, indeterminate sentences, the case file, probation, parole, therapeutic communities and much more. Some have been transitory practices, others have found a very secure place in our society. If we return to Churchill, his statements have an intelligibility in a culture intensely engaged in debating the extent and threat of mental defectiveness, confident that it had the means to diagnose this affliction at an early age and seeking the political will to implement the implications of this knowledge. Segregation was politically palatable, and as a consequence enforced in most jurisdictions in the West, while sterilisation was credible and had some success in parts of Europe and North America, but met stronger resistance in Britain and Australia.[5] Churchill was also writing at a time when the idea of the 'lethal chamber' was the topic of much polite dinner conversation in elite circles in London, and elsewhere in Europe, although only a few ventured into print.[6] Perhaps one of the questions we should ask more often is not 'why Germany?' but 'why not England?'

Part of any answer to such a question involves a consideration of the nature, function and effect of bureaucracies. This has been a troubling topic for many over the years. It is one of the keys to understanding the work of such seminal thinkers as Weber, Habermas, Kafka and Hannah Arendt. While the later Habermas has a largely benign view of modern democratic institutions, including bureaucracies, as things that enhance communicative competence and political participation, Kafka and Arendt have argued for the destructive potential of bureaucracy.[7] For Arendt, in particular, bureaucracy fosters totalitarian abjection, homogenises thought, destroys individuality and undermines the capacity for self-representation. Bureaucracies reduce communication to cliché and enable functionaries to supervise the unthinkable. This is what constitutes 'the banality of evil'.[8]

Arendt's arresting formulation is part of a larger a tradition of political thought, one which ascribes new modes of domination —even radical evil—to modernity, rationality, hegemony, the loss of a capacity for self-reflection and morally sound action. Weber is also important here. What constitutes modernity is disenchantment, the decline of older forms of community, erosion of faith in magic, religion, mystery, superstition and its replacement by reason, rationalisation, bureaucratic process and science. Although diagnosing rationalisation as a major social force, Weber, crucially, reserved a space for something enchanted within modernity—charisma.[9]

Let me return, once again, to Winston Churchill and 1910. He is writing in the context of growing confidence in the capacity of science to solve the problem of crime and delinquency. Science offered the tools to diagnose criminals and treat them before they committed a crime. Criminals were not so much law breakers as mental defectives, degenerates, atavisms, sexual perverts, deviants, the psychiatrically scarred, psychotic, neuropathic, the socially disadvantaged, the product of pathological families and a host of other categories grounded in psychiatric, psychological, eugenic and sociological discourses and practices. An ever widening and more complex grid of classifications and treatments came to make the field of social deviance intelligible. These categories, discourses and practices replaced older languages of the monstrous, evil, immorality, and exemplary punishments with ones of inefficiencies, diseases and treatments.

But edging around these new scientific formulations, or perhaps more accurately disrupting these intelligibilities, were criminals who found only a very uneasy place within these frameworks. These were liminal figures, ones who did not quite fit. Here I want to focus on one of these. In early twentieth-century England they came to be known as moral imbeciles, in America the preferred term became psychopath. Here I want to try to explore how the monstrous and the scientific rubbed against each other in complex ways. It is part of a larger story of how social science has sought to make evil explicable. Yet despite our will to explain, the unfathomable keeps returning.

II

It is perfectly possible to trace an evolution in the language of the figure who has become known as the criminal psychopath—from a cacophony of popular ideas and representations to the dry prognostications of medical witnesses and psychological experts. Let me take some relatively arbitrary points of contrast. The 1888 Whitechapel or Jack the Ripper murders were captured in many languages—a middle class reforming discourse of 'darkest London'; numerous popular ones on 'the monster', 'the leather apron', the 'mad doctor', the 'sinister Jew', or the 'aristocratic libertine'; as well as scientific and quasi-scientific discourses of the sadist, the homicidal maniac, the monomaniac and the erotomaniac.[11] The proliferation is in part the product of the absence of an offender, allowing imagination to roam free. But we can see similar mixtures of discourses, popular and scientific, with no dominant reading, in similar cases of the period which did produce someone in the dock—criminals like Dr Thomas Cream, who poisoned four prostitutes in 1892. In the same year Frederick Deeming, a recent immigrant to Australia, murdered his wife. On further investigation police found five other bodies buried in his former residence in England. Some suspected Deeming of being 'the Ripper', a trope that returns time and again in popular accounts of gruesome crimes for over a century.[11]

If we jump ahead to 1942, however, something has changed, at least at the level of meaning. In February of that year English serviceman Gordon Cummins was arrested for the murder and mutilation of four women. Dubbed by the press, by now very predictably, 'Jack the Ripper', we can see the continuing popular resonance of ideas of the monstrous. But at the level of the scientific, the imaginative vision has diminished. The ensemble of representations has narrowed, become more stable, fixed— Cummins is a psychopath, assessed by a recognised body of experts, deemed to be able to differentiate right from wrong and therefore answerable for his crimes, found guilty and hanged. More significantly, while the popular and the scientific still jostled to describe this case in the press, the scientific has become the

dominant mode for serious deliberation and decision.[12] Since the 1880s doctors had fought for, and won, a place within the criminal justice system—in courts, prisons and parole boards—giving them a privileged place in which to define criminals and their culpability.

And in between these points we can find all sorts of variations and transitions, marking the gradual emergence of criminal psychopathology as a distinct domain of discourses and practices. Take, for instance, Henry Kendall Thaw, spoiled son of a family which made its millions from Coca Cola. At age eighteen Henry made his home in a New York brothel and earned a reputation for being too fond of whipping. In 1906 he shot and killed Standford White, society architect and lover of a young woman Thaw had fallen for, at an outdoor theatre performance. The subsequent trial made 'emotional insanity' the framework in which this case was debated. Thaw's defence counsel marshalled reputable doctors who defined his affliction as a case of 'dementia Americana', that well known syndrome whereby men strike out in murderous rage when a woman's honour is attacked. Found guilty but insane, Thaw lived in luxury in a criminal mental hospital, and was later 'sprung' by men hired by his doting mother and driven to Canada in a chauffeur driven limousine.[13]

It is often almost as tempting to represent the past as comic as it has been for many historians to make it tragic. But we should resist the inclination to homogenise the past into neat processes of transition from one phase to the next. Although a scientific language of psychopathology becomes more prevalent and powerful, especially as it comes to govern the lives of serious criminals and those administering criminal justice, popular ideas of the monstrous and vengeance continue to circulate to the present day. Richard Tithecott, in his fascinating study of the serial killer Jeffrey Dahmer, has explored the complex ways in which we are both repelled and attracted by stories of 'monsters'. We live in a culture that consumes tales of the monstrous human acts, finds characters such as Hannibal Lecter engaging. We use such tales, Tithecott argues, to explore our ambivalence about civilisation and savagery, purity and violence, madness and sanity, masculinity and femininity.[14] And although much of this modern fascination

with serial killers deploys a very old language of the monster as evil, relentless, and beyond reason, the scientific still intrudes in important ways. Characters such as Jason, in the Friday the 13th series, or Michael in the Halloween films, and a host of similar figures in popular literature and film, are monsters produced by childhood trauma—peer group rejection, scorn from the opposite sex, or psycho-sexual fixation arising from moral collapse in older generations. In other words there is a reason for their behaviour, embedded in social conditions, sexuality or moral hypocrisy. Thus monstrosity serves as a means for talking about other things than just evil itself.

But it would also be a mistake to carry this dichotomy of the scientific and the popular too far. They are not entirely distinct realms but interdependent, mutually reinforcing, overlapping. If we return to the late nineteenth and early twentieth centuries, when ideas of degeneracy, defectiveness, atavism and moral imbecility were emerging as ways of understanding the nature of criminality, we can see two competing figures in both the popular and the scientific literature. Perhaps distinct is going too far, but certainly we can see differences over whether the nature of evil was an absence or a presence. Let us go to the popular first—two widely read texts of the 1890s:

> [He] is a criminal and of criminal type. Nordau and Lombroso would classify him, and qua criminal he is of imperfectly formed mind ... his intellect is small and his action is based on selfishness, he confines himself to one purpose. That purpose is remorseless.
> (Bram Stoker, *Dracula*).

For Bram Stoker, Dracula lacks intelligence, moral development and human capacities. Thus he is diminished, reduced to remorseless purpose because he has no other possibility. Others saw the problem differently:

> He is a man of good birth and excellent education, endowed by nature with a phenomenal mathematical faculty ... but the man had hereditary tendencies of the most diabolical kind. A criminal strain ran in his blood ... he is a genius, a philosopher, an abstract thinker (A. Conan Doyle, 'The Final Problem', *Memoirs of Sherlock Holmes*).

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Sherlock Holmes's foe, Moriarty, clearly has too much of that thing so essential to a life well lived—philosophy.

Similar ideas are evident in scientific literature. Although there was a widespread view that the criminal was a degenerate, was degeneracy an atavism of savagery, as it was for Lombroso, or a failure to develop vital human capacities, as it was for Nordau, or was it an overdevelopment, an exaggeration in a neuro-psychobiological system that should be in balance, as it was for Henry Maudsley? The proliferation of debates about these problems in the late nineteenth and early twentieth centuries propelled the search for ways of identifying the hereditary criminal —the degenerate. Anthropometric measurements, fingerprinting and mental testing were all in place by 1910 in most western jurisdictions. Abnormalities of physique and physiognomy, and tests to show that many criminals lacked intelligence, were signs eagerly embraced by criminologists. These technologies confirmed theories and supported new forms of social intervention.

But these techniques also threw up problems. The more criminals were tested the more obvious it became that there was a class of offenders who did not appear to be defective. A minority, ten to fifteen percent of English prisoners thought Havelock Ellis, showed no sign of degeneracy, mental impairment of defectiveness.[15] A small sub-set of this class even demonstrated an exceptional intelligence, far exceeding that of ordinary law abiding citizens—the Moriarty type. In part this figure of the intelligent criminal came out of the empirical research. But it might also be said that criminologists expected to find such figures. The idea of the criminal whose defect was moral not intellectual had a long lineage, stretching back to the 1790s. French alienists, such as Esquirol and Pinel, had defined a particular class of the insane who suffered 'moral alienation rather than mental alienation'. This idea was taken up in 1835 by James Cowles Prichard (Senior Physician at the Bristol Infirmary), whose influential *Treatise on Insanity* defined 'moral insanity' as one of the four great classes of madness, the others being monomania, mania and dementia. Moral insanity was characterised by a 'morbid perversion of the natural feelings, affections, inclinations,

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temper, habits, moral dispositions and natural impulses without any remarkable disorder or defect of the intellect or knowing or reasoning faculties'.[16]

Moral insanity faded in significance over the course of the nineteenth century. It was no longer one of the great classes of madness but it remained an interesting and intriguing category for defining a small group of patients. But the emergence of criminal anthropology at the end of the nineteenth century brought it back to the centre of attention. Moreover the work of psychiatrists on the continent, notably Morel in France, Kraepelin and Krafft-Ebing in Germany, as well as of doctors in Britain such as Maudsley, sustained the idea of a real link between moral insanity and vice and crime. The growing passion for eugenics in Europe shifted the term to moral imbecility, to resonate with the language of mental defectiveness. Moral imbeciles became those whose mental functions appeared to be normal but whose moral functions were awry, as evidenced by their criminality.[17]

Another term that came into the theoretical literature of criminology and psychiatry in the early twentieth century was 'psychopath'. Again this came largely from the continent, mainly Germany, and was carried forth to America by such influential psychiatrists as Adolf Meyer. In many respects the psychopath and the moral imbecile were one and the same thing—serious criminals who had no intellectual or mental defects. They passed all the tests, often with great distinction, yet they suffered no guilt or remorse over their 'diabolical' acts. And many doctors used the terms interchangeably or in different combinations with other concepts, when describing the same type of person. In the early twentieth century the range and variety of terms was intriguing. Havelock Ellis used 'moral imbecile'; but Arthur MacDonald, past President of the International Congress on Criminal Anthropology, preferred 'moral degenerate'; Charles Henderson, Professor of Sociology at the University of Chicago, used 'criminal defective'; L. Forbes Winslow, a prominent English alienist actually used 'monomanic' to mean 'moral imbecile'; while Albert Wilson used 'psychopath' interchangeably with 'human degenerate'.[18] These were confusing times.

Despite the overlap in these terms there do appear to be some subtle distinctions worthy of note. By 1908, largely because of the impact of the Royal Commission into the Feebleminded, the term 'moral imbecile' became the dominant term in Britain. It suggested a failure of the moral faculties to develop; a hereditary condition, incurable, something that had to be prevented in the same way that mental defectiveness had to be controlled. The psychopath, however, became the preferred term in America. Psychopath conjured up a different genealogy. Here was a defect of personal development, something that arose out of childhood trauma, poor parenting, peer group pressures, life in city tenements, a host of familial, social and psychological factors that were definable, traceable and able to be remedied.[19]

The different ways the problem of the psychopath was rendered on both sides of the Atlantic, the consequences of these differences, and why psychopath eventually triumphed, with British psychiatrists and criminologists finally abandoning 'moral imbecility' by the late 1930s, is a fascinating story in itself. But it is an intricate story more suited to the learned monograph. One of the things I am interested in, however, is not so much the intellectual history of the psychopath but its presence in the everyday: the mundane, routine measures through which such concepts governed lives. This moves us from the realm of ideas to that of practices, although the two are clearly interconnected.

III

One of the things Michel Foucault suggested we do is to ask the 'how' question, rather than the traditional 'what' and 'why' questions. It is instructive to see how things work, how ideas and practices are intimately related, mutually reinforcing, and how they produce, regulate and discipline bodies, how they provide spaces for resistance and even freedom. How particular practices made the psychopath is a rather messy story, as these things often are. This is in part because the psychopath, at first, was defined more by what he or she wasn't than by what they were. Although Havelock Ellis and a host of criminologists believed they knew

the nature of the moral imbecile or psychopath, and the prevalence of this condition, the first really sustained investigations of the problem in the Anglophone context occurred in New York State. In 1913 John D. Rockefeller Jr was anxious to further the study of female crime, and funded the Laboratory of Social Hygiene at Bedford Hills Reformatory for Women. In 1916 his foundation also established the Bureau of Social Hygiene which funded a classification clinic at Sing Sing Prison. Through the 1920s and 1930s similar clinics were established at all the major New York penitentiaries. The Laboratory and the Bureau clinics aimed to investigate the social and psychological character of inmates. It was a teamwork approach. Social workers compiled comprehensive social histories of inmates, interviewing friends, relatives, employers and welfare organisations. Psychologists conducted IQ and personality tests, and psychiatrists interviewed and assessed each inmate. The team then met to decide on a diagnosis and a treatment regime.

It is impossible to go into the intricacies of these processes here. Elsewhere I have tried to explore the patterns of diagnosis through a close reading of the case files. It is arguable that the social history rather than the psychiatric interview, contrary to expectations and current understandings, determined the diagnosis. Certainly the ways in which these different discourses shaped understandings of crime had a marked effect on the evolution of American criminology between the wars. Influenced, as I have said, by the dynamic psychology of Adolf Meyer, in the 1930s leading criminologists such as W. I. Thomas and Sheldon and Eleanor Glueck focused largely on the development of personality within specific social contexts as the origin of criminal behaviour.[20] The coming together of the social and the psychological fostered the idea of the psychopath as an aberration of psychosexual and psychosocial development. But in practice the process of fixing the meaning of the psychopath through investigation and classification was very banal—perfunctory assessments, superficial interviews, impressionistic diagnoses and inadequate treatments. More importantly the psychopath appears as a very mundane figure.

A few examples might suffice to illustrate this point. In 1931 the psychiatrist at Auburn Prison Classification Clinic found that Eugene T 'strived his hardest to create a favourable impression and excite sympathy'. But the interviewer concluded that he was a 'glib talker', 'erratic' and 'overly emotional', while 'most of his story is clearly a figment of his imagination'. These impressions, combined with tests indicating normal intelligence, shifted the weight of diagnosis decisively towards 'psychopathic personality'.[21] Michael P, convicted of grand larceny in 1931 and sentenced to six years in Auburn Penitentiary, had a long criminal history. The social history revealed that he had joined a local gang as a boy and 'had frequented pool rooms, speakeasies and other disreputable places'. He had started drinking at eight years, smoking at fourteen and had sex at seventeen. The psychiatrist found that Michael's 'story had to be drawn out of him piecemeal'; 'he is hiding a great deal of his past life and lying at other times'. Thus he concluded that Michael was an 'irresponsible type, easily led and doesn't appear to appreciate the gravity of his offence', and thus that he was a neuropathic-psychopathic personality.[22]

Interviews rarely made sense unless they could be compared to an individual social history. Psychiatrists may have suspected that an interviewee was lying and evading the issue but they needed the evidence of the 'social history' to be really sure. For example Gladys G, a 21 year old Jewish girl from a good family, according to the mental tests had average intelligence, good critical judgement, and sound reasoning capacity. The psychiatric interview found her to be good natured, optimistic, cooperative and respectful. But the social history told another story. From the age of ten she regularly stole money from her parents to buy candy for all her school friends. From the age of 14 she forged cheques in her father's name at all the major New York department stores—including Wannamaker's and Macy's. Her father, a respectable Jew and a Mason, made good all these debts for fear of his name being sullied. Gladys also had the habit of taking up with gullible men of 'slightly inferior mentality', persuading them she was an heiress, marrying them and then forging their names

on cheques at stores and banks. To her family Gladys was an inveterate liar. What psychiatrists did was turn the narrative into a medical category. In the case of Gladys, as with many others, inveterate liar became constitutional psychopathic inferior, or more commonly, a psychopath.[23]

The point of these cases is that they illustrate my earlier point that the psychopath was an absence, the category to pick up all those cases where there was a life of crime but no overt psychological or psychiatric impairment. It is also an illustration of an all too common phenomenon—the capacity of fashionable ideas to sweep away critical judgement. But it was a category that became increasingly unsatisfactory. Using these modes of diagnosis psychopaths became as much as a quarter of the penitentiary population. And despite subsidiary descriptors, such as neuropathic or neuro-psychopathic, the psychopath was a rather large and undifferentiated category, with little explanatory power and no clear diagnostic tests. During the 1930s the category of psychopath was beginning to come apart, reflecting, in part, the explosion of research into criminality and the politics of disciplinarity. Sociologists like E. H. Sutherland began to move away from a focus on the offender altogether, to examine social processes which produced criminality. Psychiatrists, however, sought to go deeper in the psyche. Politicians, law reformers and others began to focus on the threat of the sexual psychopath, bringing sociologists and psychiatrists together to define this category and recommend treatment. Greater scrutiny fostered theoretical innovation and the production of new categories such as the sociopath, which grounded delinquency in social conditions and familial relations. The psychopath gradually became a narrower category, or we might see it as two categories. First, the sexual psychopath, which some historians have read as code for the homosexual, but is clearly something more than this, signifying sexual predators, homosexual and heterosexual, particularly those who preyed on children.[24]

But the second group is what we have come to know more commonly as the psychopath. Here we can see the return of the monstrous in scientific form. The psychopath became the category

to describe the remorseless sexual and murderous predator, the serial killer, who suffered no pangs of guilt and was incapable of forming affective relations. The increasing presence of psychiatrists in courts, their formal attachment to the judicial process, brought them face to face with the monstrous. Horrific criminals have existed in many times and places, but in the late nineteenth and twentieth centuries doctors were asked to uncover the true nature of these 'monsters', and to arbitrate on their capacity to stand trial. Some of the cases are truly horrible. Carl Panzram, who was first arrested at 8, murdered 21 people, committed over a thousand indecent assaults and many thousands of robberies, and when sentenced to death in 1928 declared that his motto in life was 'rob 'em all, rape 'em all and kill 'em all'. Hollywood has turned his life into a film. Albert Fish, who may have assaulted as many as 400 children, and ate some of his victims, was delighted when sentenced to the electric chair in 1936, as he saw it as the supreme thrill. Our culture is now saturated with narratives of these monsters, actual and fictional.

Psychopath became a means to declare someone mentally unbalanced but capable of being punished, disturbed but not insane. The crimes were such that criminal justice systems were loath to be lenient and psychiatrists in their use of the category psychopath eventually found a way to deliberate and punish. Psychopaths became a small, elite class of monstrous offenders who puzzled those who sought to understand the nature of serious offenders. And while, through profiling, criminolgists have come to able to pinpoint signs of psychopathology—characteristics, social incidences and paterns—the nature of their 'condition' has remained rather elusive. The most serious student of psychopaths in the 1940s and 1950s, Benjamin Karpman, of St Elizabeth's Criminal Mental Hospital in Washington DC, eventually sought the answer from psychopaths themselves. He developed an elaborate form of 'narrative therapy' hoping that by getting his patients to write their own story, at considerable length, as most of them running to over 300 pages, the texts would unfold the precise individual circumstances in which psychopathology developed. He published these narratives in four huge, gilt-edged,

expensively bound volumes—in size and appearance resembling medieval illuminated manuscripts.[25]

IV

The twentieth century has demanded that we engage with the problem of mass radical evil, within and across states and polities. We will have to do so again in the twenty-first. And we have a rich legacy of theoretical debate to tackle this problem. But at the level of the everyday, states and professions such as psychiatry and criminology deal with the problems of crime and punishment. These are important but routine issues, except when something out of the ordinary happens. Stories of violent, relentless crimes, the acts of so-called 'psychopaths' and serial killers, permeate our daily news and popular culture. They are real and imagined. But the scientific literature which lays claim to being able to understand these offenders seems to have developed hardly at all over two centuries. Yes, we have a rich repertoire of signs and symptoms for classifying the psychopath, but they remain remarkably elusive and mysterious. Modern accounts which specify guiltlessness as the essential characteristic of the psychopath take us right back to Dracula and Moriarty, perhaps even further back to the 'moral insanity' of Prichard and Esquirol. The criminology of the psychopath has travelled far, and produced much of our present day apparatus for governing crime, but it seems to have come back, time and again, to where it began— with the mystery of the monstrous, the remorseless, relentless human and sexual predator, intelligent, or at least single minded, cunning and resourceful.

Despite the forces of rationalisation, modernity, and dis-enchantment, and despite the emergence of horrendous forms of evil embedded in larger forces of modernity, violent, remorseless, savage criminals remain mysterious or, at least, trapped in ideas and frameworks that are very old. I am not suggesting that we should abandon the search for positive knowledge, far from it, as empirical research has expanded the knowable and reduced the mysterious in very important ways. But I am trying to suggest that

there are some things that are largely unfathomable except as banality and cliché. Some of these things, such as love and friendship, are worthy of celebration, others are darker and infinitely more troubling.

The failure of contemporary theories of the psychopath to move us much beyond ideas over two centuries old suggests, to me at least, some limits to our capacity to comprehend, something that escapes the will to know. It also suggests that, despite modernity, the mysterious and unfathomable are still things that pervade our culture. What we can know is not so much the nature of these things, the what or why of the mysterious, but how it works in specific times and places, how unfathomable things work within culture and allow us to talk about ourselves in complex ways. We might struggle to know evil as a thing in itself, but we can make a serious effort to understand some of the ways it has shaped our culture and out deeper cultural fears and anxieties. Perhaps this is an insight into why I practise history—it is one of those things that can free us from the tyranny of the present.

Notes

1   'Sterilization of the Mentally Degenerate', Home Office File, United Kingdom Public Record Office, HO 144/1098/197900.
2   Martin Wiener, *Reconstructing the Criminal: Culture, Law and Policy in England, 1830–1914*, Cambridge, 1990, pp.215–44.
3   The historiography on these shifts is vast. For a few representative works see Nicole Hahn Rafter, *Creating Born Criminals*, Urbana, 1997, and David Garland, *Punishment and Welfare: A History of Penal Strategies*, Aldershot, 1985.
4   Michel Foucault, *Discipline and Punish: The Birth of the Prison*, London, 1977.
5   Again the historiography on these issues is vast. For some useful works see Daniel J. Kelves, *In the Name of Eugenics: Genetics and the Uses of Human Heredity*, New York, 1985, Matthew Thomson, *The Problem of Mental Deficiency: Eugenics, Democracy, and Social Policy in Britain, 1870–1959*, Oxford, 1998, and Stephen Garton, 'Sound Minds and Healthy Bodies: Reconsidering Eugenics in Australia, 1914–1940', *Australian Historical Studies* 26.103 (October, 1994): 163–81.
6   Often those venturing into print are the ones opposing the idea of 'lethal chambers' but in doing so they argue that many prominent citizens

support the idea. See John C. Goodwin, *The Soul of the Criminal*, London, 1924, pp.303–04.

7 For a useful overview of the impact of Kafka on Arendt see Norma Claire Moruzzi, *Speaking through the Mask: Hannah Arendt and the Politics of Social Identity*, Ithaca, 2000, pp.118–20. For an insightful analysis of the contrasting representations of bureaucracy in Habermas and Arendt see Larry May, 'Socialization and Institutional Evil' in Larry May and Jerome Kohn, eds, *Hannah Arendt: Twenty Years Later*, Cambridge, Mass., 1996, pp.83–106.

8 Hannah Arendt, *Eichmann in Jerusalem: A Report on the Banality of Evil*, 2nd edn, New York, 1964.

9 See Max Weber, *The Theory of Social and Economic Organisation*, New York, 1947, pp.363–73.

10 For discussion of the Ripper case and the proliferation of languages which sought to capture this shadowy figure see Judith Walkowitz, *City of Dreadful Delight: Narratives of Sexual Danger in Late-Victorian London*, Chicago, 1992, pp.191–228.

11 There is an excellent book on Cream; see Angus McClaren, *Prescription for Murder: The Victorian Serial Killings of Dr Thomas Neill Cream*, Chicago, 1993.

12 For Cummins see *The Times*, June-August 1942.

13 The Thaw case is reconstructed from articles in the *New York Times*, from 26 June 1906 to February 1908. His escape is covered in the *New York Times*, 17 August 1913.

14 Richard Tithecott, *Of Men and Monsters: Jeffrey Dahmer and the Construction of the Serial Killer*, Madison, Wis., 1997.

15 Havelock Ellis, *The Criminal*, New York, 1972 (first published 1890), pp.124–32.

16 James Cowles Prichard, *A Treatise on Insanity*, London, 1835, p.6. Prichard acknowledges his debt to Esquirol, Pinel, Heinroth and other early formulators of the concept.

17 For a very good account of the evolution of the concept of moral insanity and psychopathology see Henry Werlinder, *Psychopathy: A History of the Concepts*, Uppsala, 1978.

18 See Arthur MacDonald, *Criminology*, 2nd edn, New York, 1893, pp.102–03; Charles Richmond Henderson, *The Cause and Cure of Crime*, London, 1914, pp.34–35; L. Forbes Winslow, *The Insanity of Passion and Crime*, London, 1916, p.69; Albert Wilson, *Unfinished Man: A Scientific Analysis of the Psychopath or Human Degenerate*, London, 1910.

19 For an assessment of the impact of Meyer and his legacy for American psychiatry see Ruth Leys, 'Adolf Meyer: A biographical note' in Ruth Leys and Rand B. Davis, eds, *Defining American Psychiatry: The*

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Correspondence Between Adolf Meyer and Edward Bradford Titchener, Baltimore, 1990, pp.39–57.

20 For some useful discussions of this influence see Kathleen W. Jones, *Taming the Troublesome Child: American Families, Child Guidance and the Limits of Psychiatric Authority*, Cambridge, Mass., 1999, and Edmund H. Volkart, ed., *Social Behavior and Personality: Contributions of W. I. Thomas to Theory and Social Research*, New York, 1951.

21 Auburn Prison, Classification Clinic Case Files, New York State Archives, 14610–77A: B227/3, Box, 4.

22 Auburn Prison Classification Clinic, Case Files, Box 4.

23 Bedford Hills Reformatory for Women, Laboratory of Social Hygiene, Case Files, C415/1, Box 4.

24 See Estelle B. Freedman, 'Uncontrolled Desires: The Response to the Sexual Psychopath, 1920–1960', *Journal of American History* 74 (June, 1987): 83-106.

25 Ben Karpman, *Case Studies in the Psychopathology of Crime: A Reference Source for Research in Criminal Material*, 4 vols, Washington DC, 1948.