

**[Review of the book *Men of Blood: Violence, Manliness, and Criminal Justice in Victorian England*]**

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Journal of Modern History

2007

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Originally published by The University of Chicago Press and can be found at:  
<http://www.jstor.org/page/journal/jmodernhistory/about.html>

Citation: Nye, R. A. (2007, March). [Review of the book *Men of Blood: Violence, Manliness, and Criminal Justice in Victorian England*]. *Journal of Modern History*, 79(1), 184-185. Available from JSTOR website: <http://www.jstor.org/stable/full/10.1086/517559>

competitive business. But insofar as the British moral reform movement and its leadership is concerned, Roberts has written a valuable, heavily researched survey that will last as the standard account for many years.

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**Men of Blood: Violence, Manliness, and Criminal Justice in Victorian England.**

By *Martin J. Wiener*.

Cambridge: Cambridge University Press, 2004. Pp. xvi + 296. \$70.00.

In the last few decades, criminal justice history has come of age. It has escaped the ghettos of legal and social history, which for a long time were dominated by the technical analysis of criminal law and criminal statistics and by other narrow disciplinary concerns that precluded any ambitious agenda or broad generalization. Criminal justice history now encompasses the broadest range of cultural, political, and gender history, as Martin Wiener's study of criminal violence in Victorian Britain impressively demonstrates. Wiener has assembled a broad array of the relevant criminal statistics and legal and procedural innovations of the nineteenth century and interprets this traditional material against the background of evolving male and female gender ideals, the history of violence, and the advance of the civilizing ideal in England. The result is a sweeping account of the emergence of the modern English temperament, which is often remarked upon in theory but in this study is supported by scrupulous attention to the practice of punishment in the Victorian justice system.

Wiener accomplishes this task by careful study of the language used by assizes judges, magistrates, lawyers, grand jurors, coroners, Home Office bureaucrats, highbrow commentators, and the authors of popular broadsides and periodicals. By examining in detail the discourse used by the chief participants in criminal investigations and trials, Wiener reaches conclusions about the ascriptive assumptions that guided contemporaries when they speculated on the intent, the nature, and the proper punishment of violent criminals. He then connects this discourse, which evolved over the course of the century, with attitudes and developments in Victorian society that shaped and were shaped in turn by the bloody drama of criminal violence, including ideals of womanhood, temperance and moral improvement movements, legal reform, and the gradual substitution of personal self-restraint for the rule of force. Though he offers case study upon case study that plumb the depths of human desperation and depravity, his basic narrative is about how English manhood underwent a sea change in the course of a century. In telling this tale, Wiener emphasizes the positive side of the gender revolution that made middle-class women into protected and helpless domestic angels, the passive helpmates to husband-fathers. As he paraphrases E. P. Thompson, "If protecting women became a justification for exercising power over other peoples, in the process the justification became a force in itself" (34).

This "force" took the form of a rising judicial and popular intolerance for violence, especially violence against women but also all the forms of casual violence between men that had fallen, in the early modern era, into the category of private conflict. As legal reformers in the early part of the century were lightening the punishments for property crimes, violent acts of all kinds against the person were criminalized according to new legal gradations of intent and harm and punished with a new array of sentencing options from fine and imprisonment to transportation and hanging. It is Wiener's point that the principal impulse behind these reforms was a perception that the Victorian incarnation of womanhood needed a complementary manhood that was self-regulating and respectful of the weaker sex and that society as a whole eventually benefited from the battery of reforms the penal establishment put in place to achieve this result. In explicating these developments in the reconstruction of manhood, Wiener shows that a variety of the misogynistic prejudices that had attached to womankind before the Victorian era—in effect, that women

were highly sexed, shrewish, passionate creatures—gradually atrophied when confronted by the ideal standard of womanhood embodied in the practice of criminal law, to which not only men but also, in practice, their female victims were now obliged to conform.

Effectively, as the century progressed, a man who had beaten or killed his wife was judged and punished according to an ever-increasing standard of strictness that acknowledged fewer mitigating circumstances: a woman's drunkenness; her verbal abuse or her infidelity, real or imagined; even her prostitution. But these female failings nonetheless remained in the law as circumstances justifying a man's acquittal or lessened punishment and so continued to serve as an incentive for women to actually perform the exemplary womanhood protected by the law. Thus, in Wiener's account, did criminal law and punishment shape the behavior and expectations of middle-class Victorians and, over the long run, the popular classes as well.

Wiener's argument, if it rested solely on the reformatory capacity of the criminal law, would have been far less weighty, but he adduces a wide array of cultural evidence that clearly indicates this gendered development in the law was accompanied by a host of parallel changes in public attitudes toward violence. The extraordinary social unrest and upper-class fear of popular uprisings that characterized the early industrial era were surely the inspiration for much of the era's legal reform: to punish disorder less harshly but more consistently and effectively. Furthermore, these anxieties also inspired political advocates for a broader franchise (such as John Stuart Mill and Harriet Taylor), evangelicals who undertook the reformation of working-class morality, and a host of temperance and purity reformers who saw drunkenness or sexual vice as the root of society's ills. For all these groups, criminal violence was perhaps the most dangerous, and surely the most dramatically visible, product of all these social and moral defects and the one most amenable to a combination of moral uplift, new personal responsibilities, and strict punishment. As Wiener demonstrates, men who failed to restrict their violent or sexually predatory impulses received harsher and more certain punishments over the course of the century. Less and less could they count on their wife's or lover's bad behavior, their own misery or drunkenness, or old assumptions about men's stronger sex drive or ancient right to engage in violence to resolve personal differences. Victorian reformers marked out the violent sexual predator as public enemy number one. As Wiener shows, the campaign to eliminate the traditional version of masculinity that underlay such violence helped in the long run to reduce the incidence of all forms of violence in English society.

From time to time, Wiener draws attention to the apparent paradox of the increasingly docile Englishman and the dominating "imperial man" for whom violence was an occasionally necessary obligation. Are these the same men, drawing on their existential circumstances to find the quality of their masculinity? Are they Victorian rejects or simply in rebellion against the increasingly pacific nature of civilian life? Wiener could have said more about the fate of the "civilizing influence" on men (and women) in the colonial domain, about which a good deal has been written concerning European colonialism and a great deal more concerning British exceptionalism in general. He includes a brief section on the differences between the French and the English in punishing crimes of passion but nothing else that would enlighten us further about the differential histories of violence, male honor, and gender relations in European societies in this era.

Notwithstanding the lack of such a comparative and imperial perspective, this is a deeply informed and imaginative study, beautifully written in the bargain. It is an added bonus that Wiener's painstaking attention to documenting his claims, drawn from case law, trial transcripts, Home Office documents, newspapers, and a myriad of other printed sources, is richly displayed in the abundant footnotes that Cambridge University Press, practically alone among scholarly publishers, continues to employ in its historical publications. The notes are full of fascinating material for the interested scholar, and much would have been lost had this information been abridged or confined to endnotes.

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