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Marc Renneville, *Crime et folie: Deux siècles d'enquêtes médicales et judiciaires*. Paris: Fayard, 2003. 527 pp. Notes and index. 25.00 € (pb). ISBN 2-213-60833-4.

Review by Alex Dracobly, University of Oregon.

Marc Renneville's new book, *Crime et folie*, attempts to answer the question, how is it that modern society has come to accept the idea that a criminal can be at once mentally ill and responsible for his or her actions? In the eighteenth century, Renneville explains, crime was equated with sin, punishment understood as a form of redemption, and the figure of the madman incompatible with that of the criminal, since in the absence of reason there can be no sin. Today, not only is crime pathologized but our prisons are full of individuals who have been diagnosed as mentally ill, and mental illness has gone from being regarded by the courts as an "attenuating" to an "aggravating circumstance" (p. 433). A recent study in France has estimated that some 30 percent of its prison population is in fact mentally ill. Despite the dramatic shift in how we conceptualize mental illness and crime, we have returned in practice to a situation reminiscent of the confinement practices of the Old Regime.

Although Renneville opens his book with a discussion of eighteenth-century critics of criminal law, the story he tells essentially begins with the French Revolution and the new configuration of social forces, institutions, and problems that emerged from it. The new French state of the early nineteenth century, he argues, was based on the principle of a social contract. Crime was defined as a violation of the contract, and criminals as those who knowingly violated society's rules. Such a model of society, however, raised several difficulties for thinking about crime in its relationship to mental illness. In the first place, it was by no means clear how the insane fit into this model, since they were presumably incapable of entering into a contract. At the same time, the very decision of the criminal to violate the law and thus remove him or herself from society hinted at a trace of insanity, which suggested that crime and madness were not so very far apart after all.

In response to these problems, Renneville argues, "new discourses," were produced, discourses which aimed at reconciling, with respect to mental illness, the two contradictory impulses at the heart of nineteenth-century juridical thought: the assumption of individual liberty, on the one hand, and social and biological determinism, on the other. The bulk of Renneville's book is taken up with an analysis of these discourses and the transition from an eighteenth-century model of "folie criminelle"--the notion that the insane were not responsible for their actions--to "la folie du crime" of the late nineteenth century and the "increasing penalization of abnormal criminals" (p. 251). There is no place here to review all of Renneville's arguments, which are many and intricate. All of the major players in these debates--Pinel, Esquirol, Georget, Gall, Morel, Broca, Lombroso, etc.--make their appearance; Renneville's discussion of their thought is consistently interesting.

Critical to this development was the emergence in the first half of the nineteenth century of a new understanding of insanity not as “total madness” but rather as a partial loss of reason. The concept of monomania, for instance, defined as mentally ill (and thus criminally irresponsible) persons who, on appearances, retained some of their rational faculties, but who were nevertheless incapable of controlling their actions. In the first half of the century such concepts were mobilized by psychiatrists and liberal philanthropists in an effort to widen the scope of criminal insanity, which had been defined in the Penal Code of 1810 as only applying to individuals suffering from total dementia. In a series of widely publicized trials in the 1820s and 1830s, for instance, the crimes themselves were taken as evidence of madness. As the lawyer M. Paillet argued in 1825 while defending a man on trial for the random murder of two children in the Bois de Boulogne: “A crime without a motive? Are you not, Messieurs members of the jury, struck by all that these words mean: a crime without a motive! and what a crime! the murder of two children! But who is he who does not immediately respond: This man is mad” (p. 110)! Paillet’s argument would have been irrefutable had it not been for the fact that his client was perfectly lucid both before and after the crime. All the same, who would deny that Paillet had a point?

Such arguments were controversial and, as Renneville points out, they appear to have had little impact on legal practices. They had, however, momentous long-term consequences. Defining insanity as a partial loss of reason made it possible to establish a “source of identity between the normal and these [other] persons” (p. 52), thus creating a possibility of integrating insanity and criminality within the same conceptual framework. Moreover, if “total madness does not exist,” as the psychiatric establishment claimed, neither does total sanity, a notion that raised the specter of individuals whose appearances might be normal but who were in fact walking time bombs. And as notions of degeneracy, hereditary insanity, and social pathology gained currency in the second half of the nineteenth century, criminality itself increasingly came to be defined as a form of insanity, and both criminality and insanity came to be defined as forms of social pathology. By the end of the century, “*la folie du crime*” had displaced “*la folie criminelle*” as the fundamental matrix for the analysis of criminal insanity. In contrast to the first half of the century, however, when such concepts were mobilized in efforts to protect the mentally ill from criminal prosecution, the new criminology of the late nineteenth century urged the confinement of the “abnormal” as socially dangerous. “A criminal could be ... recognized as ‘half-insane’ without obtaining the slightest attenuation of his guilt, or even escaping the greatest punishment” (p. 348), a situation which, the abolition of the death penalty apart, has remained true to this day.

Many of the topics and themes treated in this book will already be familiar from the works of Jan Goldstein, Robert Nye, Ruth Harris, Susanna Barrows, Marcel Gauchet and Gladys Swain and others.[1] Renneville’s work also builds on that of Robert Castel (and, beyond Castel, Michel Foucault), for whom the “discourses” of criminology and psychiatry represent so many technologies for the management of modern society.[2] This connection is perhaps clearest in the last chapter of the book, where Renneville describes recent trends in France. In the last few decades, as the mental care system has seen its resources cut, the mentally ill, particularly the “old and difficult asylum population,” have effectively been shifted to prisons, a policy that Renneville (following Castel) sees as a shift away from the “disciplinary regimes” of the nineteenth century and toward the “establishment of a new form of risk management that seeks less to act on dangerous individuals than to create a social trajectory that allows them to be restrained and marginalized” (pp. 432-433). The aim is no longer, in the words of Robert Castel, “to correct, punish or heal” a given individual, but rather “to anticipate all the possible points where danger might erupt.”[3] Thus the difference with the law of 1838 prescribing the confinement of the mentally ill. The law of 1838 remained linked to a curative program of intervention. This project has since failed, so that all that remains now is confinement.

Renneville goes beyond this argument, however, to suggest that these developments represent more than just a technical response to a social problem. In a fascinating conclusion to the entire book, he argues that they should also be seen as a response to a psychic need both on the part of the individual and on the part of society as a whole. The image of the criminal as a “distant alterity” serves as means of

justification for the violence exercised against those who are “destined to exit our sociability” (p. 439). The image of the psychopath provides us as individuals with a means of repressing a part of ourselves by allowing us to “project our own culpable desires” onto those who would “fulfill our fantasies” (p. 437). The criminal is thereby transformed into a sacrificial victim, and his punishment becomes a form of “collective purification.” “By committing the irreparable,” Renneville writes, “the criminal overturns the image that we make of ourselves. His act provides us with a reflection of the rift within each of us. It is at this very instance that he is lost, and it is his fall that saves us by allowing us to reconstitute at his cost a good conscience regarding our punitive system” (p. 437). It remains unclear whether Renneville thinks this is a psychological consequence of modern society, or whether such an interpretation requires a particular understanding of the structure of the human psyche; he points in both directions but does not indicate how these two positions might be reconciled. His argument nevertheless indicates an intriguing line of inquiry for the history of subjectivity.

I have only been able to touch here on several of the more important of the themes in Renneville’s book, which is rich in argument and offers many interesting insights both into the question of crime and insanity and, more generally, some of the central the problems facing modern, “post-disciplinary,” societies. The book is at times unwieldy. The narrative is excessively tilted toward the nineteenth century. Certain topics and themes are underdeveloped or poorly integrated into the overall argument. And too often Renneville lets his narrative structure carry the argument. I also wonder if Renneville does not place too great an emphasis on the French Revolution as the key foundational moment of his story. In Great Britain the evolution of criminology followed roughly the same pattern as in France but without sharing the same political culture. This raises the possibility, not entirely clarified in Renneville’s book, since he offers versions of both arguments, that it is not political modernity so much as social modernity—or perhaps secularization?—that is the critical issue. Such a question, however, can probably only be resolved by comparative work, and if Renneville occasionally casts a glance in the direction of France’s neighbors, his book remains firmly centered on France. As such, *Crime et folie* now stands as the single best synthesis of the ever-growing literatures on the history of psychiatry and the history of crime and criminology in France. It is also a significant work of research in its own right, and like any good book it provides much food for thought on a topic that has much to tell us not only about French society but about our own as well.

NOTES

[1] Jan Goldstein, *Console and Classify: The French Psychiatric Profession in the Nineteenth Century* (Cambridge: Cambridge University Press, 1987); Robert Nye, *Crime, Madness and Politics in Modern France: The Medical Concept of National Decline* (Princeton: Princeton University Press, 1984); Ruth Harris, *Murders and Madness: Medicine, Law, and Society in the Fin-de-Siècle* (Oxford: Oxford University Press, 1989); Susanna Barrows, *Distorting Mirrors: Visions of the Crowd in Late Nineteenth-Century France* (New Haven: Yale University Press, 1981); Marcel Gauchet and Gladys Swain, *La pratique de l’esprit humain: l’institution asilaire et la révolution démocratique* (Paris: Gallimard, 1980).

[2] Robert Castel, *L’Ordre psychiatrique: L’âge d’or d’aliénisme* (Paris: Minuit, 1976); Foucault’s presence is less remarkable, though Renneville does cite Michel Foucault, *Les Anormaux. Cours au Collège de France, 1974–1975* (Paris: Gallimard, 1999).

[3] Robert Castel, “De la dangerosité au risque,” *Actes de la Recherche en Sciences Sociales*, 47–48 (June, 1983): 119–127, cited 123.

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